



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, September 10, 2025

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

Cincinnati Elections Commission

1. [202501635](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Ligaya West to the Cincinnati Elections Commission for a term of four years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/AA)

Recommendation CONFIRM

Sponsors: Mayor

Housing Advisory Board

2. [202501636](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Katie Westbrook to the Housing Advisory Board for a term of four years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

Recommendation CONFIRM

Sponsors: Mayor

3. [202501637](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Rita Seith to the Housing Advisory Board for a term of four years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

Recommendation CONFIRM

Sponsors: Mayor

4. [202501638](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Sister Sally Duffy to the Housing Advisory Board for a term of four years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

Recommendation CONFIRM

Sponsors: Mayor

5. [202501639](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint James Watkins to the Housing Advisory Board for a term of four years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/AA)
Recommendation CONFIRM
Sponsors: Mayor
6. [202501640](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Gregory Johnson to the Housing Advisory Board for a term of four years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/AA)
Recommendation CONFIRM
Sponsors: Mayor
7. [202501641](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Bobby Maly to the Housing Advisory Board for a term of four years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/White)
Recommendation CONFIRM
Sponsors: Mayor

Community Development Advisory Board

8. [202501642](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Marcus Parrish to the Community Development Advisory Board for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/AA)
Recommendation HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL
Sponsors: Mayor
9. [202501643](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Tierra Turnage to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/AA)
Recommendation CONFIRM
Sponsors: Mayor
10. [202501644](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Ebony Pratt to the Community Development Advisory Board for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/AA)
Recommendation CONFIRM
Sponsors: Mayor
11. [202501645](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Yasmin

Chilton to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/AA)

Recommendation CONFIRM

Sponsors: Mayor

12. [202501646](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Stephanie Collins to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

Recommendation CONFIRM

Sponsors: Mayor

13. [202501647](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Roy Hackworth to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/AA)

Recommendation CONFIRM

Sponsors: Mayor

14. [202501648](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Gina Marsh to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

Recommendation CONFIRM

Sponsors: Mayor

15. [202501649](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Markiea Carter to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/AA)

Recommendation CONFIRM

Sponsors: Mayor

16. [202501650](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Jennifer McEvilley to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

Recommendation CONFIRM

Sponsors: Mayor

Citizen Complaint Authority

17. [202501652](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Dr. Sarah Ghee to the Citizen Complaint Authority for a term of two years ending in September 2026. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Female/White)

Recommendation CONFIRM

Sponsors: Mayor

MS. ALBI

18. [202501692](#) **RESOLUTION**, submitted by Councilmember Albi, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the Hamilton County Suicide Prevention Coalition and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for the Coalition's compassionate and dedicated service to the community.

Recommendation PASS

Sponsors: Albi

19. [202501698](#) **RESOLUTION**, submitted by Councilmember Albi, from Emily Smart Woerner, City Solicitor, **RECOGNIZING** the Association of Film Cinema International ("AFCI"), and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for the AFCI's 50th anniversary.

Recommendation PASS

Sponsors: Albi

MS. KEARNEY

20. [202501653](#) **MOTION**, submitted by Vice Mayor Kearney, **WE MOVE** that the administration allocate \$35,000 from the reserve for Weather Events, Other Emergencies, and One Time Needs to support Build Cincy, the annual conference that focuses on increasing the number of women and minority developers in Cincinnati and providing informational tools to scale the capacity of existing development companies. (BALANCE ON FILE IN THE CLERK'S OFFICE)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Kearney

MS. OWENS

21. [202501662](#) **MOTION**, submitted by Councilmember Owens, **WE DIRECT** the City Administration to take all needed action to trim, maintain, or remove items of city owned landscaping to improve sightlines for public safety infrastructure. **WE FURTHER MOVE** that the city administration ensures that the trimming, maintenance, or removal does not affect the goal of the Green Cincinnati Plan of maintaining 40% urban tree canopy.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Owens

MR. JEFFREYS

22. [202501682](#) **ORDINANCE**, submitted by Councilmember Jeffreys, from Emily Smart Woerner, City Solicitor, **MODIFYING** the provisions of Title VIII, "Business Regulations," of the Cincinnati Municipal Code by **ORDAINING** new Chapter 487, "Hookah and Other Smoking Establishments," to regulate the operating hours of hookah and other smoking establishments and to protect the public health, safety, and welfare of Cincinnati residents and visitors.

Recommendation PUBLIC SAFETY & GOVERNANCE COMMITTEE

Sponsors: Jeffreys

MR. CRAMERDING**MS. OWENS**

23. [202501699](#) **ORDINANCE (EMERGENCY)**, submitted by Councilmembers Cramerding and Owens, from Emily Smart Woerner, City Solicitor, **AUTHORIZING** the transfer of \$5,420,000 from General Fund balance sheet reserve account no. 050x2580, "Reserve for Weather Related Events, Other Emergency and One-Time Needs," to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$5,420,000 from the unappropriated surplus of General Fund 050 to various General Fund personnel and non-personnel operating budget accounts according to the attached Schedule of Transfer to fund police public safety measures and deter violent crime in the Central Business District and other crime hot spots in the City.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Cramerding and Owens

CITY MANAGER

24. [202501582](#) **REPORT**, dated 9/10/2025 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for SPH FC NA 11 LLC, DBA 125 W 5th St, 125 W 5th Street. (#10005323-1, TFOL, D5 D6) [Objections: Yes]

Recommendation FILE

Sponsors: City Manager

25. [202501584](#) **REPORT**, dated 9/10/2025, submitted Sheryl M. M. Long, City Manager, regarding Preventative Road Maintenance to Minimize Potholes. (Reference Document # 202500125)

Recommendation CLIMATE, ENVIRONMENT & INSTRUCTURE COMMITTEE

Sponsors: City Manager

26. [202501592](#) **APPOINTMENT** submitted by Sheryl M. M. Long, City Manager, on 9/4/2025, recommending the appointment of Amira Beer to the Sidewalk Board of Appeals for a term of three years from September 4, 2025. This appointment is submitted to the City Council for its approval. (Female/ White)

Recommendation CONFIRM

Sponsors: City Manager

27. [202501593](#) **APPOINTMENT** submitted by Sheryl M. M. Long, City Manager, on 9/4/2025, recommending the appointment of Kerry Rundle McIver to the Sidewalk Board of Appeals for a term of three years from September 4, 2025. This appointment is submitted to the City Council for its approval. (Female/White)

Recommendation CONFIRM

Sponsors: City Manager

28. [202501626](#) **REPORT**, dated 9/10/2025, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for UC's CCE Community Partner Fair.

Recommendation FILE

Sponsors: City Manager

29. [202501628](#) **REPORT**, dated 9/10/2025 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for J B Schmitt Garage LLC, DBA 1432 Main St, 1432 Main St. (#10005816-1, TRFO, D5) [OBJECTIONS: None]

Recommendation FILE

Sponsors: City Manager

30. [202501629](#) **REPORT**, dated 9/10/2025 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Wunder Corner Store LLC, DBA Wunder Corner Store, 3323 Wunder Avenue. (#9796604, New, C1 C2) [OBJECTIONS:Yes]

Recommendation FILE

Sponsors: City Manager

31. [202501630](#) **REPORT**, dated 9/10/2025, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Hudepohl 14K.

Recommendation FILE

Sponsors: City Manager

32. [202501631](#) **REPORT**, dated 9/10/2025 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Applebees Restaurants Mid-Atlantic, DBA 3222 Geier Dr, 3222 Geier Drive. (#10005382-1, TFOL, D1 D2 D3) [OBJECTIONS: None]

Recommendation FILE

Sponsors: City Manager

33. [202501632](#) **REPORT**, dated 9/10/2025 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Cincy Bartique LLC, DBA 3935 & 3937 Spring Grove Ave, 3935 & 3937 Spring Grove Avenue. (#10003867-1, TRFO, D5J) [OBJECTIONS: Yes]

Recommendation FILE

Sponsors: City Manager

34. [202501633](#) **REPORT**, dated 9/10/2025 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for 2801 Price Ave LLC, DBA Reds Deli, 2801-2803 Price Avenue. (#10006109-1, TRFO, C1 C2) [Objections: None]

Recommendation FILE

Sponsors: City Manager

35. [202501634](#) **REPORT**, dated 9/10/2025 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Sharkz LLC, DBA 2010 Elm St, 2010 Elm Street. (#10004198-1, New, D5J D6) [Objections: None]

Recommendation FILE

Sponsors: City Manager

36. [202501655](#) **REPORT**, dated 9/10/2025, submitted Sheryl M. M. Long, City Manager, regarding the Protections for Native Plant/Pollinator Gardens. (Reference Document # 202500354)

Recommendation FILE

Sponsors: City Manager

37. [202501663](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/10/2025, **AUTHORIZING** a payment of \$12,130 from Cincinnati Police Department General Fund non-personnel operating budget account no. 050x227x4053x7289 as a moral obligation to ForPsych Corporation for outstanding charges related to services rendered for fitness-for-duty evaluations completed in Fiscal Year 2025.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

38. [202501664](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/10/2025, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$46,080 from the Murray & Agnes Seasongood Good Government Foundation to administer an internship program for temporary placement of up to eight interns; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Citizens Jobs Fund revenue account No. 308x8571.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

39. [202501667](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/10/2025, **AUTHORIZING** a payment of \$3,366.14 from County Law Enforcement Applied Regionally CLEAR Fund non-personnel operating budget account no. 457x093x7100x7212 as a moral obligation to T-Mobile USA for wireless air card services in mobile data computers used by police patrol cars throughout Hamilton County law enforcement agencies.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

40. [202501668](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager,

on 9/10/2025, **AUTHORIZING** the City Manager to accept and appropriate up to \$61,725.90 from the Village of St. Bernard to capital improvement program project account no. 980x232x252383, "Pedestrian Safety Improvements/Major Street Calming," to install traffic calming infrastructure along sections of East Mitchell Avenue, a portion of which is located within the Village of St. Bernard; and **AUTHORIZING** the Director of Finance to deposit the resources into capital improvement program project account no. 980x232x252383, "Pedestrian Safety Improvements/Major Street Calming."

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

41. [202501681](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/10/2025, **APPROVING** a major amendment to the concept plan and development program statement governing a portion of Planned Development District No. 79, "Uptown Gateway," to permit additional uses within the planned development to allow office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, school, and all other uses permitted within the CC-A, "Commercial Community Auto," RM-0.7, "Residential MultiFamily," OG, "Office General," ML, "Manufacturing Limited," and IR, "Institutional Residential," zoning districts in the area located at 3020-3090 Exploration Avenue in the Avondale neighborhood. (Subject to the Temporary Prohibition List
<<[<https://www.cincinnati-oh.gov/law/ethics/city-business>>](https://www.cincinnati-oh.gov/law/ethics/city-business)>>).

Recommendation EQUITABLE GROWTH & HOUSING COMMITTEE

Sponsors: City Manager

BUDGET AND FINANCE COMMITTEE

42. [202501623](#) **MOTION**, submitted by Councilmember Albi, WE MOVE that the City Administration provide a report within 30 days to evaluate the potential for reviving the Capital Arts Grant Program. (BALANCE ON FILE IN THE CLERK'S OFFICE) (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Albi

43. [202501684](#) **MOTION (AMENDED)**, submitted by Councilmembers Cramerding ,Owens and Jeffreys, **WE MOVE** that the \$2 million allocated to public safety in Motion #202501522 and an additional ** \$3.42 million from the General Fund Contingency Account be used for the following items:

<u>Category</u>	<u>Item</u>	<u>Amount</u>
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Police	Public Visibility Overtime for CPD*	\$1,200,000.00
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Police	PIVOT Specialized Training	\$30,000.00
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Police	CPD Recruitment Efforts	\$100,000.00
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Police	Bond and Sentencing Project	\$250,000.00
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Police	Towing	\$50,000.00
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Outreach	3CDC Expanded Ambassador Program	\$880,000.00
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Outreach 3CDC Outreach Workers and FUSUS \$100,000.00

Outreach Youth Outreach Workers \$200,000.00

Outreach Curfew Center - Lighthouse \$195,000.00

Outreach Curfew Center - Seven Hills \$185,000.00

Technology DOTE/CPD Streetlighting and Cameras
\$1,200,000.00

Technology License Plate Readers \$360,000.00

Technology CPD West End Camera Expansion \$150,000.00

Technology Findlay Market Safety Improvements \$180,000.00

Technology CGIC/PIVOT Drones \$40,000.00

Technology Drone Expansion \$100,000.00

Technology FUSUS Expansion \$100,000.00

Technology Mobile Safety Camera Trailers \$100,000.00

Total \$5,420,000.00**

**Funds may be used by the city for other public safety needs if not spent by December 31st, 2025.*

***Council is to be notified if any of these funds are still outstanding by June 1st, 2026, with the administration either providing a plan to allocate these funds or recommendations to reallocate them for other public safety investments.*

(BALANCE OF MOTION ON FILE IN THE CLERKS OFFICE)

Recommendation ADOPT

Sponsors: Cramerding and Owens

44. [202501607](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/4/2025, **AUTHORIZING** the City Manager to accept and appropriate an award of \$14,845 in American Rescue Plan ("ARP") resources from the U.S. Department of Housing and Urban Development through the HOME Investment Partnerships Program ("HOME") (ALN 14.239) to a newly established Home Investment Trust Fund 411 project account in accordance with Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source Fund 411, "Home Investment Trust," of \$1,011,994.51 to close out or decrease certain existing project accounts in accordance with Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$1,011,994.51 from the unappropriated surplus of Fund 411, "Home Investment Trust," to realign resources with needs to ensure that funding is available to support administering, planning, monitoring, and reporting the use of HOME ARP resources in accordance with Section C of the attached Schedule of Transfer; and **AUTHORIZING** the City Manager to file the 2021 Annual Action Plan Amendment.

Recommendation PASS EMERGENCY

Sponsors: City Manager

45. [202501608](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/4/2025, **AUTHORIZING** the transfer and return to source Fund 411, "Home Investment Trust," of \$679,483.94 to close out or decrease certain existing project accounts, according to Section A of the attached Schedule of Transfer; and **AUTHORIZING** the transfer and appropriation of \$679,483.94 from the unappropriated surplus of Fund 411, "Home Investment Trust," to various Strategic Housing Initiatives Program project accounts, according to Section B of the attached Schedule of Transfer, to provide funding that will be spent in a timely manner to support vital City programs.

Recommendation PASS EMERGENCY

Sponsors: City Manager

46. [202501609](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/4/2025, **AUTHORIZING** the City Manager to accept and appropriate program income of \$8,660 from the Lead Hazard Reduction Grant (ALN 14.905) to Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927 to identify and control lead-based paint hazards in eligible, privately owned housing for low-income residents; and **AUTHORIZING** the Director of Finance to deposit grant program income into Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927.

Recommendation PASS EMERGENCY

Sponsors: City Manager

47. [202501611](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/4/2025, **AUTHORIZING** the transfer and return to source of \$75,000 from the Office of the City Manager non-personnel operating budget account no. 050x101x7400 to the unappropriated surplus of the General Fund; and **AUTHORIZING** the transfer and appropriation of \$75,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x233x252312, "Wall Stab. & Landslide Correction," to provide resources to stabilize a landslide and inspect, rehabilitate, and replace the retaining wall and appurtenances at 1769 Carll Street; and **DECLARING** such expenditures to be for a public purpose.

Recommendation PASS EMERGENCY

Sponsors: City Manager

48. [202501665](#) **ORDINANCE (EMERGENCY)**, submitted by Sheryl M. M. Long, City Manager, on 9/8/2025, **AUTHORIZING** the transfer and return to source of \$150,000 from existing capital improvement program project account no. 980x164x231600, "Economic Development Initiatives - GF," to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$150,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development General Fund non-personnel operating budget account no. 050x164x7200 to provide resources for operating support for Represent Cincy to retain and attract small businesses primarily to the Over-the-Rhine neighborhood; and **DECLARING** that the operating support for Represent Cincy serves a public purpose

because the small business support will foster local improvements and investment and increase neighborhood vitality.

Recommendation PASS EMERGENCY

Sponsors: City Manager

49. [202501615](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/4/2025, **APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with OTR Historical Development, LLC, thereby authorizing a twelve-year tax exemption for 100 percent of the value of improvements made to real property located at 43 E. Clifton Avenue in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of existing buildings into approximately 10,933 square feet of residential space, consisting of 16 residential units, at a total construction cost of approximately \$1,700,000.

Recommendation PASS EMERGENCY

Sponsors: City Manager

50. [202501669](#) **ORDINANCE (EMERGENCY)**, submitted by Sheryl M. M. Long, City Manager, on 9/8/2025, **ESTABLISHING** the Downtown Cincinnati Improvement District Assessment Equalization Board, appointing three members thereto, and setting the time and place for hearings in accordance with the applicable provisions of the Ohio Revised Code.

Recommendation PASS EMERGENCY

Sponsors: City Manager

SUPPLEMENTAL ITEMS

EQUITABLE GROWTH & HOUSINGS COMMITTEE

51. [202501568](#) **ORDINANCE**, submitted by Councilmember Owens, from Emily Smart Woerner, City Solicitor, **MODIFYING** Chapter 871, "Landlord-Tenant Relations," of the Cincinnati Municipal Code by **AMENDING** Section 871-3, "Definitions," and **ORDAINING** new Section 871-17, "Retaliation Prohibited," to protect tenants and tenant organizations against retaliation for reporting hazardous or substandard living conditions and advocating regarding their tenancy.

Recommendation PASS

Sponsors: Owens

ANNOUNCEMENTS

Adjournment



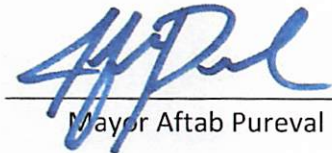
AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501035

September 2025

APPOINTMENT

I hereby appoint Ligaya West to the Cincinnati Elections Commission for a term of four years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501034

September 2025

APPOINTMENT

I hereby appoint Katie Westbrook to the Housing Advisory Board for a term of four years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501037

September 2025

APPOINTMENT

I hereby appoint Rita Seith to the Housing Advisory Board for a term of four years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501038

September 2025

REAPPOINTMENT

I hereby reappoint Sister Sally Duffy to the Housing Advisory Board for a term of 4 years.
This reappointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval




AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501039

September 2025

REAPPOINTMENT

I hereby reappoint James Watkins to the Housing Advisory Board for a term of 4 years.
This reappointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501040

September 2025

REAPPOINTMENT

I hereby reappoint Gregory Johnson to the Housing Advisory Board for a term of 4 years.
This reappointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501641

September 2025

REAPPOINTMENT

I hereby reappoint Bobby Maly to the Housing Advisory Board for a term of 4 years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501642

September 2025

APPOINTMENT

I hereby appoint Marcus Parrish to the Community Development Advisory Board for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

2025/10/4/3

September 2025

APPOINTMENT

I hereby appoint Tierra Turnage to the Community Development Advisory Board for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501644

September 2025

APPOINTMENT

I hereby appoint Ebony Pratt to the Community Development Advisory Board for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval

20250 11045



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

September 2025

APPOINTMENT

I hereby appoint Yasmin Chilton to the Community Development Advisory Board for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

20250646

September 2025

APPOINTMENT

I hereby appoint Stephanie Collins to the Community Development Advisory Board for a term of three years. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.


Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501047

September 2025

REAPPOINTMENT

I hereby reappoint Roy Hackworth to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules.


Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501648

September 2025

REAPPOINTMENT

I hereby reappoint Gina Marsh to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

2025/04/9

September 2025

REAPPOINTMENT

I hereby reappoint Markiea Carter to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501050

September 2025

REAPPOINTMENT

I hereby reappoint Jennifer McEvilley to the Community Development Advisory Board for a term of three years. This reappointment is submitted to City Council for its advice & consent pursuant to its Rules.


Mayor Aftab Pureval



AFTAB PUREVAL
City of Cincinnati, Office of the Mayor

202501652

September 2025

APPOINTMENT

I hereby appoint Dr. Sarah Ghee to the Citizen Complaint Authority for a the term two years ending in September 2026. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval

202501692
Date: September 10, 2025

To: Councilmember Anna Albi
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Resolution - Recognizing Hamilton County Suicide Prevention Coalition**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING the Hamilton County Suicide Prevention Coalition and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for the Coalition's compassionate and dedicated service to the community.

EESW/IMD(dbr)
Attachment
4925-0719-7799

RESOLUTION NO. _____ - 2025

RECOGNIZING the Hamilton County Suicide Prevention Coalition and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for the Coalition's compassionate and dedicated service to the community.

WHEREAS, mental health is a critical component of overall health, and one in five adults experience a mental health problem in any given year; and

WHEREAS, approximately half of chronic mental illnesses begin by age fourteen, and three-quarters by age 24, with long delays often occurring between the onset of symptoms and when individuals receive help; and

WHEREAS, in 2023, suicide was the second highest cause of death among Ohioans ages ten to fourteen and twenty to 34, and was the twelfth-leading cause of death overall, with an average of nearly five Ohioans dying by suicide each day, including one individual ages ten to 24 every 36 hours; and

WHEREAS, the United States has one of the highest suicide rates among high-income nations, with gun suicide rates that are nearly twelve times higher, and with suicides accounting for nearly six out of every ten gun deaths; and

WHEREAS, up to ninety percent of people who die by suicide had experienced prior symptoms of a mental health condition, according to interviews with family, friends, and medical professionals; and

WHEREAS, learning to recognize the symptoms of mental illness encourages early identification and treatment, which can significantly improve outcomes by supporting mental health and promoting successful recoveries; and

WHEREAS, every citizen and community can help end the silence and stigma surrounding mental illness by supporting public education and civic activities that encourage mental health awareness and improve the lives of individuals and families affected by mental illness; and

WHEREAS, the Hamilton County Suicide Prevention Coalition empowers citizens through awareness, support, and connection — working to ensure no one faces mental health challenges alone by providing life-saving resources, promoting help-seeking behaviors, raising public consciousness about suicide prevention, and dismantling the silence and stigma around mental health; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Mayor and this Council hereby recognize Hamilton County Suicide Prevention Coalition for their tireless dedication to suicide prevention and mental health in support of the safety and well-being of our community.

Section 2. That this resolution be spread upon the minutes of Council, and that a copy be provided to the Hamilton County Suicide Prevention Coalition through the office of Councilmember Anna Albi.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Anna Albi

207501698

Date: September 10, 2025

To: Councilmember Anna Albi
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Resolution – Recognizing The Association of Film Cinema International Cineposium**

Transmitted herewith is a resolution captioned as follows:

RECOGNIZING the Association of Film Cinema International (“AFCI”), and
EXPRESSING the appreciation of the Mayor and the Council of the City of Cincinnati for
the AFCI’s 50th anniversary.

EESW/JWF(dbr)
Attachment
4905-4714-7879

RESOLUTION NO. _____ - 2025

EESW

RECOGNIZING the Association of Film Cinema International (“AFCI”), and **EXPRESSING** the appreciation of the Mayor and the Council of the City of Cincinnati for the AFCI’s 50th anniversary.

WHEREAS, for the first time in eight years, the Association of Film Cinema International (“AFCI”) Cineposium will be hosted in North America and will occur in Cincinnati; and

WHEREAS, Cincinnati will welcome over 300 registrants, panelists, keynotes, filmmakers, and community members from more than 31 countries for the Cineposium, which coincides with the organization’s 50th anniversary celebration; and

WHEREAS, Film Cincinnati has worked on behalf of the AFCI to deliver an impactful and unforgettable experience through conference-style professional development seminars designed to teach attendees the power of the creative economy; and

WHEREAS, the AFCI is the world’s only nonprofit professional organization that represents film commissions, government employees, studio executives, producers, and media, and supports industry stakeholders by promoting advocacy, connectivity, and education, which helps drive economic growth and advance professional development; and

WHEREAS, the local film industry delivered a total economic impact of \$215,000,000 and 2,150 jobs between 2023 and 2025, and will continue to grow and thrive with the support of the Ohio Motion Picture Tax Credit; and

WHEREAS, Cincinnati is honored to welcome esteemed guests and to host such an impactful event in the film industry for the first time in the AFCI Cineposium’s 48-year history; now, therefore,

BE IT RESOLVED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Mayor and this Council hereby recognize the Association of Film Cinema International for their profound impact on the film industry.

Section 2. That this resolution be spread upon the minutes of Council and that a copy be provided to Film Cincinnati and the Association of Film Cinema International through the office of Councilmember Anna Albi.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Submitted by Councilmember Anna Albi

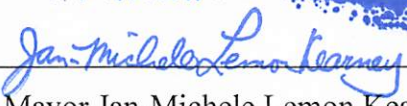


202501053

Jan-Michele Lemon Kearney
Vice Mayor

MOTION

WE MOVE that the administration allocate \$35,000 from the reserve for Weather Events, Other Emergencies, and One Time Needs to support Build Cincy, the annual conference that focuses on increasing the number of women and minority developers in Cincinnati and providing informational tools to scale the capacity of existing development companies. This year, the conference takes place on September 18-19, 2025 at the Graduate Hotel. In addition to workshops, Build Cincy features additional opportunities such as a bus tour of sites that are ripe for development projects and sites where development is in process, and a Women's Developers Dinner. The Greater Cincinnati Foundation is the fiscal agent for the conference which is co-sponsored by the Port Authority as well as private entities. Build Cincy is free and open to the public.


Vice Mayor Jan-Michele Lemon Kearney

1/1/19

1. The first part of the report is a general introduction to the project. It describes the objectives of the study and the methods used to collect and analyze the data. The introduction also provides a brief overview of the results of the study.

2. The second part of the report is a detailed description of the data collection process. It includes information about the sample size, the data sources, and the methods used to collect the data. This section also discusses the challenges encountered during the data collection process.

3. The third part of the report is a detailed description of the data analysis process. It includes information about the statistical methods used to analyze the data and the results of the analysis. This section also discusses the limitations of the study and the implications of the findings.

Dr. [Name]
[Address]
[City, State, Zip]



207501662

Meeka D. Owens
Cincinnati City Council

September 4th, 2025

Improving Sightline for Public Infrastructure through Maintenance of Landscaping

WE DIRECT the City Administration to take all needed action to trim, maintain, or remove items of city owned landscaping to improve sightlines for public safety infrastructure.

FURTHER WE MOVE that the city administration ensures that the trimming, maintenance, or removal does not affect the goal of the Green Cincinnati Plan of maintaining 40% urban tree canopy.

Councilmember Meeka D. Owens

202501082

Date: September 4, 2025

To: Councilmember Mark Jeffreys
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: Ordinance – Hookah Lounge Regulation

Transmitted herewith is an ordinance captioned as follows:

MODIFYING the provisions of Title VIII, “Business Regulations,” of the Cincinnati Municipal Code by **ORDAINING** new Chapter 847, “Hookah and Other Smoking Establishments,” to regulate the operating hours of hookah and other smoking establishments and to protect the public health, safety, and welfare of Cincinnati residents and visitors.

EESW/JLF(dmm)
Attachment
4929-4091-4521

City of Cincinnati
An Ordinance No. _____

JLF

EESW

- 2025

MODIFYING the provisions of Title VIII, “Business Regulations,” of the Cincinnati Municipal Code by **ORDAINING** new Chapter 847, “Hookah and Other Smoking Establishments,” to regulate the operating hours of hookah and other smoking establishments and to protect the public health, safety, and welfare of Cincinnati residents and visitors.

WHEREAS, the prevalence of hookah and other smoking establishments and related nuisance activity has increased significantly over the past few years; and

WHEREAS, hookah and other smoking establishments in the city of Cincinnati are frequently open during late night and early morning hours similar to bars and night clubs, but without similar licensing or permit requirements, whose customers often frequent hookah and other smoking establishments after bars and night clubs close; and

WHEREAS, hookah and other smoking establishments attract large crowds that congregate in residential areas near these establishments for extensive periods of time between the hours of 12:00 a.m. and 5:00 a.m. and make excessive noise, disturbing the peace and quiet of residents; and

WHEREAS, unregulated hookah and other smoking establishments attract customers who have often left licensed liquor establishments after late-night closing hours and the congregation of large, frequently intoxicated, crowds significantly interferes with the quiet enjoyment of Cincinnati residents who live near these establishments; and

WHEREAS, hookah and other smoking establishments attract criminal activity including shootings, disorder in public rights of way, liquor violations, and drug activity; and

WHEREAS, the City of Cincinnati has recently pursued litigation to address nuisance activity associated with hookah and other smoking establishments, namely City of Cincinnati v. After Valley LLC DBA Jerina’s Lounge, Case No. A2302766 (filed in response to liquor law violations and over fifteen shootings in a two-year period near this hookah establishment), City of Cincinnati v. Red Room Hookah Lounge LLC, Case No. A2304418 (lawsuit initiated to address pervasive public safety concerns including numerous shootings, liquor law violations, and persistent noise and litter complaints from neighboring residents), and City of Cincinnati v. 2927 Legacy LLC DBA Legacy Lounge, Case No. A2403571 (litigation filed because this hookah establishment was the subject of multiple liquor law violations and building code violations, and because it strained Police Department resources due to multiple shootings and other criminal activity); and

WHEREAS, a recent incident involving a large and disorderly crowd comprised of, among others, individuals leaving a local hookah establishment after 2:00 a.m. resulted in law enforcement officers being assaulted and the ingress and egress of a local Cincinnati Fire station being blocked, putting public safety at risk; and

WHEREAS, more recently, there were three shootings that occurred between midnight and 4:00 a.m. during a single weekend outside of two separate local hookah establishments; and

WHEREAS, Council desires to limit the operating hours of hookah and other smoking establishments to protect the health, safety, and welfare of Cincinnati residents; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That new Chapter 847, "Hookah and Other Smoking Establishments," of Title VIII, "Business Regulations," of the Cincinnati Municipal Code is hereby ordained to read as follows:

Chapter 847 – HOOKAH AND OTHER SMOKING ESTABLISHMENTS

Sec. 847-1. - Definitions.

For the purpose of this Chapter the words and phrases shall have their ordinary meaning unless defined herein.

Sec. 847-1-H. – Hookah.

"Hookah" means a water pipe or similar products or devices used to inhale or otherwise consume fumes, smoke, or vapor from the burning of tobacco, organic, or synthetic material, including, but not limited to, herbs, shisha, or other plant materials.

Sec. 847-1-H2. – Hookah Establishment.

"Hookah establishment" means a business whose operations include hookah smoking on its premises, including, but not limited to, hookah bars, hookah lounges, or hookah cafes.

Sec. 847-1-S. – Smoking Establishment.

"Smoking establishment" means any business whose operations include the smoking of tobacco products or other legal substances on its premises, including, but not limited to, cigar lounges, tobacco lounges, tobacco clubs, or tobacco bars.

Sec. 847-1-V. – Vape Establishment.

"Vape establishment" means any business whose operations include the smoking of vape products on its premises.

Sec. 847-1-V2. – Vape Product.

"Vape Product" means a product utilizing a heating element that vaporizes a substance releasing nicotine, tobacco, flavored or non-flavored vapor, or fumes from any other organic or synthetic material including, but not limited to, plants or herbs through one or more electronic or battery operated delivery device(s), including any device known as an electronic cigarette

(also commonly referred to as an e-cig, e-cigarette, e-pipe, electronic cigarillo, hookah pen, vape pen, vape pipe, or any other electronic cigarette product).

Sec. 847-3. Hours of Operation.

Hookah establishments, smoking establishments, and vape establishments shall operate only between the hours of 9:00 a.m. and 10:00 p.m. Sunday through Thursday and between the hours of 9:00 a.m. and 11:00 p.m. Friday and Saturday.

Sec. 847-99. – Enforcement.

The City Solicitor is authorized to bring proceedings to enforce this Chapter pursuant to the remedies provided by Section 1501-27.

Section 2. That the proper City officials are authorized to take all necessary actions to carry out the terms of Section 1.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Deletions are indicated by strikethrough; additions are indicated by underline.

2025 01699

Date: September 10, 2025

To: Councilmembers Jeff Cramerding and Meeka D. Owens
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Emergency Ordinance - Implementing Motion #202501684**

Transmitted herewith is an emergency ordinance captioned as follows:

AUTHORIZING the transfer of \$5,420,000 from General Fund balance sheet reserve account no. 050x2580, "Reserve for Weather Related Events, Other Emergency and One-Time Needs," to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$5,420,000 from the unappropriated surplus of General Fund 050 to various General Fund personnel and non-personnel operating budget accounts according to the attached Schedule of Transfer to fund police public safety measures and deter violent crime in the Central Business District and other crime hot spots in the City.

EESW/KKF(dbr)
Attachment
4934-7459-2871

EMERGENCY

City of Cincinnati

KKF

EESW

An Ordinance No. _____

- 2025

AUTHORIZING the transfer of \$5,420,000 from General Fund balance sheet reserve account no. 050x2580, "Reserve for Weather Related Events, Other Emergency and One-Time Needs," to the unappropriated surplus of General Fund 050; and **AUTHORIZING** the transfer and appropriation of \$5,420,000 from the unappropriated surplus of General Fund 050 to various General Fund personnel and non-personnel operating budget accounts according to the attached Schedule of Transfer to fund police public safety measures and deter violent crime in the Central Business District and other crime hot spots in the City.

WHEREAS, pursuant to Motion No. 202501684, adopted September 8, 2025, Council moved to utilize funds from the City's "Reserve for Weather Related Events, Other Emergency and One-Time Needs," balance sheet reserve account to improve police public safety and deter violent crime in the Central Business District and other crime hot spots in Cincinnati; and

WHEREAS, a total of \$5,420,000 will be used for additional Center City Development Corporation (3CDC) Ambassadors in Downtown and Over-the-Rhine, youth outreach workers, curfew centers, police visibility overtime, expediting and expanding police recruitment efforts, a bond and sentencing project, specialized training for the Place Based Investigations of Violent Offender Territories (PIVOT) Program, ongoing towing enforcement, technology upgrades, license plate readers, street lighting, security cameras, expansion of the West End camera program, Findlay Market safety improvements, expansion of the drone program, expansion of FUSUS, mobile safety camera trailers, and other measures identified by the Cincinnati Police Department to improve public safety and deter violent crime; and

WHEREAS, funds may be used by the City for other public safety needs if funds are not spent by December 31, 2025; and

WHEREAS, if any funds are still outstanding by June 1, 2026, Council will be notified, and the administration will provide a plan to allocate the remaining funds or recommendations to reallocate the funds for other public safety investments; and

WHEREAS, Council intends to refill the City's "Reserve for Weather Related Events, Other Emergency and One-Time Needs," balance sheet reserve account with funds from the FY 2025 General Fund Closeout process; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That \$5,420,000 is transferred from General Fund balance sheet reserve account no. 050x2580, "Reserve for Weather Related Events, Other Emergency and One-Time Needs," to the unappropriated surplus of General Fund 050.

Section 2. That \$5,420,000 is transferred and appropriated from the unappropriated surplus of General Fund 050 to various General Fund personnel and non-personnel operating budget accounts according to the attached Schedule of Transfer to fund police public safety measures and deter violent crime in the Central Business District and other crime hot spots in the City.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to improve police public safety and deter violent crime in the Central Business District and other crime hot spots in the City.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

SCHEDULE OF TRANSFER

FY 2026 POLICE PUBLIC SAFETY EXPENDITURES

Fund 050 General Fund

<i>REDUCTIONS</i>			Appropriation		<i>INCREASES</i>					Appropriation		
Fund	Agency	Unit	\$ Amount	Fund	Agency	Unit	\$ Amount	Fund	Agency	Unit	\$ Amount	
SUPPLEMENTAL APPROPRIATIONS				SUPPLEMENTAL APPROPRIATIONS								
SOURCE ACCOUNTS				USE ACCOUNTS								
UNAPPROPRIATED SURPLUS				5,420,000	CITY MANAGER'S OFFICE							
								050	101	7200	880,000	
								050	101	7200	100,000	
								050	101	7200	200,000	
								050	101	7200	250,000	
				DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT								
								050	164	7200	180,000	
				ECONOMIC DEVELOPMENT AND MAJOR/SPECIAL PROJECTS DIVISION								
				DEPARTMENT OF TRANSPORTATION AND ENGINEERING								
								050	239	7300	1,200,000	
				TRAFFIC ENGINEERING								
				CINCINNATI POLICE DEPARTMENT								
								050	222	7100	1,200,000	
								050	225	7200	100,000	
								050	226	7200	30,000	
								050	226	7300	40,000	
								050	227	7200	530,000	
								050	227	7300	710,000	
TOTAL FUND REDUCTIONS			5,420,000	TOTAL FUND INCREASES								5,420,000

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202501582

Subject: Liquor License – TFOL

FINAL RECOMMENDATION REPORT

OBJECTIONS: Cincinnati Police Department

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10005323-1
PERMIT TYPE: TFOL
CLASS: D5 D6
NAME: SPH FC NA 11, LLC
DBA: 125 W 5TH ST
125 W 5TH ST
CINCINNATI OH 45202

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On July 23, 2025, Downtown Residents Council was notified and do not object.

Police Department Recommendation

☐ Objection ☐ No Objection

David M. Laing, Assistant City Prosecutor

Law Department - Recommendation

☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 5, 2025.

September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager *SM*

202501582

Subject: Liquor License – TFOL

FINAL RECOMMENDATION REPORT

OBJECTIONS: Cincinnati Police Department

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

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125 W 5TH ST
CINCINNATI OH 45202

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On July 23, 2025, Downtown Residents Council was notified and do not object.

M. J. *LTC 7*

Police Department Recommendation
☒ Objection ☐ No Objection

[Signature]

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☒ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 5, 2025.

Date Filed at Vice: 7/23/25

CINCINNATI DIVISION OF POLICE
RENEWAL, TRANSFER OR ISSUANCE
OF LIQUOR LICENSES

Renewal

New

Transfer

Location

Ownership

Stock

District: 1

Application No: 10005323-1

APPLICANT SPH FC NA 11, LLC

DBA 125 W 5TH ST

125 W 5TH ST

PERMIT LOCATION CINCINNATI, OH 45202

PERMIT TYPE D-5 D-6

TRANSFER FROM

DBA

PERMIT LOCATION

PERMIT #

MT WASHINGTON PIZZERIA INC

NONE LISTED

2111 BEECHMONT AVE

CINCINNATI, OH 45230

06212758-2

If the Applicant is a corporation or business entity list the individuals involved. If additional space is needed, List and attach on a separate page.

1. Name LOUISE NEILSON

Office Held

Social Security No. 538-95-8684

CTLNO: NONE

DOB 10-8-1976

1140 N WELLS ST UNIT 1604

Address CHICAGO, IL 60610

Telephone No. 312-647-8674

2. Name TOBY HARRIS

Office Held

Social Security No. 789-50-9731

CTLNO: NONE

DOB 5-18-1975

295 HANOVER RD

Address CARLISLE, MA 01741

Telephone No. 781-305-0708

3. Name

Office Held

Social Security No.

CTLNO:

DOB

Address

Telephone No.

4. Name

Office Held

Social Security No.

CTLNO:

DOB

Address

Telephone No.

Criminal Records Check:

Local ☒ BCI & III ☒

Record If Record, See Attached

No Record ☒

Checked by: M. Werner

RECOMMENDATIONS

No Objection _____ Objection, see attached form 17 for Summary ☒

SIGNATURE

District Commander

Date

SIGNATURE

Central Vice Control Sect. Commander

Date

SIGNATURE

Police Department Approval

Date

September 10, 2025

To: Mayor and Members of City Council

202501584

From: Sheryl M. M. Long, City Manager

Subject: **Preventative Road Maintenance to Minimize Potholes**

Reference Document #202500125

The Council at its session on January 29, 2025, referred the following item for review and report.

MOTION, dated January 21, 2025, submitted by Councilmember Albi, **WE MOVE** that the Department of Public Services publish a report within 30 days to highlight how the City could leverage Cincy on Track funding to prioritize preventative road maintenance and use sealcoating to minimize the severity of potholes. This report should also highlight strategies that the City has previously employed and/or best practices from other peer cities across the country.

INTRODUCTION

Using preventative maintenance treatments like sealcoating is a great way to extend the life of City streets. The City of Cincinnati has used preventative maintenance treatments (sealcoating, micro-surfacing, and Cape seals) since 2016. Over the past 5 years, 111 lane miles received preventative maintenance treatments averaging 22.2 lane miles per year.

CINCY ON TRACK FUNDING

In 2016, the Department of Transportation and Engineering (DOTE) hired a pavement management consultant to determine the most efficient amount of funding for preventative maintenance activities. The report stated that between 10 and 15 percent should be dedicated to preventative maintenance. Currently, 10% of DOTE's Street Rehabilitation Program Budget is allocated to preventative maintenance. This could be increased to 20% with additional funding from Cincy on Track and would allow for additional streets to be added to the program.

CITY STRATEGIES

The City of Cincinnati uses a multiple-pronged approach to roadway preservation that covers work in the following three major categories:

1. Preventative maintenance (crack and surface coatings)
2. Rehabilitation (grinding a few inches of the asphalt and paving with new asphalt)
3. Reconstruction (removing all the pavement and replacing it with new)

Managing a road network the size of Cincinnati's requires several different treatments. Road resurfacing, sealcoating and other preventative maintenance measures all combine as an ongoing program to deliver the smoothest road network possible. Additionally, the Department of Public

Services (DPS) provides pothole patching and full depth pavement repair through the Spot Infrastructure Repair program as needed. Under new leadership, DPS is reviewing ongoing pothole practices and will have more information to share on this in the Fall.

Projects implemented by various public and private utilities within the public right of way are required to repair the right-of-way that has been impacted by their project. The repairs required depend on the type of work and the existing condition of our roadways. DOTE has published street restoration requirements detailing these repairs.

BEST PRACTICES FROM PEER CITIES

Evaluation of peer cities and industry best-practices related to roadway preservation confirms that the multiple-pronged approach provides the highest value (rate of return) for our investment. Peer agencies including City of Dayton, the Ohio Department of Transportation, the Hamilton County Engineer's Office, and the City of Pittsburgh all utilize the multiple pronged approach the City utilizes.

Additionally, DOTE's peer agency review identified numerous strategies whereby road repairs resulting from utility or other permit work are handled differently and result in other agency funding being directly applied to maintenance. Specifically, other agencies do not permit trench restoration and require more robust repaving repairs.

SUMMARY

In summary, DOTE could add additional streets to the preventative maintenance program with an increase in funding from Cincy on Track. The department is constantly evaluating strategies to ensure we capture the largest benefit with funds allocated to the department. DPS is also reviewing their maintenance processes and pothole repair practices. We are looking specifically at industry best-practices and peer agency implementation regarding allocation of funds spent on roadway maintenance types and how restoration requirements are handled.

cc: Cathy Bailey, Interim Assistant City Manager
John Brazina, Interim Assistant City Manager
Greg Long, Interim Director, Department of Transportation and Engineering
Mark Riley, Director, Department of Public Services

September 4, 2025

To: Mayor and Members of City Council

202501592

From: Sheryl M. M. Long, City Manager

Subject: Appointment to the Sidewalk Board of Appeals: Amira Beer

The City Manager hereby recommends the appointment of **Amira Beer** to the Sidewalk Board of Appeals under the "citizen member" qualification.

The board is established to hear property owner appeals regarding notices to repair sidewalks, driveways, and curbs, and other issues relating to property owner responsibility for sidewalk maintenance and repair.

Citizen members must be residents of the City of Cincinnati, own real property within the city, and may not be employees of the City.

This appointment will be for a term of three years from the day of approval by the Council.

Ms. Beer's resume is attached for your consideration.

Cc: Greg Long, Interim Director, Transportation and Engineering
Tonia Smith, Assistant to the City Manager, Office of the City Manager

Amira Beer



Highly accomplished and dedicated administrative professional with over 30 years of progressive experience in municipal government. Trusted through the tenures of eight city managers, known for impeccable organizational skills, discretion, institutional knowledge, and a strong ability to navigate complex administrative and political environments.

WORK EXPERIENCE

Executive Assistant | City Manager's Office

❖ City of Cincinnati

December 2005 – December 2024

Managed the day-to-day operations of the City Manager's office, including scheduling, correspondence, meeting coordination, and public inquiries. Served as liaison between the City Manager and City Council, department heads, external agencies, and the public. Assisted in the preparation and dissemination of official communications, executive reports, and strategic briefings.

Assistant to the City Solicitor | Law Department

❖ City of Cincinnati

October 1999 – December 2005

Provided administrative support to the City Solicitor, managed calendars, coordinated meetings, drafted correspondence, and handled communication with City departments, external agencies, and the public.

SKILLS

- ✓ High-level organization
- ✓ Confidential Document Management
- ✓ Intergovernmental & Public Communication
- ✓ Deep Knowledge of City Government Operations

VOLUNTEER WORK

- Neighborhood Stewardship – Regularly improves the local environment by picking up litter during neighborhood walks.
- Animal Welfare Supporter – Ongoing supporter of local cat shelters through recycling donations and advocacy for animal welfare.

September 4, 2025

To: Mayor and Members of City Council

202501593

From: Sheryl M. M. Long, City Manager

Subject: Appointment to the Sidewalk Board of Appeals: Kerry Rundle McIver

The City Manager hereby recommends the appointment of **Kerry Rundle McIver** to the Sidewalk Board of Appeals under the "citizen member" qualification.

The board is established to hear property owner appeals regarding notices to repair sidewalks, driveways, and curbs, and other issues relating to property owner responsibility for sidewalk maintenance and repair.

Citizen members must be residents of the City of Cincinnati, own real property within the city, and may not be employees of the City.

This appointment will be for a term of three years from the day of approval by the Council.

Ms. McIver's resume is attached for your consideration.

Cc: Greg Long, Interim Director, Transportation and Engineering
Tonia Smith, Assistant to the City Manager, Office of the City Manager



Kerry Rundle McIver



Skills

- Communication & Public Speaking
- Creative & Cooperative Problem Solving
- Accurate, High-speed Typing (70 WPM)
- Driving Workplace Culture & Morale
- Shorthand - Odell (Taylor)



Community

311 CINCY CITIZEN'S ACADEMY
Inaugural Class, 2024

WESTWOOD COMMUNITY
URBAN REDEVELOPMENT CORP.
Secretary & Board Member

NEW LEADERS COUNCIL
Co-Director, SW Ohio

XAVIER SCHOOL OF PSYCH.
Paid Roleplay Consultant



Education

2018
2016
NORTHERN KENTUCKY UNI.
Highland Heights, KY

2015
2012
HAROLD WASHINGTON
Chicago, IL

2007
2005
UNI. OF CENTRAL FLORIDA
Orlando, FL



Hybrid Work

PRESENT
MAY 2023

ACCOUNT MANAGER

United Direct Solutions - Cincinnati, OH

Monitors production of current and upcoming mailings via daily operations meetings between two locations (OH and KY) and over a dozen concurrent clients. Coordinates with Data Processing, Design, Print, and Production departments to ensure timely and accurate processing of job orders. Creates, maintains, and delivers regularly scheduled inventory, postage, escrow, job status, and other reports. Schedules and leads internal and client-facing meetings regarding new and existing projects. Supports other Client Services staff during absences, busy periods, or as otherwise needed.



Remote Work

SEPT 2022
MAY 2017

SENIOR PROJECT MANAGER

Panda Game Manufacturing - Vancouver, CAN / Shenzhen, CHN

Managed a large book of business of both domestic and international clients. Provided on-time, on-budget deliverables and high-quality products and service. Consulted with and closely supported clients during product development, production, and fulfillment. Managed many public-facing projects, including leading a monthly live-streamed show, distributing a quarterly newsletter, and hosting a variety of live and virtual panels. Created and emceed a virtual gaming convention with over 200 attendees.



Commute Work

MAY 2017
JULY 2015

ESTATE SALE SPECIALIST & ART CATALOGER

Everything But the House - Cincinnati, OH

Managed online estate sales. Researched, cataloged and verified the provenance/history and significance of any and all items for auction. Curated art sales based on style, era, artist, etc., to generate best possible returns for sellers. Organized and maintained weekly flow of around 1500 items through the main warehouse, including pickup and shipping logistics.

MAY 2015
JAN 2012

ASSISTANT MANAGER

The Mothership / Dark Matter Coffee - Chicago, IL

Managed daily financials and new hire training. Ordered all store supplies. Educated customers about coffee culture, roasting and brewing processes. Ran neighborhood-focused events to include, encourage, and build up an expansive community of local coffee lovers.

Date: September 10, 2025

To: Mayor and Members of City Council 202501626
 From: Sheryl M. M. Long, City Manager
 Subject: **SPECIAL EVENT PERMIT APPLICATION: UC's CCE Community Partner Fair**

In accordance with Cincinnati Municipal Code, Chapter 765; Emily Collon has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): Cincinnati Fire Department, Metro, Cincinnati Police Special Events Unit, Traffic and Engineering Department, Traffic and Road Operations Department and The Health Department. There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE:	UC's CCE Community Partner Fair
EVENT SPONSOR/PRODUCER:	University of Cincinnati
CONTACT PERSON:	Emily Collon
LOCATION:	2633-2726 Short Vine St
DATE(S) AND TIME(S):	9/19/2025 1000-1400
EVENT DESCRIPTION:	<p>The Community Partner Fair will close Short Vine Street from the intersection at Daniels Street to Charlton Street. This event is designed to be in the community and partner with local businesses to support the connection and bridge between UC students and the surrounding community of Uptown. Tables and chairs for community partners and vendors throughout the street (6 ft tables, 1 ft gap between each, 2 chairs per table). We will have a platform (already exists) next to LaRosa's for music with check-in tables where attendees are encouraged to stop to get information about the fair and available resources. In addition, we are partnering with Metro to have buses of entertainment or showcases (indicated on site map) and provide information about utilizing Metro to navigate the city. No barricades along the street except where the street closures are indicated for car and pedestrian safety.</p>
ANTICIPATED ATTENDANCE:	1000
ALCOHOL SALES:	<input type="checkbox"/> YES. <input checked="" type="checkbox"/> NO.
TEMPORARY LIQUOR PERMIT HOLDER IS:	

cc: Colonel Teresa A. Theetge, Police Chief

Date: September 4, 2025

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: **Liquor License – TRFO**

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10005816-1
PERMIT TYPE: TRFO
CLASS: D5
NAME: J B SCHMITT GARAGE LLC
DBA: 1432 MAIN ST
1432 MAIN ST
CINCINNATI OH 45202

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On July 31, 2025, the Over-the-Rhine Chamber of Commerce was notified and do not object.


Police Department Recommendation
☐ Objection ☐ No Objection

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 19, 2025.

September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager 

Subject: Liquor License – TRFO

202501628

FINAL RECOMMENDATION REPORT

OBJECTIONS: None


This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10005816-1
PERMIT TYPE: TRFO
CLASS: D5
NAME: J B SCHMITT GARAGE LLC
DBA: 1432 MAIN ST
1432 MAIN ST
CINCINNATI OH 45202

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On July 31, 2025, the Over-the-Rhine Chamber of Commerce was notified and do not object.


Police Department Recommendation
Objection ☒ No Objection


David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
Objection ☐ No Objection ☒

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 19, 2025.

Date: August 25, 2025
To: Colonel Teresa A. Theetge, Police Chief
From: P.O. Carroll A Todd, Neighborhood Liaison Unit
Copies to:
Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 25-337

DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District One

PERMIT #: 10005816-1

TYPE OF PERMIT APPLIED FOR: Transfer of Ownership

PERMIT NAME & ADDRESS:

Name:	JB Schmitt Garage LLC
Address:	1432 Main Street Cincinnati Ohio, 45202

APPLICANTS NAME(S): Jeremiah Moore

INSPECTION / INVESTIGATION INFORMATION:

Officer:	P.O. Carroll A Todd
Date:	08/25/2025
Findings:	N/A

COMMUNITY COUNCIL NOTIFIED:

Name 1: Danny Klingler	Date:	Notified by: email
Phone:	E-mail: dannyklingler@gmail.com	
Name 2: Julie	Date:	Notified by: email
Phone:	E-mail: Julie@otrchamber.com	

DISPOSITION OF THE COMMUNITY COUNCIL:

☒ **NO OBJECTIONS**

 ☐ **OBJECTION:** Attached Letter with Community Council Letterhead

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202501629

Subject: Liquor License – NEW

FINAL RECOMMENDATION REPORT

OBJECTIONS: The Cincinnati Police Department

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 9796604
PERMIT TYPE: NEW
CLASS: C1 C2
NAME: WUNDER CORNER STORE LLC
DBA: WUNDER CORNER STORE
3323 WUNDER AVE
CINCINNATI OH 45211

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On July 28, 2025, the Westwood Civic Association was notified and do object.

Police Department Recommendation

☐ Objection ☐ No Objection

David M. Laing, Assistant City Prosecutor

Law Department - Recommendation

☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: August 22, 2025.

September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager *sm*

Subject: Liquor License – NEW

202501629

FINAL RECOMMENDATION REPORT

OBJECTIONS: The Cincinnati Police Department

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 9796604
PERMIT TYPE: NEW
CLASS: C1 C2
NAME: WUNDER CORNER STORE LLC
DBA: WUNDER CORNER STORE
3323 WUNDER AVE
CINCINNATI OH 45211

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On July 28, 2025, the Westwood Civic Association was notified and do object.

Jtc M. M. Long

Police Department Recommendation
☒ Objection ☐ No Objection

David M. Laing

David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☒ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: August 22, 2025.

Date: August 13, 2025

To: Colonel Teresa A. Theetge, Police Chief

From: P.O. Kevin Butler P128

Copies to:

Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 25-304

DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Three

PERMIT #: 9796604

TYPE OF PERMIT APPLIED FOR: New

PERMIT NAME & ADDRESS:

Name:	Wunder Corner Store LLC
Address:	3323 Wunder Ave

APPLICANTS NAME(S): Asrat Ferede

INSPECTION / INVESTIGATION INFORMATION:

Officer:	P.O. Kevin Butler P128
Date:	8/13/2025
Findings:	There is no phone number listed for the applicant. I have been unable to conduct an inspection. In the past the store operating as a liquor establishment has lead to shots fired , which resulted in bullets hitting the school across the street. After speaking with members of Westwood Civic Association, they brought up multiple concerns about having a store selling liquor directly across the street from an elementary school and church. Westwood Civic Association formally objects to the issuance of the liquor license.

COMMUNITY COUNCIL NOTIFIED:

Name 1: Katie Query	Date: 8/7/2025	Notified by: phone
Phone: 949-275-8950	E-mail:	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

DISPOSITION OF THE COMMUNITY COUNCIL:

☐ NO OBJECTIONS
 ☒ OBJECTION: Attached Letter with Community Council Letterhead

Date: September 10, 2025

To: Mayor and Members of City Council 202501630
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: Hudepohl 14K**

In accordance with Cincinnati Municipal Code, Chapter 765; John Cappella has submitted a Special Event Permit Application Form to the Chief of Police. The Special Event Permit Application has been reviewed by the following department(s): Cincinnati Fire Department, Metro, Cincinnati Police Special Events Unit, Cincinnati Police District One, Traffic and Engineering Department, Traffic and Road Operations Department and The Health Department. There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Hudepohl 14K
EVENT SPONSOR/PRODUCER: Pig Works
CONTACT PERSON: John Cappella
LOCATION: West Mehring Way
DATE(S) AND TIME(S): 9/20/25 0730-1030
EVENT DESCRIPTION: Road Race for Charity
ANTICIPATED ATTENDANCE: 3700
ALCOHOL SALES: ☒ YES. ☐ NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: To be determined

cc: Colonel Teresa A. Theetge, Police Chief

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202501631

Subject: Liquor License – TFOL

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10005382-1
PERMIT TYPE: TFOL
CLASS: D1 D2 D3
NAME: APPLEBEES RESTAURANTS MID-ATLANTIC
DBA: 3222 GEIER DR
3222 GEIER DR
CINCINNATI OH 45209

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On August 6, 2025, the Oakley Community Council was notified and do not object.

Police Department Recommendation

☐ Objection ☐ No Objection

David M. Laing, Assistant City Prosecutor


Law Department - Recommendation

☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 29, 2025.

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager 

Subject: Liquor License – TFOL

202501631

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10005382-1
PERMIT TYPE: TFOL
CLASS: D1 D2 D3
NAME: APPLEBEES RESTAURANTS MID-ATLANTIC
DBA: 3222 GEIER DR
3222 GEIER DR
CINCINNATI OH 45209

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On August 6, 2025, the Oakley Community Council was notified and do not object.



Police Department Recommendation
☐ Objection ☒ No Objection



David M. Laing, Assistant City Prosecutor
Law Department Recommendation
☐ Objection ☒ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 29, 2025.

Date: August 22, 2025

To: Colonel Teresa A. Theetge, Police Chief

From: Police Officer Wendelyn Martin P543, District Two

Copies to:

Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 25-320

DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Two

PERMIT #: 10005382-1

TYPE OF PERMIT APPLIED FOR: Transfer of Location

PERMIT NAME & ADDRESS:

Name:	Applebees Restaurants
Address:	3222 Geier Dr Cincinnati, Ohio 45209

APPLICANTS NAME(S): Jacob Nebergall

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Wendelyn Martin
Date:	August 22, 2025
Findings:	Unable to inspect property at this time due to pending construction.

COMMUNITY COUNCIL NOTIFIED:

Name 1:	Date:	Notified by: (select from menu)
Phone:	E-mail:	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

DISPOSITION OF THE COMMUNITY COUNCIL:

☒ NO OBJECTIONS ☐ OBJECTION: Attached Letter with Community Council Letterhead

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202501632

Subject: Liquor License – TRFO

FINAL RECOMMENDATION REPORT

OBJECTIONS: The Buildings & Inspections Department

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10003867-1
PERMIT TYPE: TRFO
CLASS: D5J
NAME: CINCY BARTIQUE LLC
DBA: 3935 & 3937 SPRING GROVE AVE
3935 & 3937 SPRING GROVE AVE
CINCINNATI OH 45223

On August 6, 2025, the Northside Community Council was notified and do not object.

Police Department Recommendation

☐ Objection ☐ No Objection

David M. Laing, Assistant City Prosecutor


Law Department - Recommendation

☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 30, 2025.

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager 

Subject: Liquor License – TRFO

2025016321

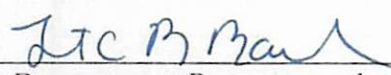
FINAL RECOMMENDATION REPORT


OBJECTIONS: The Buildings & Inspections Department

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10003867-1
PERMIT TYPE: TRFO
CLASS: D5J
NAME: CINCY BARTIQUE LLC
DBA: 3935 & 3937 SPRING GROVE AVE
3935 & 3937 SPRING GROVE AVE
CINCINNATI OH 45223

On August 6, 2025, the Northside Community Council was notified and do not object.


Police Department Recommendation
☒ Objection ☐ No Objection


David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☒ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 30, 2025.

Date: August 13, 2025
To: Colonel Teresa A Theetge, Police Chief
From: Police Officer Melissa Cummins, District Three Neighborhood Liaison Unit
Copies to:
Subject: RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES

PATROL BUREAU MEMO #: 25-318

DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Three

PERMIT #: 09506645-1

TYPE OF PERMIT APPLIED FOR: Transfer of Ownership

PERMIT NAME & ADDRESS:

Name:	CINCY BARTIQUE LLC
Address:	3935 & 3937 Spring Grove Ave Cincinnati, OH 45223

APPLICANTS NAME(S): Bennett Miller

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Melissa Cummins
Date:	August 13, 2025
Findings:	I met with Bennett Miller for inspection on 8-13-25 who stated that he is the new owner of the Cincy Bartique LLC. The business was found to be compliant with respect to inspection report criteria.

COMMUNITY COUNCIL NOTIFIED:

Name 1:	Date:	Notified by: (select from menu)
Phone:	E-mail:	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

DISPOSITION OF THE COMMUNITY COUNCIL:

☐ NO OBJECTIONS
 ☐ OBJECTION: Attached Letter with Community Council Letterhead

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202501633

Subject: Liquor License – TRFO

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10006109-1
PERMIT TYPE: TRFO
CLASS: C1 C2
NAME: 2801 PRICE AVE LLC
DBA: REDS DELI
2801-2803 PRICE AVE
CINCINNATI OH 45204

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On August 6, 2025, the East Price Hill Improvement Association was notified and do not object.

Police Department Recommendation

☐ Objection ☐ No Objection

David M. Laing, Assistant City Prosecutor


Law Department - Recommendation

☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 26, 2025.

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager 

Subject: Liquor License – TRFO

202501633

FINAL RECOMMENDATION REPORT

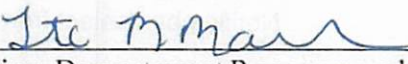
OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10006109-1
PERMIT TYPE: TRFO
CLASS: C1 C2
NAME: 2801 PRICE AVE LLC
DBA: REDS DELI
2801-2803 PRICE AVE
CINCINNATI OH 45204

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On August 6, 2025, the East Price Hill Improvement Association was notified and do not object.


Police Department Recommendation
☐ Objection ☒ No Objection


David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☐ Objection ☒ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 26, 2025.

Date: August 15, 2025

To: Colonel Teresa A Theetge, Police Chief

From: Police Specialist Kevin Kroger, District Three Neighborhood Liaison Unit

Copies to:

Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 25-319

DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Three

PERMIT #: 08019022-1

TYPE OF PERMIT APPLIED FOR: Transfer of Ownership

PERMIT NAME & ADDRESS:

Name:	Reds Deli
Address:	2801-2803 Price Ave Cincinnati, OH 45204

APPLICANTS NAME(S): Vandana Rawal, Aman Rawal, Dheeraj Rawal

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Kevin Kroger
Date:	8/15/2025
Findings:	There are no discrepancies with the premise.

COMMUNITY COUNCIL NOTIFIED:

Name 1: Amber Kassum	Date: 8/15/2025	Notified by: email
Phone:	E-mail: president@ephia.org	
Name 2:	Date:	Notified by: (select from menu)
Phone:	E-mail:	

DISPOSITION OF THE COMMUNITY COUNCIL:

☐ NO OBJECTIONS ☐ OBJECTION: Attached Letter with Community Council Letterhead

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202501634

Subject: Liquor License – NEW

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:

APPLICATION: 10004198-1
PERMIT TYPE: NEW
CLASS: D5J D6
NAME: SHARKZ LLC
DBA: 2010 ELM ST
2010 ELM ST
CINCINNATI OH 45202

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On August 6, 2025, the Over-the-Rhine Chamber of Commerce was notified and do not object.

Police Department Recommendation

☐ Objection ☐ No Objection

David M. Laing, Assistant City Prosecutor


Law Department - Recommendation

☐ Objection ☐ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 12, 2025.

Date: September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager 

202501634

Subject: Liquor License – NEW

FINAL RECOMMENDATION REPORT

OBJECTIONS: None

This is a report on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for the following:


APPLICATION: 10004198-1
PERMIT TYPE: NEW
CLASS: D5J D6
NAME: SHARKZ LLC
DBA: 2010 ELM ST
2010 ELM ST
CINCINNATI OH 45202

As of today's date, the Buildings and Inspections Department has declined comment on their investigation.

On August 6, 2025, the Over-the-Rhine Chamber of Commerce was notified and do not object.



Police Department Recommendation
☐ Objection ☒ No Objection



David M. Laing, Assistant City Prosecutor
Law Department - Recommendation
☐ Objection ☒ No Objection

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: September 12, 2025.

Date: August 18, 2025

To: Colonel Teresa A. Theetge, Police Chief

From: P.O. Carroll A Todd, Neighborhood Liaison Unit

Copies to:

Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 25-321

DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District One

PERMIT #: 10004198-1

TYPE OF PERMIT APPLIED FOR: New

PERMIT NAME & ADDRESS:

Name:	Sharkz LLC
Address:	2010 Elm Street Cincinnati Ohio 45202

APPLICANTS NAME(S): Mohammad Taqateq

INSPECTION / INVESTIGATION INFORMATION:

Officer:	P.O. Carroll A Todd
Date:	08/18/2025
Findings:	Unable to inspect location due to construction. Provided a list of blue prints as well as contractor's information. Will call when open to inspect.

COMMUNITY COUNCIL NOTIFIED:

Name 1: Danny Klingler	Date: 8/12/2025	Notified by: email
Phone:	E-mail: dannyklingler@gmail.com	
Name 2: Julie	Date: 8/12/2025	Notified by: email
Phone:	E-mail: Julie@otrchamber.com	

DISPOSITION OF THE COMMUNITY COUNCIL:

☒ NO OBJECTIONS
 ☐ OBJECTION: Attached Letter with Community Council Letterhead

September 10, 2025

To: Mayor and Members of City Council

202501655

From: Sheryl M.M. Long, City Manager

Subject: **Protections for Native Plant/Pollinator Gardens**

Reference Document #202500354

The City Council, at its session on March 26, 2025, adopted motion 202500354 and referred the following item for review and report:

MOTION, submitted by Councilmembers Owens, Nolan, and Walsh, **WE MOVE** that the Administration prepare a report within the next 30 days to devise a strategy for protecting native plant/pollinator gardens in the City of Cincinnati. **FURTHER WE MOVE** that through this report there is a substantial review of Section 731 of the Cincinnati Municipal Code to identify where there could be revisions made to support citizens and the native plant gardens. **FURTHER WE MOVE** that this report provides a general definition of what a native plant/pollinator garden is; how native plant/pollinator gardens should be maintained; and how native plant/pollinator gardens should be recognized. **FURTHER WE MOVE** that the following city departments, and all other seen fit, be consulted during this formation of this report: Cincinnati Parks Department, Office of Environment and Sustainability, Law Department, Department of Buildings and Inspections.

BACKGROUND

Support of native plants and pollinators is a growing interest in the community and is included in the 2023 Green Cincinnati Plan as a strategy to “Increase biodiversity and health of native species in the City.” Pollinators, including native bees, butterflies, and other insects, are important for the health of the natural environment and agricultural systems. The inclusion of native plants which act as host plants and pollinator plants in residential and public gardens can help support these species.

Native Plant and Pollinator Protections in Municipal Code

Inclusion of protections for native plants and pollinator plants in City Code is common and can be found in the Municipal Code of peer cities and counties, including St. Louis County,

MO¹, Louisville, KY², and Chicago, IL³. Additionally, some cities are considering updates to their municipal code to allow for pollinator gardens, like Columbus, OH⁴ or managed natural landscapes like Pittsburgh, PA⁵.

In Cincinnati, native plants and pollinator gardens are allowable under CMC 731-1-M with the allowed purpose for “the aid and attraction of wildlife.” When appropriately set back, these plants are exempted from the height restrictions of Chapter 731-3. This provides a broad definition of pollinators which does not limit only certain species or types of pollinators.

Review of Chapter 731

Control of “weeds” is under the jurisdiction of CMC Chapter 731 – Weed Control. Chapter 731 was established in 1972 and amended in 2011 to narrow the definition of “noxious weeds” and allow for “managed natural landscaped areas on certain occupied residential properties and further clarify the restrictions governing weed control within the City of Cincinnati.”⁶ The 2011 amendment included new definitions for Turf Grass, Weeds, Natural Managed Landscaped Area, Height Restrictions, and Managed Natural Landscaping. Chapter 731 was further amended in 2015 to include the Private Lot Abatement Program. This amendment did not modify the definitions of weeds or “managed natural landscapes.”

The 2023 Green Cincinnati Plan identified a priority action to “Support pollinator gardens, native plants, and education, including the use of native grasses and pollinator plants in residential areas, and Low Mow or No Mow practices.”⁷

Chapter 731 currently allows for plants, including native plants and pollinators, on private residential properties to exceed ten (10) inches in height when they are planted as a “natural managed landscape area” as defined under Chapter 731-1-M and located per setback requirements and maintained as per Chapter 731-4:

Chapter 731 - WEED CONTROL

Sec. 731-1-M. - Managed Natural Landscaped Area.

"Managed Natural Landscaped Areas" shall be defined as designed and cultivated plant communities that are self-sustaining with minimal resort to artificial methods of plant care and that serve at least one of the following purposes:

¹

https://library.municode.com/mo/st. louis county/codes/code of ordinances?nodeId=TITVIPUHEWE_CH619WE_CO_619.005DE

² <https://codelibrary.amlegal.com/codes/louisvillemetro/latest/loukymetro/0-0-0-16698>

³ https://codelibrary.amlegal.com/codes/chicago/latest/chicago_il/0-0-0-2694353#JD_10-32-055

⁴ https://www.columbus.gov/files/sharedassets/city/v/1/city-council/documents/hearing-documents/2025-05-21_pus-committee-hearing_proposed-pollinator-garden-language.pdf

⁵ <https://pittsburgh.legistar.com/LegislationDetail.aspx?ID=7350177&GUID=08525E5A-39B9-4F08-9B73-B6396BB1BA74>

⁶ Ordinance 201100248 Transmittal

⁷ 2023 Green Cincinnati Plan, page 135; <https://www.cincinnati-oh.gov/oes/climate/climate-protection-green-cincinnati-plan/green-cincinnati-plan-2023-spreads/>

- (1) the attraction and aid of wildlife.*
- (2) the offset and control of a potential or existing soil loss program.*
- (3) the enrichment or stabilization of soil fertility.*
- (4) pest control.*
- (5) governmental programs, including, without limitation, storm water control.*
- (6) educational studies.*
- (7) food production.*

(Ordained by Ord. No. 149-2011, § 1, eff. June 11, 2011; renumbered by Emer. Ord. No. 075-2015, § 2, eff. March 25, 2015)

Sec. 731-4. - Managed Natural Landscaping.

The height restrictions provided in [Section 731-3](#) shall not apply to natural plants on privately owned, occupied residential property and properties contiguous to the privately owned, occupied residential property provided that such contiguous properties are owned by the same individual, when such natural plants are part of a Managed Natural Landscape Area.

Managed Natural Landscaped Areas shall be set back a minimum of three (3) feet from all property lines, roads, alleys and/or driveways unless the property is abutted by a fence or similar barrier separating it from adjoining residential properties, then the natural landscaping may be planted up to the property line (inside the sidewalk). With the exception of trees, all vegetation in the right of way strip between the sidewalk and street must be kept at a height of less than ten (10) inches.

Managed Natural Landscaped Areas shall not be permitted to overhang or encroach onto any public or private properties, or public sidewalks, streets, or alleys adjacent to the lot, tract or parcel on which they are planted.

(Ordained by Ord. No. 149-2011, § 1, eff. June 11, 2011)

Enforcement of Chapter 731 is complaint driven and most common during the growing season: from the end of spring through the beginning of fall. When a complaint for weeds is received, the Department of Buildings and Inspections (B&I) personnel visit the address of the complaint to document the conditions. Plants on site are measured for the 10-inch height requirement of Chapter 731-3 and the area is photographed. If the height restriction is exceeded, a citation is issued, taking the exception of Sec. 731-4 into consideration. The exception applies only when all the criteria are satisfied, and the area demonstrates that it is being ‘managed’ appropriately. While Chapter 731-4 allows plants to exceed the height

restrictions, the area must be ‘managed’ and still requires a 3-ft setback from property lines unless abutted by a fence or wall. The setback requirements provide for unhindered use of public sidewalks and provide sight visibility between pedestrians and vehicles at driveway and street intersections.

B&I estimates it receives less than 10 inquiries/year into how to comply with Chapter 731-4 Managed Natural Landscaping. B&I conducts an average of 3,500 weed complaint investigations/year. Approximately 41%, or 1,435 investigations would result in a property receiving one more citations for violation of Section 731-3. Appeals are conducted by the Office of Administrative Hearings (OAH). Between 2020-2024, OAH adjudicated an average of 280 appeals/year for citations for violations of Chapter 731-3. These could be for any reason, most often for cure-credits based on owner abatement of the violation. Of the appeal cases, 1-2 appeals/year base their appeal attempting to make a claim the property meets the Managed Natural Landscaping Area definition within Sec. 731-4. Of those appeals, the city’s determination that the property was in violation of Chapter 731-3, was upheld in nearly every case.

Protecting, Maintaining, and Recognizing Native Plants and Pollinators

Some municipal codes specifically define “native plants,” such as St. Louis County Section 619.005 (g) ⁸. However, providing a specific definition can limit the plants allowed. CMC Chapter 731-4 includes a broad definition of a pollinator plant by describing it as “plant communities that are self-sustaining with minimal resort to artificial methods of plant care and that serve...the following purposes: (1) the attraction and aid of wildlife.”

Native plants are described by lists maintained by the Ohio Department of Natural Resources⁹. Ohio Administrative Code also provides a list of Invasive Plant Species in [OAC Rule 901:5-30-01](#) and Noxious Weeds and Weed seeds are listed in [OAC Rule 901:5-37-01](#) and [901:5-27-06](#), respectively.

Native Plant and Pollinator Gardens may be maintained to comply with the requirements of Section 731, including preventing encroachment into the right-of-way or adjoining properties. A 3-foot buffer must be maintained to comply with the 10-inch maximum height requirements of Chapter 731-3 and the area must appear to be ‘managed’ as a “designed and cultivated plant community”.

Some municipalities utilize a registration or signage program to recognize, celebrate, and encourage pollinator species, such as the Indianapolis, IN [Native Planting Area Program](#) ¹⁰. These programs are sometimes utilized instead of protections within the municipal code for native plants and pollinators which exceed the height restrictions.

⁸

https://library.municode.com/mo/st.louis.county/codes/code.of.ordinances?nodeId=TITVIPUHEWE_CH619WE_CO_619.005DE

⁹ <https://ohiodnr.gov/discover-and-learn/safety-conservation/about-ODNR/nature-preserves/Documents/native-plants-lists>

¹⁰ <https://www.indy.gov/activity/land-stewardship>

Adding a formalized registration or signage process as a requirement within CMC Chapter 731 may result in increased administrative burden on residents and the City as native plants and pollinators are already protected within CMC 731-4. Residents have rarely contested the City's determination that a garden does not comply with the current definition of Managed Natural Landscaped Areas. In these cases, the City generally errs on the side of the resident. Consequently, changes to the ordinance would not likely produce a different result in practice. Moreover, nothing prohibits residents from reaching out about their garden or posting zoning-compliant signage without legislative changes.

Voluntary native plant and pollinator registration and signage is available through local resources like the Cincinnati Zoo and Botanical Garden [Plant for Pollinators](#) program¹¹ or national programs like the [National Wildlife Federation](#)¹².

To date, the Office of Environment and Sustainability (OES) has supported numerous native plants and pollinator gardens through the Urban Agriculture Program and the Seeds of Change Grant Program. These efforts are resident-led and largely installed on private property. When installed on public property, collaboration with relevant City departments for approval is facilitated. These investments of city and private funding aim to support the goals and strategies of the Green Cincinnati Plan referenced above.

To further support native plants and pollinators, the City can provide resources such as infographics or guides which visually describe the requirements of the code, and planting or maintenance guides, such as those provided by Madison, WI¹³ or Boulder, CO¹⁴.

Identification of native plants and pollinators, as well as invasive species, can be included in training materials for City inspectors. These training resources could also be provided as resources for the public.

To further protect and promote native plants and pollinators, the City can also identify areas on City property to include native plants and pollinators instead of, or in addition to, turf grass. Cincinnati Parks is the leading agency in this endeavor, with expert staff in Horticulture and Natural Resource Management who prioritize, incorporate and manage native plantings throughout the park system. Currently these plantings scale in size from formal landscape beds to acres of meadowland that were at one time mowed lawns. To continue these efforts, Parks GIS Analysts have mapped all lawn areas to inform efficiencies in mow crew operations and the potential transition of turf to meadowlands.

It is important to note that while there are significant benefits to the addition of pollinator gardens, meadowlands and reduction in turf grass areas on public lands, the savings in reduced mowing does not equate to a direct reduction in management of the area. Converting

¹¹ <https://cincinnatzoo.org/gardens/plant-for-pollinators/>

¹² <https://www.nwf.org/Native-Plant-Habitats/Create-and-Certify>

¹³ <https://www.cityofmadison.com/mayor/documents/TerracePlantingFlyer.pdf>

¹⁴ <https://bouldercolorado.gov/services/pollinator-gardens-and-pathways>

turf to a meadow requires a specialized skill set and management plan to ensure invasive species, such as honeysuckle and poison hemlock, do not outcompete the native plants. Left with no plan, these areas can quickly become overrun.

To overcome this challenge on public lands, Cincinnati Parks led the creation of a new classification titled, Natural Resource Specialist. This classification could be utilized in other departments but currently only resides within the Parks Division of Natural Resources' Conservation and Land Management Section. This small team is charged with the care of Park's natural surface trail system, forest, and meadowlands. Through the development of land management plans these staff work with our community to restore our forests and care for existing meadows, while continuing to plan for new locations in areas that are either underutilized by the public or are hard to mow due to soil saturation or the slope of land.

Proper management is more specialized than lawn mowing, but once fully established, a meadow needs less frequent maintenance than a lawn, thereby reduce reducing labor costs, the City's CO₂ emissions and air quality impacts of mowing while beautifying public spaces with plant species that are adapted to our climate, and serve as educational opportunities for the public while attracting pollinators to support local wildlife and biodiversity.

cc: Oliver Kroner, Director, Office of Environment and Sustainability
 Art Dahlberg, Director, Department of Buildings and Inspections
 Jason Barron, Director, Parks

September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202501663

Subject: Emergency Ordinance – Police: Moral Obligation Payment to ForPsych Corporation

Attached is an Emergency Ordinance captioned:

AUTHORIZING a payment of \$12,130 from Cincinnati Police Department General Fund non-personnel operating budget account no. 050x227x4053x7289 as a moral obligation to ForPsych Corporation for outstanding charges related to services rendered for fitness-for-duty evaluations completed in Fiscal Year 2025.

This Emergency Ordinance authorizes a payment of \$12,130 from Cincinnati Police Department (CPD) General Fund non-personnel operating budget account no. 050x227x4053x7289 as a moral obligation to ForPsych Corporation for outstanding charges related to services rendered for fitness-for-duty evaluations completed in Fiscal Year (FY) 2025.

CPD used ForPsych Corporation for Special Weapons and Tactics (SWAT) fitness-for-duty pre-employment screenings which took place in March 2025 and May 2025. A contract with ForPsych Corporation was in place but did not cover SWAT pre-employment screenings. The contract was later amended to include these screenings, but the amendment was not executed until August 5, 2025, after these screenings were completed. CPD Finance received an invoice on August 13, 2025 from ForPsych Corporation for the SWAT fitness-for-duty pre-employment screenings that were provided in March 2025 and May 2025. Because the services were provided before a contract was in place and funds were encumbered, a moral obligation ordinance is required to pay the invoice.

The reason for the emergency is the immediate need to make payment to ForPsych Corporation in a timely manner for completed services.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director

Attachment

EMERGENCY

AEP

- 2025

AUTHORIZING a payment of \$12,130 from Cincinnati Police Department General Fund non-personnel operating budget account no. 050x227x4053x7289 as a moral obligation to ForPsych Corporation for outstanding charges related to services rendered for fitness-for-duty evaluations completed in Fiscal Year 2025.

WHEREAS, the Cincinnati Police Department (“CPD”) used ForPsych Corporation for SWAT fitness-for-duty pre-employment screenings which took place in March 2025 and May 2025; and

WHEREAS, a contract with ForPsych Corporation was in place, at the time, but did not cover SWAT pre-employment screenings; and

WHEREAS, the contract was later amended to include these screenings, but the amendment was not executed until August 5, 2025, after the March 2025 and May 2025 screenings were completed; and

WHEREAS, CPD Finance received an invoice on August 13, 2025 from ForPsych Corporation for the SWAT fitness-for-duty pre-employment screenings that were provided in March 2025 and May 2025; and

WHEREAS, because the services were provided before a contract was in place and funds were encumbered, a moral obligation is required to pay the invoice; and

WHEREAS, Council desires to pay \$12,130 to ForPsych Corporation for the outstanding charges related to fitness-for-duty evaluations; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Director of Finance is authorized to pay \$12,130 from Cincinnati Police Department General Fund non-personnel operating budget account no. 050x227x4053x7289 as a moral obligation to ForPsych Corporation for outstanding charges related to fitness-for-duty evaluations completed in Fiscal Year 2025.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of Section 1.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to make payment to ForPsych Corporation in a timely manner for completed services.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

September 10, 2025

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202501664

Subject: Ordinance – Human Resources: Seasongood Good Government Foundation Internship Program Grant

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$46,080 from the Murray & Agnes Seasongood Good Government Foundation to administer an internship program for temporary placement of up to eight interns; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Citizens Jobs Fund revenue account No. 308x8571.

Approval of this Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant in an amount of up to \$46,080 from the Murray & Agnes Seasongood Good Government Foundation to administer an internship program for temporary placement of up to eight interns. Approval of this Ordinance further authorizes the Director of Finance to deposit the grant resources into Citizens Jobs Fund revenue account no. 308x8571.

There is a grant available from the Murray & Agnes Seasongood Good Government Foundation that will allow the administration of an internship program for temporary placement of up to eight interns in various departments across the City.

No new FTEs/full time equivalents or local matching funds are required to accept this grant.

The grant application deadline is September 15, 2025, but no grant resources will be accepted without approval by the City Council.

Administering an internship program is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” as described on pages 209-211 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director



Attachment

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$46,080 from the Murray & Agnes Seasongood Good Government Foundation to administer an internship program for temporary placement of up to eight interns; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Citizens Jobs Fund revenue account No. 308x8571.

WHEREAS, a grant of up to \$46,080 is available from the Murray & Agnes Seasongood Good Government Foundation to administer an internship program for temporary placement of up to eight interns in various departments across the City; and

WHEREAS, the grant does not require a local match, and there are no new FTEs/full time equivalents associated with this grant; and

WHEREAS, the grant application deadline is September 15, 2025, but no grant funds will be accepted without the approval of Council; and

WHEREAS, administering this internship program is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” as described on pages 209-211 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. The City Manager is authorized to apply for, accept, and appropriate a grant of up to \$46,080 from the Murray & Agnes Seasongood Good Government Foundation to administer an internship program for temporary placement of up to eight interns.

Section 2. The Director of Finance is authorized to deposit the grant funds into Citizens Jobs Fund revenue account No. 308x8571.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of the grant and Sections 1 and 2.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

September 10, 2025

To: Mayor and Members of City Council 202501667

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Enterprise Technology Solutions (ETS):
Moral Obligation Payment to T-Mobile USA**

Attached is an Emergency Ordinance captioned:

AUTHORIZING a payment of \$3,366.14 from County Law Enforcement Applied Regionally CLEAR Fund non-personnel operating budget account no. 457x093x7100x7212 as a moral obligation to T-Mobile USA for wireless air card services in mobile data computers used by police patrol cars throughout Hamilton County law enforcement agencies.

Approval of this Emergency Ordinance will authorize the payment of \$3,366.14 from Enterprise Technology Solutions County Law Enforcement Applied Regionally (CLEAR) Fund non-personnel operating budget account no. 457x093x7100x7212 as a moral obligation to T-Mobile USA for wireless air card services in mobile data computers (MDCs) used by police patrol cars throughout Hamilton County law enforcement agencies.

The County Law Enforcement Applied Regionally (CLEAR) program uses air cards to provide internet connectivity to the mobile data computers used by police patrol cars throughout Hamilton County law enforcement agencies. Due to coverage issues with Verizon, CLEAR switched wireless carriers for the air cards in over 600 vehicles from Verizon to T-Mobile USA. CLEAR underestimated the number of cars that would be switching carriers and certified \$3,366.14 less than the total amount needed for expenses incurred during the period of May 21, 2025 through June 20, 2025 for wireless air card services in MDCs used by police patrol cars throughout Hamilton County law enforcement agencies. A payment of \$3,366.14 will be made to T-Mobile USA for expenses incurred as a moral obligation.

The reason for the emergency is the immediate need to pay T-Mobile USA in a timely manner for completed services.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director

Attachment

EMERGENCY

AEP

- 2025

AUTHORIZING a payment of \$3,366.14 from County Law Enforcement Applied Regionally CLEAR Fund non-personnel operating budget account no. 457x093x7100x7212 as a moral obligation to T-Mobile USA for wireless air card services in mobile data computers used by police patrol cars throughout Hamilton County law enforcement agencies.

WHEREAS, County Law Enforcement Applied Regionally (“CLEAR”) uses air cards to provide internet connectivity to the mobile data computers used by police patrol cars throughout Hamilton County law enforcement agencies; and

WHEREAS, CLEAR switched wireless carriers for the air cards in over 600 vehicles from Verizon to T-Mobile USA due to coverage issues with Verizon; and

WHEREAS, CLEAR certified \$22,000 for FY 2025 for T-Mobile air card services using a Type 4 GAE, but underestimated the number of cars that would be switching carriers; and

WHEREAS, this certification was \$3,366.14 short of the total amount needed; and

WHEREAS, Council desires to pay \$3,366.14 to T-Mobile USA for expenses incurred during the period of May 21, 2025 through June 20, 2025 for wireless air card services in mobile data computers used by police patrol cars throughout Hamilton County law enforcement agencies; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Director of Finance is authorized to pay \$3,366.14 from County Law Enforcement Applied Regionally CLEAR Fund non-personnel operating budget account no. 457x093x7100x7212 as a moral obligation to T-Mobile USA for outstanding charges related to wireless air card services in mobile data computers used by police patrol cars throughout Hamilton County law enforcement agencies.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of Section 1.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms

of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to pay T-Mobile USA in a timely manner for completed services.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

September 10, 2025

To: Mayor and Members of City Council

202501668

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – DOTE: Accept Traffic Calming Resources from the Village of St. Bernard

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate up to \$61,725.90 from the Village of St. Bernard to capital improvement program project account no. 980x232x252383, “Pedestrian Safety Improvements/Major Street Calming,” to install traffic calming infrastructure along sections of East Mitchell Avenue, a portion of which is located within the Village of St. Bernard; and **AUTHORIZING** the Director of Finance to deposit the resources into capital improvement program project account no. 980x232x252383, “Pedestrian Safety Improvements/Major Street Calming.”

Approval of this Ordinance authorizes the City Manager to accept and appropriate up to \$61,725.90 to existing capital improvement program project account no. 980x232x252383, “Pedestrian Safety Improvements/Major Street Calming,” to install traffic calming infrastructure along sections of East Mitchell Avenue, a portion of which is located within the Village of St. Bernard, Ohio.

The north side of East Mitchell Avenue is located within the Village of St. Bernard, while the south side of East Mitchell Avenue is located within the City of Cincinnati. It is more efficient and mutually beneficial for the City of Cincinnati to complete the traffic calming infrastructure improvements and for the Village of St. Bernard to provide reimbursement for the work completed in the Village. There are no new FTEs/full time equivalents associated with acceptance of these resources.

Installing traffic calming infrastructure on East Mitchell Avenue is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood vitality” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” as described on pages 129 and 135-137 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director



Attachment

AUTHORIZING the City Manager to accept and appropriate up to \$61,725.90 from the Village of St. Bernard to capital improvement program project account no. 980x232x252383, “Pedestrian Safety Improvements/Major Street Calming,” to install traffic calming infrastructure along sections of East Mitchell Avenue, a portion of which is located within the Village of St. Bernard; and **AUTHORIZING** the Director of Finance to deposit the resources into capital improvement program project account no. 980x232x252383, “Pedestrian Safety Improvements/Major Street Calming.”

WHEREAS, the northern side of East Mitchell Avenue is located within the Village of St. Bernard, while the southern side of East Mitchell Avenue is located within the City of Cincinnati; and

WHEREAS, it is more efficient and mutually beneficial for the City to complete the required traffic calming infrastructure improvements within the Village of St. Bernard, and for the Village of St. Bernard to reimburse the City for the work, than it would be for each political subdivision to complete the work independently; and

WHEREAS, the City has agreed to construct the infrastructure improvements on behalf of the Village of St. Bernard, and the Village of St. Bernard has agreed to reimburse the City for its share of the work; and

WHEREAS, no new FTEs/full time equivalents are associated with acceptance of these resources; and

WHEREAS, installing traffic calming infrastructure on East Mitchell Avenue is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood vitality” and strategy to “[p]lan, design, and implement a safe and sustainable transportation system” as described on pages 129 and 135-137 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is authorized to accept and appropriate up to \$61,725.90 from the Village of St. Bernard to capital improvement program project account no. 980x232x252383, “Pedestrian Safety Improvements/Major Street Calming,” to install traffic calming infrastructure along sections of East Mitchell Avenue, a portion of which is located within the Village of St. Bernard.

Section 2. That the Director of Finance is authorized to deposit the resources from the Village of St. Bernard into capital improvement program project account no. 980x232x252383, “Pedestrian Safety Improvements/Major Street Calming.”

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

September 10, 2025

To: Mayor and Members of City Council
From: Sheryl M. M. Long, City Manager
Subject: Ordinance – Major Amendment to the Concept Plan and Development Program Statement for Planned Development #79, Uptown Gateway, in Avondale.

202501681

Transmitted is an Ordinance captioned:

APPROVING a major amendment to the concept plan and development program statement governing a portion of Planned Development No. 79, “Uptown Gateway,” to permit additional uses within the planned development to allow office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, school, and all other uses permitted within the CC-A, “Commercial Community Auto,” RM-0.7, “Residential Multi-Family,” OG, “Office General,” ML, “Manufacturing Limited,” and IR, “Institutional Residential,” zoning districts in the area located at 3020-3090 Exploration Avenue in the Avondale neighborhood.

The City Planning Commission recommended approval of the designation at its September 5, 2025, meeting.

Summary

Terrex Uptown Investor, LLC on behalf of Uptown SEQ Holdings, LLC, has petitioned the City to approve a major amendment to the PD-79 concept plan and development program statement to allow office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, school, and all other uses permitted within the CC-A, “Commercial Community Auto,” RM-0.7, “Residential Multi-Family,” OG, “Office General,” ML, “Manufacturing Limited,” and IR, “Institutional Residential,” zoning districts.

The City Planning Commission recommended the following on September 5 2025, to City Council:

ADOPT the Department of City Planning and Engagement Findings as detailed in this report; and

APPROVE the proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #79, Uptown Gateway, in Avondale.

cc: Katherine Keough-Jurs, FAICP, Director, Department of City Planning and Engagement

EMERGENCY

DBS

-2025

APPROVING a major amendment to the concept plan and development program statement governing a portion of Planned Development District No. 79, “Uptown Gateway,” to permit additional uses within the planned development to allow office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, school, and all other uses permitted within the CC-A, “Commercial Community Auto,” RM-0.7, “Residential Multi-Family,” OG, “Office General,” ML, “Manufacturing Limited,” and IR, “Institutional Residential,” zoning districts in the area located at 3020-3090 Exploration Avenue in the Avondale neighborhood.

WHEREAS, Uptown SEQ Holdings, LLC, owns or controls certain real property in the Avondale neighborhood located at 3020-3090 Exploration Avenue (“Property”), which property Council rezoned to Planned Development District No. 79 (“PD-79”), pursuant to Ordinance No. 280-2017 adopted on October 5, 2017; and

WHEREAS, the Property currently contains an underground parking structure, one six-story building consisting of approximately 185,000 square feet, one six-story building consisting of approximately 180,000 square feet, and a prepared building pad that is configured for a hotel use; and

WHEREAS, Terrex Uptown Investor, LLC on behalf of Uptown SEQ Holdings, LLC, has petitioned the City to approve a major amendment to the PD-79 concept plan and development program statement to allow office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, school, and all other uses permitted within the CC-A, “Commercial Community Auto,” RM-0.7, “Residential Multi-Family,” OG, “Office General,” ML, “Manufacturing Limited,” and IR, “Institutional Residential,” zoning districts; and

WHEREAS, the proposed major amendment to the PD-79 concept plan and development program statement will not impact the existing physical attributes of the Property including the buildings, landscaping, parking, and other development associated with the Property and will afford greater flexibility for future uses on the Property to attract new business and retain existing tenants; and

WHEREAS, Section 1429-12(b) of the Zoning Code provides that changes in the uses allowed under an approved concept plan constitute a major amendment to the concept plan that requires approval of the City Planning Commission and Council in the same manner as a zoning map amendment; and

WHEREAS, at its regularly scheduled meeting on September 5, 2025 the City Planning Commission recommended approval of the proposed major amendment to the concept plan and development program statement for PD-79; and

WHEREAS, a committee of Council held a public hearing on the major amendment to the concept plan and development program statement for PD-79 following due and proper notice pursuant to Cincinnati Municipal Code Section 111-1, and the committee approved the major amendment, finding it in the interest of the public's health, safety, morals, and general welfare; and

WHEREAS, the proposed major amendment to the concept plan and development program statement for PD-79 is in accordance with Plan Cincinnati (2012), and the "Compete" initiative area with the goals to "[c]ultivate our position as the most vibrant and economically healthiest part of our region" (p. 114) and "[t]arget investment to geographic areas where there is already economic activity" (p. 115); and

WHEREAS, the proposed major amendment to the concept plan and development program statement for PD-79 is in accordance with Goal 4 of the Avondale Quality of Life Plan (2020), that "[y]outh in Avondale are connected with education, employment, and career opportunities and resources that will lead to gainful employment and prepare the future generation for a competitive workforce" (p. 39) and Goal 6 that "[r]esidents have access to quality jobs at good local and regional businesses. Barriers to employment are addressed/removed" (p. 41); and

WHEREAS, Council considers the major amendment to the PD-79 concept plan and development program statement to be in the best interest of the City and the general public's health, safety, morals, and general welfare; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Council hereby adopts as its own independent findings the Department of City Planning and Engagement and the Cincinnati Planning Commission's findings that the major amendment to Planned Development District No. 79 ("PD-79") further described herein conforms to the requirements of Cincinnati Municipal Code Sections 1429-05, 1429-09, and 1429-11.

Section 2. That the concept plan and development program statement for PD-79 are hereby amended to incorporate the concept plan amendment and development program statement amendment, attached hereto as Attachment A and incorporated herein by reference.

Section 3. That, to the extent the concept plan and development program statement for PD-79 are not amended herein, they shall remain in full force and effect.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is to allow future and current tenants with the requisite certainty that they will be permitted to operate within the planned development and allow planning and discussion for other future uses and development to proceed.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

AMENDMENT #1
CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT
PLANNED DEVELOPMENT DISTRICT No. 79
Located at
SOUTHEAST CORNER OF READING RD & MLK BLVD

1. APPLICANT/PETITIONER:

Uptown SEQ Holdings, LLC (via the developer, Terrex Uptown Investor, LLC "Developer")
3200 Madison Road, Suite 2B
Cincinnati, OH 45209

As may be subsequently assigned.

2. SUMMARY OF REQUEST

Applicant is requesting to amend the permitted uses within the approved City of Cincinnati Planned Development District No. 79 ("Development") that was previously approved by City of Cincinnati through Ordinance No. 280-2017 on or about October 5, 2017.

When originally approved, the Development was described as a "mixed-use" project and listed specific assets that were to be developed. This Amendment is intended to clarify the permitted uses within the Development to allow for the original vision to be successfully executed. The permitted uses for which Applicant seeks approval include office, research and development, laboratory, hotel, multifamily, retail, restaurant, entertainment, colleges, schools, parking and those uses specifically permitted under current City of Cincinnati zoning regulations for CC-A zoning districts as outlined in Section 1409-07, RM-0.7 zoning districts as outlined in Section 1405-05, Office General zoning districts as outlined in Section 1407-05, ML zoning districts as outlined in Section 1413-05 and IR zoning districts as outlined in Section 1417-03.

3. PROJECT SUMMARY & PHASING

When completed, the Proposed Development will include multiple buildings and below grade structured parking. Today, these buildings include an underground parking garage, one six-story building consisting of approximately 185,000 sft that is leased to UC (Digital Futures Building), one six-story building consisting of approximately 180,000 sft and a prepared building pad that is configured for a hotel concept, but this area could include or be utilized for other uses when developed. Future buildings within the Development will need to be approved through the Final Development Plan process with the City of Cincinnati.

4. TIMING

The major improvements in Phase I of the Development have been completed, as outlined above. Construction and development of future buildings and/or phases will continue as tenants/purchasers are identified for the remainder of the developable property within the Development.

5. SITE PLAN & SUMMARY

The Development is the initial project intended to be a large-scale, catalytic redevelopment of the area surrounding the new Martin Luther King Blvd. interchange with I-71 and has already resulted in large private and public investment. Generally, this area, including the Development, is currently being developed as the "Cincinnati Innovation District" ("CID") and will spur additional private and public investment in surrounding areas throughout the CID and Uptown neighborhoods.

The Development has and will continue to create a mixed-use, walkable environment where a mix of uses, a mix of types of users/industries and the other improvements in the CID are intended to create a place where research and innovation

is fostered among a diverse group of companies, people and institutions. Cincinnati is working to continue its work to be a place where companies come to spur innovation and to garner access to top-level talent and this Development is part of that effort.

The catalysts for this innovation ecosystem in Uptown include the existing institutions in the area that count Cincinnati Children's Hospital, Cincinnati Zoo & Botanical Garden, TriHealth, University of Cincinnati and UC Health among its constituents. This synergy between the Development's users, CID users/occupants and the neighborhood anchor institutions will catalyze both development and job growth in the Uptown area.

The site plan for the Development was previously approved and subsequent improvements will all be required to go through the Final Development Plan process with the City of Cincinnati.

6. ACCESS

The Proposed Development will enjoy three (3) points of access from public rights-of-way. The primary access and main entrance will be from Lincoln Ave. via an extension of the Winslow Ave. alignment into the Proposed Development. Further, there will be another point of access to/from Lincoln Ave. via the Bathgate curb-cut. The final point of access will be from/to Reading Road.

7. UTILITIES & INFRASTRUCTURE

Applicant has installed the utility infrastructure needed for the Development and it is currently serving the Development.

8. COMMUNITY ENGAGEMENT

Applicant has worked with various community groups, including the Avondale Community Council, Avondale Development Corporation and Uptown Consortium, Inc., to inform its planning for the Development.

City of Cincinnati owns property that is currently planned as "PHASE III" of the Development and by approving this Amendment #1 to the Concept Plan & Development Program Statement for Planned Development District No. 79, City of Cincinnati is consenting to this amendment.

APPLICANT:

UPTOWN SEQ HOLDINGS, LLC

BY: Thomas B. Rowe

Thomas B. Rowe

ITS: Authorized Representative

CONSENTING OWNERS:

UPTOWN GATEWAY OFFICE 1, LLC

BY: Thomas B. Rowe

Thomas B. Rowe

ITS: Authorized Representative

UPTOWN GATEWAY ACCESS, LLC

BY: Thomas B. Rowe

Thomas B. Rowe

ITS: Authorized Representative

3090 EXPLORATION AVE, LLC

BY: Children's Hospital Medical Center

By: Maura Moran-Berry
Maura Moran-Berry

ITS: Asst. VP, Real Estate

SUBJECT: A report and recommendation on a proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #79, Uptown Gateway, in Avondale.

GENERAL INFORMATION:

Location: 3020-3090 Exploration Avenue
Cincinnati, OH 45206

Petitioner: Terrex Uptown Investor, LLC on behalf of Uptown SEQ Holdings, LLC
3200 Madison Road, Suite 2B
Cincinnati, OH 45209

Request: A proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #79 to update the permitted uses to include office, research and development, laboratory, hotel, multi-family, retail, restaurant, entertainment, colleges, schools, parking, and other uses specifically permitted under the Cincinnati Zoning Code for CC-A, RM-0.7, OG, ML, and IR zoning districts.

ATTACHMENTS:

Provided in addition to this report are the following exhibits:

- Exhibit A – Location Map
- Exhibit B – Concept Plan
- Exhibit C – Amended Development Program Statement

BACKGROUND:

The Concept Plan and Development Program Statement for Planned Development #79, Uptown Gateway, was previously approved by City Council through Ordinance No. 280-2017 on October 5, 2017. The Planned Development includes an underground parking structure, one six-story building consisting of approximately 185,000 square feet that is leased to the University of Cincinnati (Digital Futures Building), one six-story building consisting of approximately 180,000 square feet, and a prepared building pad that is configured for a hotel concept. Three Final Development Plans have been approved for this Planned Development and include the parking garage (2019), two office buildings and site improvements (2020), and the signage plan (2021).

The applicant team, Terrex Uptown Investor, LLC, on behalf of the property owner, Uptown SEQ Holdings, LLC, is requesting a Major Amendment to the existing Concept Plan and Development Program Statement. The proposed Major Amendment requests to amend the existing Concept Plan and Development Program Statement to permit additional uses. All other aspects of the Planned Development will remain the same and will not affect any physical attributes of the site.

ADJACENT LAND USE AND ZONING:

The site is currently zoned as a Planned Development (PD-79). The adjacent zoning and land uses are as follows:

North:

Zoning: CC-P, RMX, and RMX-T
Use: Vacant land and three single-family homes

East:

Zoning: ML-T
Use: Interstate 71

South:

Zoning: CC-A-T and IR
Use: Surface parking lots and 1819 Innovation Hub – University of Cincinnati

West:

Zoning: CC-P-T and CC-P
Use: Wireless Connection cell phone store, Rally's fast-food restaurant, Avondale Beer Drive Thru and vacant land

PROPOSED DEVELOPMENT AND CHANGES TO CONCEPT PLAN:

The applicant is proposing to update the permitted uses to include office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, colleges, schools, parking, and other uses specifically permitted under the Cincinnati Zoning Code for CC-A, RM-0.7, OG, ML, and IR zoning districts. The request is considered a Major Amendment, which must be approved by Cincinnati Planning Commission, per Section 1429-12. – *Amendments to the Planned Development Concept Plan* of the Cincinnati Zoning Code.

BASIC REQUIREMENTS OF A PLANNED DEVELOPMENT DISTRICT:

According to §1429-05 of the Cincinnati Zoning Code, *Basic Requirements*, PD districts and development within PD districts must comply with the following:

- a. ***Minimum Area*** – *The minimum area of a PD must be two contiguous acres.*

Planned Development #79 is 10.0668 acres total.

- b. ***Ownership*** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development are required.*

The owners of the subject properties consist of Uptown Gateway Office 1, LLC, Uptown Gateway Access, LLC, and 3090 Exploration Avenue, LLC (Children's Hospital Medical Center).

- c. ***Multiple Buildings on a Lot*** – *More than one building is permitted on a lot.*

Currently, each of the two constructed buildings (two out of four) is on its own separate parcel. No changes are proposed.

- d. ***Historic Landmarks and Districts*** – *Whenever a Planned Development application is filed for a property wholly or partially located within a historic landmark, historic district, or involving a historic structure, the Historic Conversation Board shall advise the City Planning Commission relating to approval of the Final Development Plan.*

No portion of the site is located within a historic district, nor does the site contain any historic landmark.

- e. ***Hillside Overlay Districts*** – *Whenever a Planned Development application is filed for a property wholly or partially located within a Hillside Overlay District, the City Planning Commission shall approve the Final Development Plan.*

No portion of the site is located within the Hillside Overlay District.

- f. ***Urban Design Overlay District*** – *Whenever a Planned Development application is filed for a property wholly or partially located within an Urban Design Overlay District, the City Planning Commission shall approve the Final Development Plan.*

No portion of the site is located within an Urban Design Overlay District.

CONCEPT PLAN AND DEVELOPMENT PROGRAM STATEMENT:

According to §1429-09 of the Cincinnati Zoning Code, *Concept Plan and Development Program Statement*, a petition to rezone a property to PD must include a Concept Plan and Development Program Statement. The purpose is to describe the proposed use or uses to be conducted in the PD District. The Concept Plan and Development Program Statement must include text or diagrams that specify:

- a. **Plan Elements** – *A survey of the tract to be developed, providing a metes and bounds description of the property and the survey of property lines and total acreage. Additionally, the plan should include the location in general terms, of land areas to be developed, including: type and description of proposed land uses, buildings and structures; street rights-of-way and driveways; parcel boundaries and proposed lots, including set back lines; building heights; pedestrian circulation systems and open space or other facilities; and proposed topography, drainage, landscaping and buffer plantings.*

The applicant team has submitted a proposed Major Amendment to the Concept Plan and Development Program Statement that includes sufficient information regarding the proposed uses.

- b. **Ownership** – *Evidence that the petitioner has sufficient control over the tract of land to affect the proposed plan, including a list of all ownership and beneficial interests in the tract of land and the proposed development.*

The applicant has provided evidence that the three aforementioned owners have sufficient control over the subject tract of land.

- c. **Schedule** – *Time schedule of projected development, if the total site is to be developed in phases or if construction is to extend beyond a two-year time period.*

The project has been constructed in multiple phases and previously has had three separate Final Development Plan approvals since the creation of the Planned Development.

- d. **Preliminary Reviews** – *A preliminary review of geo-technical, sewage, water, drainage and refuse collection.*

Not applicable to this application.

- e. **Density and Open Space** – *Calculations of density and open space area.*

The project will not change any of the open space provided in the original Concept Plan.

MAJOR AMENDMENT:

The Cincinnati Zoning Code § 1429-12 allows for amendments to the Concept Plan and Development Program Statement. Major Amendments must be approved by the City Planning Commission and City Council. A Major Amendment to the Concept Plan and Development Program Statement has been requested as the petitioner wishes to change the permitted uses of the subject site.

PUBLIC COMMENT AND NOTIFICATION:

A virtual public staff conference is scheduled for September 3, 2025. An update will be shared during the presentation to the City Planning Commission. Notices for the public staff conference and the City Planning Commission meeting were sent out to all property owners within 400-feet of the site and the Avondale Community Council.

CONSISTENCY WITH PLANS:

Plan Cincinnati (2012)

The proposal is consistent with multiple goals and principles of *Plan Cincinnati*:

- Compete Goal 2: “Cultivate our position as the most vibrant and economically healthiest part of our region” through the strategies to “Target investment to geographic areas where there is already economic activity” and to “strategically select areas for new growth” (p. 115).
- Guiding Geographic Principle to “Focus revitalization on existing centers of activity” (p. 86).
- It is also consistent with the Guiding Policy Principles to “Increase our population” (p. 74) and to “Be aggressive and strategic in future growth and development” (p. 77).

Avondale Quality of Life Plan (2020)

The proposal is also consistent with multiple goals of the *Avondale Quality of Life Plan*:

- Goal 4: “Youth in Avondale are connected with education, employment, and career opportunities and resources that will lead to gainful employment and prepare the future generation for a competitive workforce” (p. 39).
- Goal 6: “Residents have access to quality jobs at good local and regional businesses. Barriers to employment are addressed/removed” (p. 41).

CITY PLANNING COMMISSION ACTION:

According to Section §1429-11(a) of the Cincinnati Zoning Code, City Planning Commission may recommend approval or conditional approval, with restrictions on the establishment of a PD District on finding that all of the following circumstances apply:

1. *The PD concept plan and development program statement are consistent with applicable plans and policies and is compatible with surrounding development;*

The proposal is consistent with *Plan Cincinnati* and the *Avondale Quality of Life Plan*.

2. *The PD concept plan and development program statement enhance the potential for superior urban design in comparison with the development under the base district regulations that would apply if the plan were not approved;*

The proposal is an amendment to an already approved and established Planned Development district.

3. *Deviations from the base district regulations applicable to the property at the time of the PD application are justified by compensating benefits of the PD concept plan and development program statement;*

The proposal is an amendment to an already approved and established Planned Development and only requesting a change to the uses permitted.

4. *The PD Concept Plan and Development Program Statement includes adequate provisions for utility services, refuse collection, open space, landscaping and buffering, pedestrian circulation, traffic circulation, building design and building location.*

All applicable aspects are covered in the submitted Concept Plan and Development Program Statement.

ANALYSIS:

The proposed Major Amendment to the Concept Plan and Development Program Statement would only change the uses permitted within the Planned Development. The applicant has proposed to update the uses to include office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, colleges, schools, parking, and other uses specifically permitted under the Cincinnati Zoning Code for CC-A, RM-0.7, OG, ML, and IR zoning districts. Approving the Major Amendment will allow for easier business attraction to the buildings and help retain existing tenants.

Updating the permitted uses will not affect any physical attributes of the Planned Development. The building, landscaping, parking and other development associated with the subject building are all staying the same. The proposed permitted uses are compatible with the intent of the overall Planned Development, are consistent with the type of development envisioned by the community of Avondale and are consistent with the aforementioned plans.

CONCURRENT APPROVAL WITH FINAL DEVELOPMENT PLAN:

According to §1429-16 *Concurrent Approval of Concept Plan, Development Program Statement and Final Development Plan* - The City Planning Commission may review and approve the Concept Plan, Development Program Statement and the Final Development Plan concurrently, provided that the applicant meets the submission requirements of both the Concept Plan and the Final Development Plan. The Planning Commission's approval of the Final Development Plan is contingent on the applicant obtaining City Council's approval of the Planned Development map amendment without changes.

FINDINGS:

It is the opinion of the staff of the Department of City Planning and Engagement that the Major Amendment to the Concept Plan and Development Program Statement follows §1429-05 and §1429-09 and satisfies the criteria outlined in §1429-11 (a) *City Planning Commission Action*. The proposal is consistent with the purpose of the Planned Development District Regulations.

RECOMMENDATION:

The staff of the Department of City Planning and Engagement recommends the City Planning Commission take the following actions:

1. **ADOPT** the Department of City Planning and Engagement Findings as detailed in this report; and
2. **APPROVE** the proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #79, Uptown Gateway, in Avondale.

Respectfully submitted:

Approved:

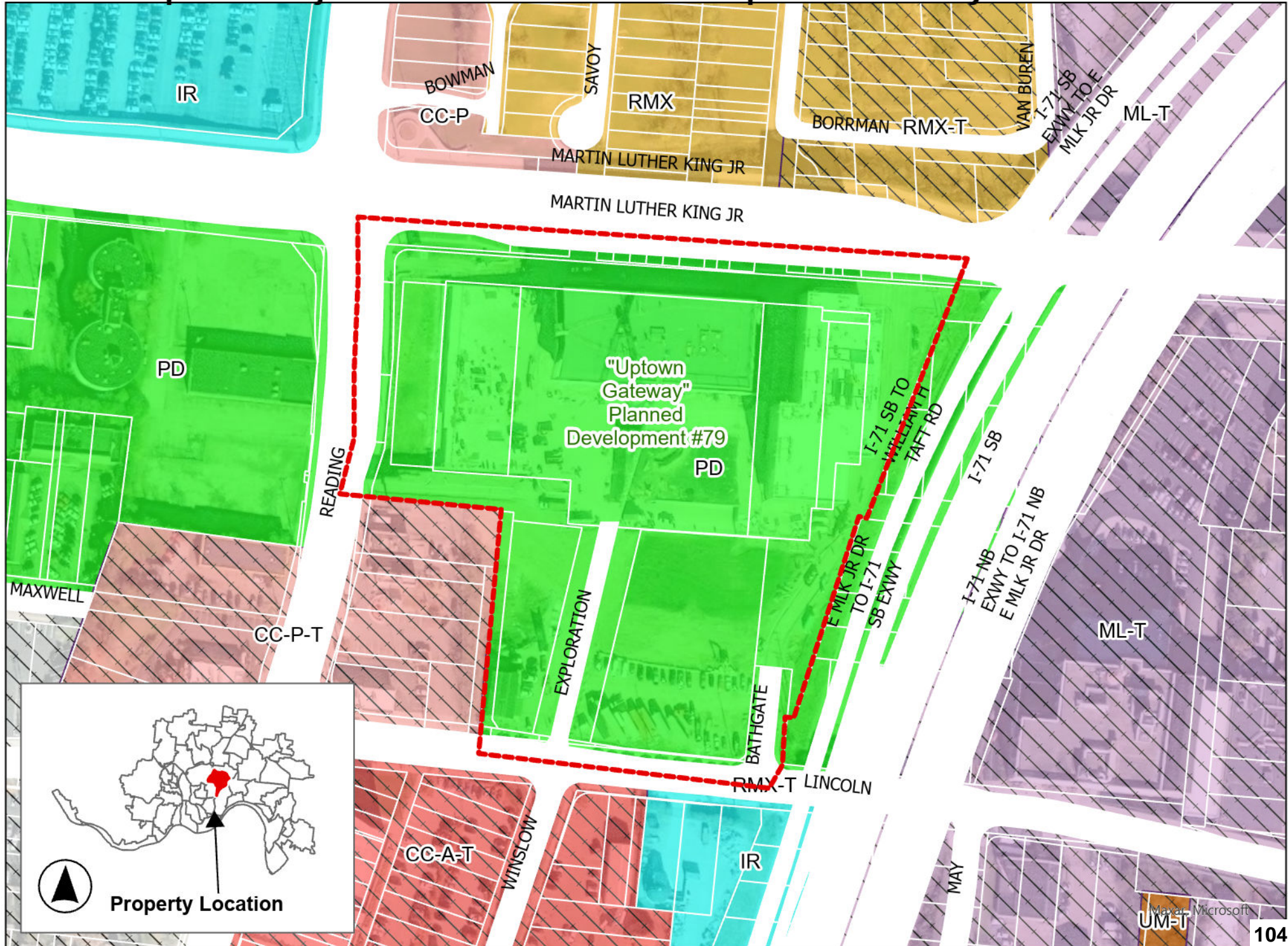


Jesse Urbancsik, Senior City Planner
Department of City Planning and Engagement

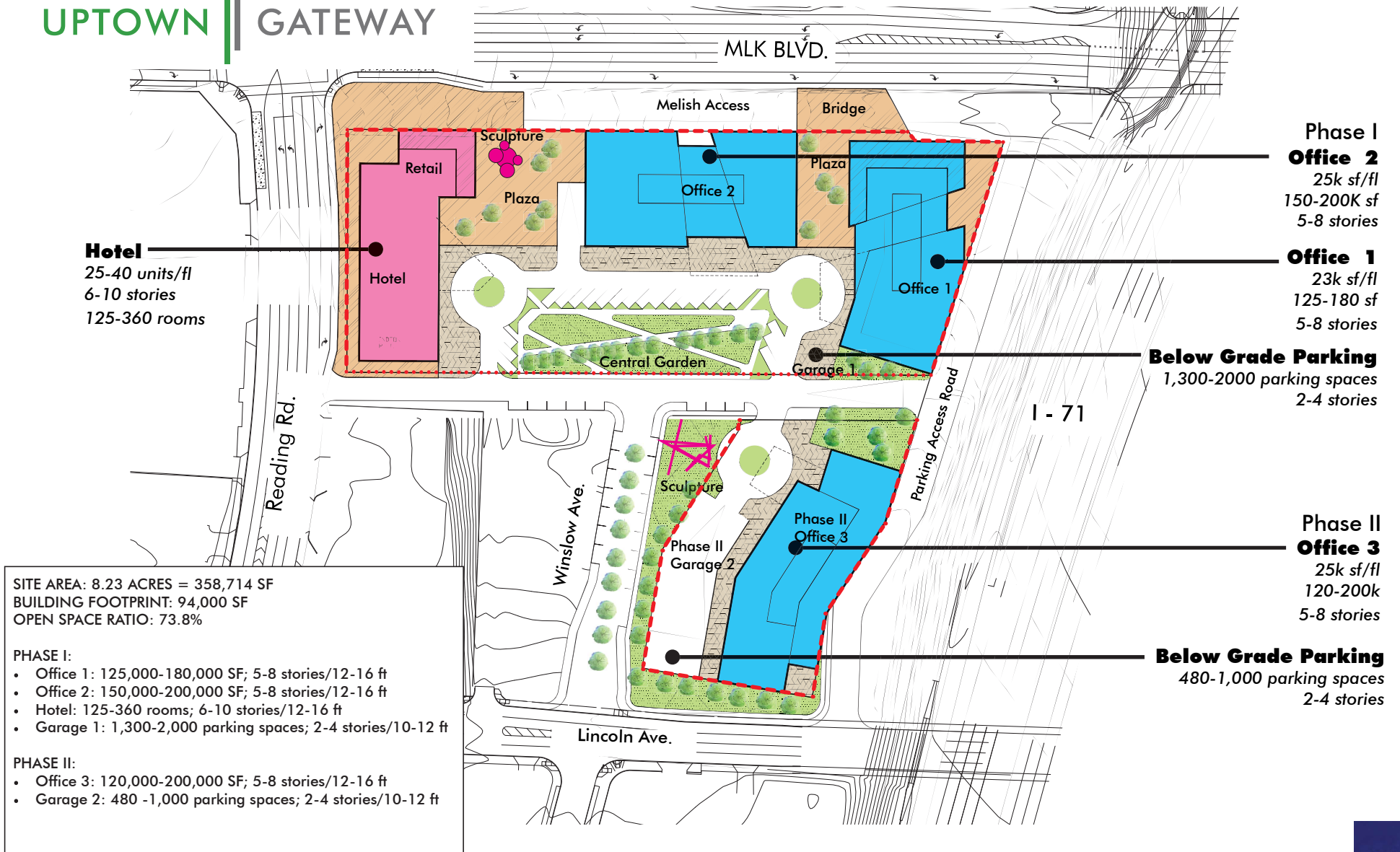


Stacey Hoffman, Division Manager
Department of City Planning and Engagement

Proposed Major Amendment to PD-79 "Uptown Gateway" in Avondale



UPTOWN | GATEWAY



AMENDMENT #1
CONCEPT PLAN & DEVELOPMENT PROGRAM STATEMENT
PLANNED DEVELOPMENT DISTRICT No. 79
Located at
SOUTHEAST CORNER OF READING RD & MLK BLVD

1. APPLICANT/PETITIONER:

Uptown SEQ Holdings, LLC (via the developer, Terrex Uptown Investor, LLC "Developer")
3200 Madison Road, Suite 2B
Cincinnati, OH 45209

As may be subsequently assigned.

2. SUMMARY OF REQUEST

Applicant is requesting to amend the permitted uses within the approved City of Cincinnati Planned Development District No. 79 ("Development") that was previously approved by City of Cincinnati through Ordinance No. 280-2017 on or about October 5, 2017.

When originally approved, the Development was described as a "mixed-use" project and listed specific assets that were to be developed. This Amendment is intended to clarify the permitted uses within the Development to allow for the original vision to be successfully executed. The permitted uses for which Applicant seeks approval include office, research and development, laboratory, hotel, multifamily, retail, restaurant, entertainment, colleges, schools, parking and those uses specifically permitted under current City of Cincinnati zoning regulations for CC-A zoning districts as outlined in Section 1409-07, RM-0.7 zoning districts as outlined in Section 1405-05, Office General zoning districts as outlined in Section 1407-05, ML zoning districts as outlined in Section 1413-05 and IR zoning districts as outlined in Section 1417-03.

3. PROJECT SUMMARY & PHASING

When completed, the Proposed Development will include multiple buildings and below grade structured parking. Today, these buildings include an underground parking garage, one six-story building consisting of approximately 185,000 sft that is leased to UC (Digital Futures Building), one six-story building consisting of approximately 180,000 sft and a prepared building pad that is configured for a hotel concept, but this area could include or be utilized for other uses when developed. Future buildings within the Development will need to be approved through the Final Development Plan process with the City of Cincinnati.

4. TIMING

The major improvements in Phase I of the Development have been completed, as outlined above. Construction and development of future buildings and/or phases will continue as tenants/purchasers are identified for the remainder of the developable property within the Development.

5. SITE PLAN & SUMMARY

The Development is the initial project intended to be a large-scale, catalytic redevelopment of the area surrounding the new Martin Luther King Blvd. interchange with I-71 and has already resulted in large private and public investment. Generally, this area, including the Development, is currently being developed as the "Cincinnati Innovation District" ("CID") and will spur additional private and public investment in surrounding areas throughout the CID and Uptown neighborhoods.

The Development has and will continue to create a mixed-use, walkable environment where a mix of uses, a mix of types of users/industries and the other improvements in the CID are intended to create a place where research and innovation

is fostered among a diverse group of companies, people and institutions. Cincinnati is working to continue its work to be a place where companies come to spur innovation and to garner access to top-level talent and this Development is part of that effort.

The catalysts for this innovation ecosystem in Uptown include the existing institutions in the area that count Cincinnati Children's Hospital, Cincinnati Zoo & Botanical Garden, TriHealth, University of Cincinnati and UC Health among its constituents. This synergy between the Development's users, CID users/occupants and the neighborhood anchor institutions will catalyze both development and job growth in the Uptown area.

The site plan for the Development was previously approved and subsequent improvements will all be required to go through the Final Development Plan process with the City of Cincinnati.

6. ACCESS

The Proposed Development will enjoy three (3) points of access from public rights-of-way. The primary access and main entrance will be from Lincoln Ave. via an extension of the Winslow Ave. alignment into the Proposed Development. Further, there will be another point of access to/from Lincoln Ave. via the Bathgate curb-cut. The final point of access will be from/to Reading Road.

7. UTILITIES & INFRASTRUCTURE

Applicant has installed the utility infrastructure needed for the Development and it is currently serving the Development.

8. COMMUNITY ENGAGEMENT

Applicant has worked with various community groups, including the Avondale Community Council, Avondale Development Corporation and Uptown Consortium, Inc., to inform its planning for the Development.

City of Cincinnati owns property that is currently planned as "PHASE III" of the Development and by approving this Amendment #1 to the Concept Plan & Development Program Statement for Planned Development District No. 79, City of Cincinnati is consenting to this amendment.

APPLICANT:

UPTOWN SEQ HOLDINGS, LLC

BY: Thomas B. Rowe

Thomas B. Rowe

ITS: Authorized Representative

CONSENTING OWNERS:

UPTOWN GATEWAY OFFICE 1, LLC

BY: Thomas B. Rowe

Thomas B. Rowe

ITS: Authorized Representative

UPTOWN GATEWAY ACCESS, LLC

BY: Thomas B. Rowe

Thomas B. Rowe

ITS: Authorized Representative

3090 EXPLORATION AVE, LLC

BY: Children's Hospital Medical Center

By: Maura Moran-Berry

Maura Moran-Berry

ITS: Asst. VP, Real Estate

September 10, 2025

Cincinnati City Council
Council Chambers, City Hall
Cincinnati, Ohio 45202

Dear Members of Council:

We are transmitting herewith an Ordinance captioned as follows:

APPROVING a major amendment to the concept plan and development program statement governing a portion of Planned Development No. 79, “Uptown Gateway,” to permit additional uses within the planned development to allow office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, school, and all other uses permitted within the CC-A, “Commercial Community Auto,” RM-0.7, “Residential Multi-Family,” OG, “Office General,” ML, “Manufacturing Limited,” and IR, “Institutional Residential,” zoning districts in the area located at 3020-3090 Exploration Avenue in the Avondale neighborhood.

Summary:

Terrex Uptown Investor, LLC on behalf of Uptown SEQ Holdings, LLC, has petitioned the City to approve a major amendment to the PD-79 concept plan and development program statement to allow office, research and development, laboratory, hotel, multi-family residential, retail, restaurant, entertainment, school, and all other uses permitted within the CC-A, “Commercial Community Auto,” RM-0.7, “Residential Multi-Family,” OG, “Office General,” ML, “Manufacturing Limited,” and IR, “Institutional Residential,” zoning districts.

The City Planning Commission recommended the following on September 5, 2025, to City Council:

ADOPT the Department of City Planning and Engagement Findings as detailed in this report; and

APPROVE the proposed Major Amendment to the Concept Plan and Development Program Statement for Planned Development #79, Uptown Gateway, in Avondale.

Motion to Approve: Mr. Weber

Ayes:

Ms. Beltran
Mr. Dansby
Mr. Eby
Ms. Kearney
Mr. Samad
Mr. Weber

Seconded: Mr. Eby

THE CITY PLANNING COMMISSION

Katherine Keough-Jurs

Katherine Keough-Jurs, FAICP, Director
Department of City Planning & Engagement



202501023

Anna Albi
Councilmember

September 2, 2025

MOTION


We MOVE that the City Administration provide a report within 30 days to evaluate the potential for reviving the Capital Arts Grant program, including the following items:

- Historical funding levels
- Historical eligibility criteria
- Application review process
- Recommendations for updates to the process
- If possible, a list of current outstanding capital requests from arts organizations

STATEMENT

The 2024 Economic Impact of Arts & Culture report¹, commissioned by ArtsWave and produced by the Center for Research & Data at the Cincinnati Regional Chamber, documented that the arts sector generated \$1.6 billion in total economic impact from 2019-2022.

Report #200800448 outlines how the Capital Arts Grant program was previously administered as a way for arts organizations to formally apply for capital funding. Given the increase in the number of capital requests from arts organizations and the lack of a formal application process to field these requests, City Council would like to explore bringing back a similar application process through which to evaluate and properly fund these organizations and support their capital funding needs.


Councilmember Anna Albi

¹ <https://artswave.org/our-impact/economic-impact-of-the-arts/>

CAL → Budget

EXHIBIT

1990

The following table shows the estimated budget for the year 1990. The budget is based on the assumption that the economy will grow at a rate of 3.5% and that inflation will be 4.5%. The budget is based on the assumption that the economy will grow at a rate of 3.5% and that inflation will be 4.5%.

1991

The following table shows the estimated budget for the year 1991. The budget is based on the assumption that the economy will grow at a rate of 3.5% and that inflation will be 4.5%. The budget is based on the assumption that the economy will grow at a rate of 3.5% and that inflation will be 4.5%.

1992



Jeff Cramerding
Councilmember

202501084

Cincinnati's Increased Investment in Public Safety

After the events of the summer, it is critical that City Council further invest in public safety. The goal is a city that is safe, clean, and welcoming for all people.

This investment can be broken down into three categories: police, outreach, and technology. The primary investment must be into police visibility overtime. An active, visible police force patrolling the neighborhoods will reduce crime and increase public safety in the city. The increased patrols through downtown and OTR over the last few weeks have proven to be a success and this will reinforce that work through other neighborhoods such as Price Hill.

3CDC's Ambassador Program will be expanded to increase their outreach in OTR. These Ambassadors act as true public servants, walking around the neighborhood cleaning up trash, looking out for disorderly conduct, and assisting residents seven days a week, 365 days a year.

Lighthouse Youth and Family Services and Seven Hills Neighborhood Houses have agreed to become curfew centers, providing staffing, transportation, and beds for minors in the city who were in violation of curfew and could not have a guardian pick them up.

An increased investment in streetlighting and cameras throughout the city will help deter crime, with a greater investment in the West Side allowing for improved safety. CPD's drone program will also be expanded. These drones are deployed in response to 911 calls and are meant to give officers an overhead view of the situation before they arrive. Currently these drones are only active downtown, but an increase in funding will allow the drones to cover up to 90% of the city, reaching areas that may have longer police response times and giving police a better overview of the situation before they get to the crime scene.

The city's aging license plate reader cameras were highlighted in the Downtown Safety Report, with many over 10 years old. Updating the city's cameras will allow easier identification of vehicles linked to crimes and feed into the city's FUSUS database.

The Bond and Sentencing Project will help increase transparency and trust in our court system by examining current and historical data from Cincinnati and other peer cities to find best practices. Through a collaborative relationship with our county partners, we can support a justice system that keeps the public safe while respecting defendants' rights.

WE MOVE that the \$2 million allocated to public safety in Motion #202501522 and an additional **\$3.42 million from the General Fund Contingency Account be used for the following items:

<u>Category</u>	<u>Item</u>	<u>Amount</u>
Police	Public Visibility Overtime for CPD*	\$1,200,000.00
Police	PIVOT Specialized Training	\$30,000.00
Police	CPD Recruitment Efforts	\$100,000.00
Police	Bond and Sentencing Project	\$250,000.00
Police	Towing	\$50,000.00
Outreach	3CDC Expanded Ambassador Program	\$880,000.00
Outreach	3CDC Outreach Workers and FUSUS	\$100,000.00
Outreach	Youth Outreach Workers	\$200,000.00
Outreach	Curfew Center - Lighthouse	\$195,000.00
Outreach	Curfew Center - Seven Hills	\$185,000.00
Technology	DOT/CPD Streetlighting and Cameras	\$1,200,000.00
Technology	License Plate Readers	\$360,000.00
Technology	CPD West End Camera Expansion	\$150,000.00
Technology	Findlay Market Safety Improvements	\$180,000.00
Technology	CGIC/PIVOT Drones	\$40,000.00
Technology	Drone Expansion	\$100,000.00
Technology	FUSUS Expansion	\$100,000.00
Technology	Mobile Safety Camera Trailers	\$100,000.00
Total		\$5,420,000.00**

**Funds may be used by the city for other public safety needs if not spent by December 31st, 2025.*

***Council is to be notified if any of these funds are still outstanding by June 1st, 2026, with the administration either providing a plan to allocate these funds or recommendations to reallocate them for other public safety investments.*

JEFF CRAMERDING

Mason Jeffery

Mark D. Owen

September 4, 2025

To: Mayor and Members of City Council 202501607

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – CMO: HOME American Rescue Plan (ARP) Appropriation and Reconciliation**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate an award of \$14,845 in American Rescue Plan (“ARP”) resources from the U.S. Department of Housing and Urban Development through the HOME Investment Partnerships Program (“HOME”) (ALN 14.239) to a newly established Home Investment Trust Fund 411 project account in accordance with Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source Fund 411, “Home Investment Trust,” of \$1,011,994.51 to close out or decrease certain existing project accounts in accordance with Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$1,011,994.51 from the unappropriated surplus of Fund 411, “Home Investment Trust,” to realign resources with needs to ensure that funding is available to support administering, planning, monitoring, and reporting the use of HOME ARP resources in accordance with Section C of the attached Schedule of Transfer; and **AUTHORIZING** the City Manager to file the 2021 Annual Action Plan Amendment.

This Emergency Ordinance authorizes the following:

1. The City Manager to accept and appropriate 14,845 in ARP resources from the U.S. Department of Housing and Urban Development (HUD) through the HOME Program (ALN 14.239) to a newly established Home Investment Trust Fund 411 project account;
2. Realigns existing HOME ARP resources of \$1,011,994.51 with needs to ensure that funding is available to support administering, planning, monitoring, and reporting of HOME ARP resources; and
3. The City Manager to file the 2021 Annual Action Plan Amendment.

Accepting and realigning these resources to support the administration of the HOME ARP program is in accordance with the “Live” strategy to “[s]upport and stabilize our neighborhoods” as described on pages 160-163 and the “Compete” initiative to “[b]e the pivotal economic force in the region” as described on pages 101-102 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to ensure funding is available to support vital City programs.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director

Attachment



EMERGENCY

MSS

- 2025

AUTHORIZING the City Manager to accept and appropriate an award of \$14,845 in American Rescue Plan (“ARP”) resources from the U.S. Department of Housing and Urban Development through the HOME Investment Partnerships Program (“HOME”) (ALN 14.239) to a newly established Home Investment Trust Fund 411 project account in accordance with Section A of the attached Schedule of Transfer; **AUTHORIZING** the transfer and return to source Fund 411, “Home Investment Trust,” of \$1,011,994.51 to close out or decrease certain existing project accounts in accordance with Section B of the attached Schedule of Transfer; **AUTHORIZING** the transfer and appropriation of \$1,011,994.51 from the unappropriated surplus of Fund 411, “Home Investment Trust,” to realign resources with needs to ensure that funding is available to support administering, planning, monitoring, and reporting the use of HOME ARP resources in accordance with Section C of the attached Schedule of Transfer; and **AUTHORIZING** the City Manager to file the 2021 Annual Action Plan Amendment.

WHEREAS, the City received American Rescue Plan (“ARP”) resources from the U.S. Department of Housing and Urban Development (“HUD”) through the HOME Investment Partnerships Program (“HOME”) (ALN 14.239) for program year 2021 via Award M-21-MP-39-0213; and

WHEREAS, Ordinance No. 153-2021, which Council passed on May 5, 2021, authorized the City Manager to accept and appropriate the awarded resources; and

WHEREAS, additional ARP HOME resources are available from HUD for the City to accept and appropriate; and

WHEREAS, existing ARP resources for the HOME program also require realignment so that project funding is available to support vital City programs; and

WHEREAS, supporting the administration of the HOME ARP program is in accordance with the “Live” strategy to “[s]upport and stabilize our neighborhoods” as described on pages 160-163 and the “Compete” initiative to “[b]e the pivotal economic force in the region” as described on pages 101-102 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is authorized to accept and appropriate an award of \$14,845 in American Rescue Plan (“ARP”) resources from the U.S. Department of Housing and Urban Development through the HOME Investment Partnerships Program (“HOME”) (ALN 14.239) to a

newly established Home Investment Trust Fund 411 project account in accordance with Section A of the attached Schedule of Transfer.

Section 2. That the transfer and return to source Fund 411, “Home Investment Trust,” of \$1,011,994.51 is authorized to close out or decrease certain existing project accounts in accordance with Section B of the attached Schedule of Transfer.

Section 3. That the transfer and appropriation of \$1,011,994.51 from the unappropriated surplus of Fund 411, “Home Investment Trust,” is authorized to realign resources with needs so that project funding is available to support administering, planning, monitoring, and reporting of HOME ARP resources in accordance with Section C of the attached Schedule of Transfer.

Section 4. That the City Manager is authorized to file the 2021 Annual Action Plan Amendment.

Section 5. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 4.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to ensure funding is available to support vital City programs.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

SCHEDULE OF TRANSFER

HOME INVESTMENT PARTNERSHIPS PROGRAM APPROPRIATION SCHEDULE

Section A

Grant Program	Fund	Agency	Project Account No.	Project Title	Amount
HOME	411	101	4112133	HOME-ARP Administration	\$14,845.00

TOTAL \$14,845.00

DECREASE OF EXISTING HOME INVESTMENT PARTNERSHIPS PROGRAM RECONCILIATION SCHEDULE

Section B

Grant Program	Fund	Agency	Project Account No.	Project Title	Original Authorization	Amount to be Decreased	Revised Authorization
HOME	411	162	4112132	Non-congregate Shelter Development	\$3,000,000.00	\$ 492,095.05	\$2,507,904.95
HOME	411	162	4112136	Affordable Housing Trust Fund	\$6,900,000.00	\$ 519,899.46	\$6,380,100.54

TOTAL \$9,900,000.00 \$1,011,994.51 \$8,888,005.49

INCREASE OF EXISTING HOME INVESTMENT PARTNERSHIPS PROGRAM RECONCILIATION SCHEDULE

Section C

Grant Program	Fund	Agency	Project Account No.	Project Title	Original Authorization	Amount to be Increased	Revised Authorization
HOME	411	101	4112133	HOME-ARP Administration	\$ 14,845.00	\$ 1,011,994.51	\$ 1,026,839.51

TOTAL \$14,845.00 \$1,011,994.51 \$1,026,839.51

September 4, 2025

To: Mayor and Members of City Council

202501608

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – CMO: HOME Program Reconciliation

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and return to source Fund 411, “Home Investment Trust,” of \$679,483.94 to close out or decrease certain existing project accounts, according to Section A of the attached Schedule of Transfer; and **AUTHORIZING** the transfer and appropriation of \$679,483.94 from the unappropriated surplus of Fund 411, “Home Investment Trust,” to various Strategic Housing Initiatives Program project accounts, according to Section B of the attached Schedule of Transfer, to provide funding that will be spent in a timely manner to support vital City programs.

This Emergency Ordinance authorizes the transfer and return to source Fund 411, “Home Investment Trust,” of \$679,483.94 to close out or decrease certain existing project accounts, according to Section A of the attached Schedule of Transfer. This Emergency Ordinance also authorizes the transfer and appropriation of \$679,483.94 from the unappropriated surplus of Fund 411, “Home Investment Trust,” to various Strategic Housing Initiatives Program (SHIP) project accounts, according to Section B of the attached Schedule of Transfer, to provide funding that will be spent in a timely manner to support vital City programs.

Realigning HOME program resources is in accordance with the “Live” goal to “[c]reate a more livable community” and strategy to “[s]upport and stabilize our neighborhoods” as described on pages 156-162 and the “Compete” initiative to “[b]e the pivotal economic force in the region” as described on pages 101-102 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to provide resources for vital City program projects that will be spent in a timely manner.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director

Attachment



EMERGENCY

KKF

- 2025

AUTHORIZING the transfer and return to source Fund 411, “Home Investment Trust,” of \$679,483.94 to close out or decrease certain existing project accounts, according to Section A of the attached Schedule of Transfer; and **AUTHORIZING** the transfer and appropriation of \$679,483.94 from the unappropriated surplus of Fund 411, “Home Investment Trust,” to various Strategic Housing Initiatives Program project accounts, according to Section B of the attached Schedule of Transfer, to provide funding that will be spent in a timely manner to support vital City programs.

WHEREAS, through the Home Investment Partnerships (“HOME”) Program, the U.S. Department of Housing and Urban Development provides annual grants to local communities for projects that include buying, building, and rehabilitating affordable housing for rent or ownership, as well as projects providing down payment assistance; and

WHEREAS, the City received HOME (ALN 14.239) resources for program years 2019-2024 through Awards M-19-MC-39-0213, M-20-MC-39-0213, M-21-MC-39-0213, M-22-MC-39-0213, M-23-MC-39-0213, and M-24-MC-39-0213, and the awards of resources were accepted and appropriated by Council through Ordinance Nos. 172-2019, 105-2020, 132-2021, 150-2022, 129-2023, and 181-2024; and

WHEREAS, HOME resources in existing project accounts need to be realigned as set forth in the attached Schedule of Transfer so that they may be deployed in a timely manner to support vital City programs; and

WHEREAS, realigning HOME program resources is in accordance with the “Live” goal to “[c]reate a more livable community” and strategy to “[s]upport and stabilize our neighborhoods” as described on pages 156-162 and the “Compete” initiative to “[b]e the pivotal economic force in the region” as described on pages 101-102 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That \$679,483.94 is authorized to be transferred and returned to source Fund 411, “Home Investment Trust,” in accordance with Section A of the Schedule of Transfer, to close out or decrease existing project accounts.

Section 2. That \$679,483.94 is authorized to be transferred and appropriated from the unappropriated surplus of Fund 411, “Home Investment Trust,” to various Strategic Housing

Initiatives Program project accounts, according to Section B of the attached Schedule of Transfer, to provide funding that will be spent in a timely manner to support vital City programs.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to provide resources for vital City program projects that will be spent in a timely manner.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

SCHEDULE OF TRANSFER

DECREASE OF EXISTING HOME INVESTMENT PARTNERSHIPS PROGRAM RECONCILIATION SCHEDULE

Section A

Grant Program	Fund	Agency	Project Account No.	Project Title	Original Authorization	Amount to be Decreased	Revised Authorization
HOME	411	162	4111901	HOME Administration '19	\$456,201.33	\$166,418.28	\$289,783.05
HOME	411	162	4112001	HOME Administration '20	\$759,264.00	\$460,584.69	\$298,679.31
HOME	411	162	4112101	HOME Administration '21	\$290,825.00	\$17,032.50	\$273,792.50
HOME	411	162	4112201	HOME Administration '22	\$324,063.00	\$21,104.20	\$302,958.80
HOME	411	162	4112301	HOME Administration '23	\$308,129.71	\$12,985.62	\$295,144.09
HOME	411	162	4112401	HOME Administration '24	\$249,739.00	\$1,358.65	\$248,380.35
TOTAL					\$2,388,222.04	\$679,483.94	\$1,708,738.10

INCREASE OF EXISTING HOME INVESTMENT PARTNERSHIPS PROGRAM RECONCILIATION SCHEDULE

Section B

Grant Program	Fund	Agency	Project Account No.	Project Title	Original Authorization	Amount to be Increased	Revised Authorization
HOME	411	162	4111906	Strategic Housing Initiatives Program '19	\$2,470,560.00	\$166,418.28	\$2,636,978.28
HOME	411	162	4112006	Strategic Housing Initiatives Program '20	\$1,988,454.53	\$460,584.69	\$2,449,039.22
HOME	411	162	4112106	Strategic Housing Initiatives Program '21	\$1,919,844.05	\$17,032.50	\$1,936,876.55
HOME	411	162	4112206	Strategic Housing Initiatives Program '22	\$2,310,649.76	\$21,104.20	\$2,331,753.96
HOME	411	162	4112306	Strategic Housing Initiatives Program '23	\$2,094,994.80	\$12,985.62	\$2,107,980.42
HOME	411	162	4112406	Strategic Housing Initiatives Program' 24	\$1,660,292.36	\$1,358.65	\$1,661,651.01
TOTAL					\$12,444,795.50	\$679,483.94	\$13,124,279.44

September 4, 2025

To: Mayor and Members of City Council 202501609
From: Sheryl M. M. Long, City Manager
Subject: **Emergency Ordinance – CMO: Lead Hazard Reduction Grant Program Income**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate program income of \$8,660 from the Lead Hazard Reduction Grant (ALN 14.905) to Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927 to identify and control lead-based paint hazards in eligible, privately owned housing for low-income residents; and **AUTHORIZING** the Director of Finance to deposit grant program income into Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927.

This Emergency Ordinance authorizes the City Manager to accept and appropriate program income of \$8,660 from the Lead Hazard Reduction Grant (ALN 14.905) to Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927 to identify and control lead-based paint hazards in eligible, privately owned housing for low-income residents. This Emergency Ordinance also authorizes the Director of Finance to deposit grant program income into Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927.

Accepting and appropriating program income does not require matching resources or new FTE/full time equivalents.

Accepting and appropriating program income to identify and control lead-based paint hazards in eligible, privately owned housing for low-income occupants is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on page 181 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to spend program income before the deadline of November 2025.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director



Attachment

EMERGENCY

JWF

-2025

AUTHORIZING the City Manager to accept and appropriate program income of \$8,660 from the Lead Hazard Reduction Grant (ALN 14.905) to Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927 to identify and control lead-based paint hazards in eligible, privately owned housing for low-income residents; and **AUTHORIZING** the Director of Finance to deposit grant program income into Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927.

WHEREAS, on April 21, 2021, Council passed Ordinance No. 130-2021, which authorized the City Manager to apply for, accept, and appropriate a grant of up to \$3,500,000 from the U.S. Department of Housing and Urban Development Office of Lead Hazard Control and Healthy Homes, Lead Hazard Reduction Grant Program (ALN 14.905) to Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927 to identify and control lead-based paint hazards in eligible, privately owned housing for low-income occupants;

WHEREAS, the U.S. Department of Housing and Urban Development awarded the City \$3,500,000 from the Lead Hazard Reduction Grant Program via grant agreement OHLHD0449-20; and

WHEREAS, \$8,660 is available in program income, which must be accepted and appropriated; and

WHEREAS, accepting and appropriating program income does not require matching resources or new FTE/full time equivalents; and

WHEREAS, accepting and appropriating program income to identify and control lead-based paint hazards in eligible, privately owned housing for low-income occupants is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati” as described on page 181 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the City Manager is authorized to accept and appropriate program income of \$8,660 from the Lead Hazard Reduction Grant (ALN 14.905) to Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927 to identify and control lead-based paint hazards in eligible, privately owned housing for low-income residents.

Section 2. That the Director of Finance is authorized to deposit grant program income into Lead Hazard Control Research Grant Fund revenue account no. 387x162x0000x8927.

Section 3. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2.

Section 4. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to spend program income before the deadline of November 2025.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

September 4, 2025

To: Mayor and Members of City Council

202501611

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – DOTE: Landslide Remediation and Wall Stabilization at 1769 Carll Street

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and return to source of \$75,000 from the Office of the City Manager non-personnel operating budget account no. 050x101x7400 to the unappropriated surplus of the General Fund; and **AUTHORIZING** the transfer and appropriation of \$75,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x233x252312, “Wall Stab. & Landslide Correction,” to provide resources to stabilize a landslide and inspect, rehabilitate, and replace the retaining wall and appurtenances at 1769 Carll Street; and **DECLARING** such expenditures to be for a public purpose.

Approval of this Emergency Ordinance authorizes the transfer of \$75,000 from the Office of the City Manager General Fund non-personnel operating budget account 050x101x7400 to the unappropriated surplus of the General Fund in order to the transfer and appropriate that sum to existing capital improvement program project account no. 980x233x252312, “Wall Stab. & Landslide Correction,” to provide resources to stabilize a landslide and replace the retaining wall at the North Fairmount Community Center (NFCC). Repairing the failed sections of the retaining wall and stabilizing the landslide serves the public purpose of protecting the public safety of those traversing Baltimore Avenue and utilizing services at the NFCC.

Following a storm, a landslide destroyed a section of the retaining wall at 1769 Carll Street, owned in part by the NFCC and in part by the Cincinnati Recreation Commission (CRC). The NFCC supports underserved members of the community through affordable housing resources, educational workshops, recreational activities, food and other necessities, and operates a day care center on-site. The failed section of the retaining wall adversely affects the NFCC’s ongoing ability to provide a safe space for the children who participate in its programming.

The Mayor’s Financial Freedom Blueprint recognizes the critical link between the availability of quality childcare options, job mobility, and savings growth potential, and commits to investing in increasing the supply of family-based and commercial day care centers. Addressing the failed sections of the retaining wall and stabilizing the landslide will help ensure the continuous operation of the NFCC day care center; and prevent future landslides that may also jeopardize the safety and stability of Baltimore Avenue and CRC’s neighboring property.

The total cost to stabilize the landslide and retaining wall is estimated to be \$134,881. In addition to the \$75,000 from the Office of the City Manager, CRC will contribute \$25,000 toward the repair and stabilization efforts to benefit its property. The remaining \$34,881 will be covered by existing resources currently available in capital improvement program project account, “Wall Stab. & Landslide Correction.”

Stabilizing the landslide and failed sections of the retaining wall at 1769 Carll Street is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability; and the “Live” goal to “[c]reate a more livable community” as described on pages 127-137 and 156-162 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to provide resources to stabilize the landslide and inspect, rehabilitate, and replace the failed retaining wall and appurtenances at 1769 Carll Street to protect the transportation and utility infrastructure and prevent hazardous conditions at the day care center.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director



Attachment

EMERGENCY

JWF

- 2025

AUTHORIZING the transfer and return to source of \$75,000 from the Office of the City Manager non-personnel operating budget account no. 050x101x7400 to the unappropriated surplus of the General Fund; and **AUTHORIZING** the transfer and appropriation of \$75,000 from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x233x252312, “Wall Stab. & Landslide Correction,” to provide resources to stabilize a landslide and inspect, rehabilitate, and replace the retaining wall and appurtenances at 1769 Carll Street; and **DECLARING** such expenditures to be for a public purpose.

WHEREAS, following a storm, a landslide destroyed a section of the retaining wall at 1769 Carll Street, owned in part by the Cincinnati Recreation Commission (“CRC”), and in part by the North Fairmount Community Center (“NFCC”); and

WHEREAS, the NFCC, located at 1769 Carll Street, supports underserved members of the community through affordable housing resources, educational workshops, recreational activities, food and other necessities, and operates a day care center on-site; and

WHEREAS, the failed section of the retaining wall adversely affects the NFCC’s ongoing ability to provide a safe space for the children who participate in its programming; and

WHEREAS, the Mayor’s Financial Freedom Blueprint recognizes the critical link between the availability of quality childcare options, job mobility, and savings growth potential, and commits to investing in increasing the supply of family-based and commercial day care centers; and

WHEREAS, appropriating funds to repair the failed sections of the retaining wall and stabilize the landslide at 1769 Carll Street will help ensure the continuous operation of the NFCC day care center; and

WHEREAS, future landslides may also jeopardize the safety and stability of Baltimore Avenue and CRC’s neighboring property if the failed section of the retaining wall is not repaired; and

WHEREAS, repairing the failed sections of the retaining wall and stabilizing the landslide serves the public purpose of protecting the public safety of those traversing Baltimore Avenue and utilizing services at the NFCC; and

WHEREAS, the total cost to stabilize the landslide and retaining wall is estimated to be \$134,881; and

WHEREAS, CRC will contribute \$25,000 toward the repair and stabilization efforts to benefit its property and, in addition to the \$75,000 transferred and appropriated pursuant to this ordinance, the remaining \$34,881 will be covered by existing resources currently available in

existing capital improvement program project account no. 980x233x252312, “Wall Stab. & Landslide Correction” to meet the total estimated cost for the necessary repairs and stabilization; and

WHEREAS, stabilizing the landslide and the failed sections of the retaining wall at 1769 Carll Street is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability; and the “Live” goal to “[c]reate a more livable community” as described on pages 127-137 and 156-162 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That \$75,000 is transferred from the Office of the City Manager non-personnel operating budget account no. 050x101x7400 and returned to source, the unappropriated surplus of the General Fund.

Section 2. That \$75,000 is transferred and appropriated from the unappropriated surplus of the General Fund to existing capital improvement program project account no. 980x233x252312, “Wall Stab. & Landslide Correction,” to provide resources to stabilize the landslide and inspect, rehabilitate, and replace the retaining wall and appurtenances at 1769 Carll Street.

Section 3. That Council declares that the expenditures from the Wall Stab. & Landslide Correction capital improvement program project account serve a public purpose because addressing the failed sections of the retaining wall and stabilizing the landslide serves the public purpose of protecting the public safety of those traversing Baltimore Avenue and utilizing services at the NFCC.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 and 2.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is

the immediate need to provide resources to stabilize the landslide and inspect, rehabilitate, and replace the failed retaining wall and appurtenances at 1769 Carll Street to protect the transportation and utility infrastructure and prevent hazardous conditions at the day care center.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

September 8, 2025

To: Members of the Budget and Finance Committee

202501665

From: Sheryl M. M. Long, City Manager

Subject: Emergency Ordinance – DCED: Funding for Represent Cincy

Attached is an Emergency Ordinance captioned:

AUTHORIZING the transfer and return to source of \$150,000 from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF,” to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$150,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development General Fund non-personnel operating budget account no. 050x164x7200 to provide resources for operating support for Represent Cincy to retain and attract small businesses primarily to the Over-the-Rhine neighborhood; and **DECLARING** that the operating support for Represent Cincy serves a public purpose because the small business support will foster local improvements and investment and increase neighborhood vitality.

Approval of this Emergency Ordinance would authorize the transfer and return to source of \$150,000 from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF,” to the unappropriated surplus of General Fund 050. The ordinance then transfers and appropriates the \$150,000 to DCED General Fund non-personnel operating budget account no. 050x164x7200 to provide resources for operating support for Represent Cincy to retain and attract small businesses primarily to the Over-the-Rhine (OTR) neighborhood. Finally, the ordinance declares that the operating support for Represent Cincy serves a public purpose by fostering local improvements and investment and increasing neighborhood vitality.

Represent Cincy made a request that the City provide up to \$150,000 in resources to retain, attract, and develop small businesses by conducting a comprehensive, individualized business needs assessment and connecting businesses with resources in the form of grants and loans. Sufficient resources exist in capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF” for this request.

Providing resources for Represent Cincy is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” as described on page 103 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to deploy funding to support Represent Cincy.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew Dudas, Budget Director
Steve Webb, Finance Director

Attachment

EMERGENCY

KKF

- 2025

AUTHORIZING the transfer and return to source of \$150,000 from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF,” to the unappropriated surplus of General Fund 050; **AUTHORIZING** the transfer and appropriation of \$150,000 from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development General Fund non-personnel operating budget account no. 050x164x7200 to provide resources for operating support for Represent Cincy to retain and attract small businesses primarily to the Over-the-Rhine neighborhood; and **DECLARING** that the operating support for Represent Cincy serves a public purpose because the small business support will foster local improvements and investment and increase neighborhood vitality.

WHEREAS, on June 23, 2022, Council passed Ordinance No. 191-2022, authorizing the transfer and appropriation of \$10,000,000 to capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF”; and

WHEREAS, capital improvement program project account no. 980x164x231600, “Economic Development Initiatives – GF,” has sufficient resources to accommodate the \$150,000 transfer; and

WHEREAS, Represent Cincy made a request that the City provide up to \$150,000 in resources to retain, attract, and develop small businesses by conducting a comprehensive, individualized business needs assessment and connecting businesses with resources in the form of grants and loans; and

WHEREAS, providing resources for Represent Cincy is in accordance with the “Compete” goal to “[f]oster a climate conducive to growth, investment, stability, and opportunity” as described on page 103 of Plan Cincinnati (2012); now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That \$150,000 is transferred and returned to source from existing capital improvement program project account no. 980x164x231600, “Economic Development Initiatives - GF,” to the unappropriated surplus of General Fund 050.

Section 2. That \$150,000 is transferred and appropriated from the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development General Fund non-personnel operating budget account no. 050x164x7200 to provide resources for operating support

for Represent Cincy to retain and attract small businesses primarily to the Over-the-Rhine neighborhood.

Section 3. That operating support for Represent Cincy serves a public purpose because the support of small business will foster local improvements and investment and increase neighborhood vitality.

Section 4. That the proper City officials are authorized to do all things necessary and proper to carry out the terms of Sections 1 through 3.

Section 5. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to deploy funding to support Represent Cincy.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

September 4, 2025

To: Mayor and Members of City Council

202501615

From: Sheryl M.M. Long, City Manager

Subject: Emergency Ordinance – Approving and Authorizing a CRA Tax Exemption Agreement with OTR Historical Development, LLC

Attached is an Emergency Ordinance captioned:

APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with OTR Historical Development, LLC, thereby authorizing a twelve-year tax exemption for 100 percent of the value of improvements made to real property located at 43 E. Clifton Avenue in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of existing buildings into approximately 10,933 square feet of residential space, consisting of 16 residential units, at a total construction cost of approximately \$1,700,000.

STATEMENT

HOUSING: The additional housing units this project will provide will go toward helping to alleviate Cincinnati's strained housing market, which is currently experiencing increasing affordability issues due to lack of supply.

BACKGROUND/CURRENT CONDITIONS

The project involves the renovation of 43-45 East Clifton Avenue in Over-the-Rhine. The site includes two three-story buildings that will be combined into one building as a result of the project. The two buildings have been vacant for over 20 years, are in a significant state of disrepair, and have had various code enforcement orders issued against them during that time. OTR Historical Development, LLC, an affiliate of Alliance Equity Partners LLC, submitted a Commercial Community Reinvestment Area (CRA) application seeking City incentives to support the renovation of the building.

DEVELOPER INFORMATION

Alliance Equity Partners, LLC is a development partnership managed by a team of developers and engineers that is partly based locally but also in cities outside of Cincinnati. The partnership has experience renovating other buildings in Ohio, primarily single-family homes. The management team members have experience with larger development projects working as individuals for separate companies.

RECOMMENDATION

The Administration recommends approval of this Emergency Ordinance.

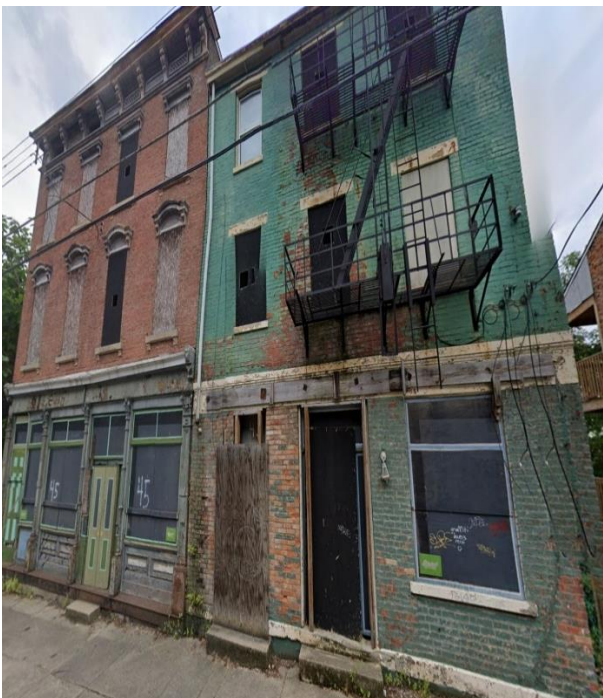
Attachment: Project Outline and Proposed Incentive

Copy: Markiea L. Carter, Director, Department of Community & Economic Development

Project Outline

Project Name	43 E. Clifton CRA
Street Address	43 E. Clifton Avenue
Neighborhood	Over-the-Rhine
Property Condition	Vacant Building
Project Type	Renovation
Project Cost	Hard Construction Costs: \$1.7MM Acquisition Costs: \$450K Soft Costs: \$56K Total Project Cost: \$2.2MM
Private Investment	Private Financing: \$0 Developer Equity: \$2.2MM
Sq. Footage by Use	Residential: 10,933 SF
Rent Ranges	16 1 BDRM Units: \$1,100
1 BDRM Affordable To	Salary: \$44,000 City Job Classification: Diesel Mechanic, Community Center Director, Paramedic 1
Jobs and Payroll	Created FTE Positions: 0.5 Total Payroll for Created FTE Positions: \$30,000 Construction FTE Positions: 15 Total Payroll for Construction FTE Positions: \$600K
Location and Transit	Located within the Over-the-Rhine Historic District Transit Score: 65
Community Engagement	None reported.
Plan Cincinnati Goals	Compete Initiative Area Goal 2 (p. 114-120), Live Initiative Area Goal 2 (p.156-163)

Project Image and Site Map



Proposed Incentive

Incentive Terms	12-year, net 52%
Incentive Application Process	Commercial CRA – Downtown Streetcar Area (Non-LEED)
“But For”	Without Abatement: 4% return (avg. over term) With Abatement: 5% return (avg. over term) Project would not proceed without an abatement.
Environmental Building Certification	Non-LEED
VTICA	Streetcar VTICA – 15%
SBE/MBE/WBE Goals	SBE Goal of 30%
Other Incentives & Approvals	None

Potential Taxes Forgone & Public Benefit

Taxes Forgone	Value
Annual Net Incentive to Developer	\$14,040
Total Term Incentive to Developer	\$168,486
City's Portion of Property Taxes Forgone (Term)	\$53,690
City's TIF District Revenue Forgone (Term)	\$236,528

Public Benefit		Value
CPS PILOT	Annual	\$8,910
	Total Term	\$106,924
VTICA	Annual	\$4,050
	Total Term	\$48,602
Income Tax Total Term (Maximum)		\$17,280
Total Public Benefit (CPS PILOT, VTICA , Income Tax)		\$172,805

Total Public Benefit ROI*	\$1.03
City's ROI**	\$0.06

* This figure represents the total dollars returned for public purposes (City/Schools/Other) over the benefit received.

**This figure represents the total dollars returned for City/ over the City's property taxes forgone.

EMERGENCY

ZDS

- 2025

APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with OTR Historical Development, LLC, thereby authorizing a twelve-year tax exemption for 100 percent of the value of improvements made to real property located at 43 E. Clifton Avenue in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of two existing buildings into approximately 10,933 square feet of residential space, consisting of sixteen residential units, at a total construction cost of approximately \$1,700,000.

WHEREAS, to encourage the development of real property and the acquisition of personal property, Council by Ordinance No. 274-2017 passed on September 27, 2017, designated the area within the corporate boundaries of the City of Cincinnati as a “Community Reinvestment Area” pursuant to Ohio Revised Code (“R.C.”) Sections 3735.65 through 3735.70 (the “Statute”); and

WHEREAS, Ordinance No. 275-2017 passed by Council on September 27, 2017, as amended by Ordinance No. 339-2018, passed by Council on October 31, 2018, sets forth certain additional policies, conditions, and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area; and

WHEREAS, effective October 23, 2017, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute; and

WHEREAS, OTR Historical Development, LLC (the “Company”) desires to remodel two existing buildings on real property at 43 E. Clifton Avenue located within the corporate boundaries of the City of Cincinnati into approximately 10,933 square feet of residential space, consisting of sixteen residential units (the “Improvements”), provided that the appropriate development incentives are available to support the economic viability of the Improvements; and

WHEREAS, to provide an appropriate development incentive for the Improvements, the City Manager has recommended a Community Reinvestment Area Tax Exemption Agreement, in substantially the form of Attachment A to this ordinance, to authorize a real property tax exemption for the Improvements in accordance with the Statute; and

WHEREAS, the property is located within the Cincinnati City School District; and

WHEREAS, the Board of Education of the Cincinnati City School District (the “Board of Education”), pursuant to that certain Tax Incentive Agreement effective as of April 28, 2020 (as may be amended, the “Board of Education Agreement”), has approved exemptions of up to 100 percent of Community Reinvestment Area projects, waived advance notice and the right to

review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects; and

WHEREAS, pursuant to the Board of Education Agreement, the Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to 33 percent of the exempt real property taxes; and

WHEREAS, the City's Department of Community and Economic Development estimates that the real property tax exemption for the Improvements will provide an annual net benefit to the Company in the amount of approximately \$14,040; and

WHEREAS, the Company has represented that it has entered into (or will enter into) a voluntary tax incentive contribution agreement with a third-party organization for amounts equal to fifteen percent of the exempt real property taxes, which funds shall be committed by the third-party organization to support the streetcar that specially benefits the property; and

WHEREAS, the Improvements do not involve relocation of part or all of the Company's operations from another county or municipal corporation in Ohio or, if there is relocation, notice has been given per R.C. Section 3735.673; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That Council approves a Community Reinvestment Area Tax Exemption Agreement with OTR Historical Development, LLC (the "Agreement"), thereby authorizing a twelve-year tax exemption for 100 percent of the assessed value of improvements to be made to real property located at 43 E. Clifton Avenue in Cincinnati, as calculated by the Hamilton County Auditor, in connection with the remodeling of two existing buildings into approximately 10,933 square feet of residential space, consisting of sixteen residential units, to be completed at a total construction cost of approximately \$1,700,000.

Section 2. That Council authorizes the City Manager:

- (i) to execute the Agreement on behalf of the City of Cincinnati (the "City") in substantially the form of Attachment A to this ordinance;
- (ii) to submit on behalf of Council annual reports on the Agreement to the Director of the Ohio Department of Development, in accordance with Ohio Revised Code Section 3735.672, and to the Board of Education of the Cincinnati City School District, as necessary; and
- (iii) to take all necessary and proper actions to fulfill the City's obligations under the Agreement.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to allow the remodeling described in this ordinance and the corresponding revitalization of the City of Cincinnati and the benefits to the City's economic welfare to begin at the earliest possible time.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Community Reinvestment Area Tax Exemption Agreement

This Community Reinvestment Area Tax Exemption Agreement (this "Agreement") is made and entered into as of the Effective Date (as defined on the signature page hereof) by and between the CITY OF CINCINNATI, an Ohio municipal corporation (the "City"), and OTR HISTORICAL DEVELOPMENT, LLC, an Ohio limited liability company (the "Company").

Recitals:

- A. The City, through the adoption of Ordinance No. 274-2017 on September 27, 2017, designated the entire City of Cincinnati as a Community Reinvestment Area to encourage the development of real property and the acquisition of personal property in that area, pursuant to Ohio Revised Code Sections 3735.65 through 3735.70 (the "Statute").
- B. In accordance with the Statute, the Ohio Director of Development has forwarded to the City the Director's determination dated October 23, 2017, stating that the findings contained in Ordinance No. 274-2017 are valid and that the entire City is a Community Reinvestment Area under the Statute. By such determination, the Director of Development of the State of Ohio determined that the area within the corporate boundaries of the City of Cincinnati contains the characteristics set forth in the Statute and confirmed such area as a Community Reinvestment Area under the Statute.
- C. The Council of the City of Cincinnati has also passed Ordinance No. 275-2017 as of September 27, 2017, as amended by Ordinance No. 339-2018, passed on October 31, 2018, Ordinance No. 370-2020, passed on November 12, 2020, Ordinance No. 24-2022, passed on February 2, 2022, and Ordinance No. 28-2024, passed on January 31, 2024 (as amended, the "Commercial Policy Ordinance"), which sets forth certain additional policies, conditions and limitations regarding newly constructed or remodeled commercial and residential structures in the Community Reinvestment Area.
- D. The Company is the sole owner of certain real property within the City, located at 43 E. Clifton Avenue, Cincinnati, Ohio 45202 (the "Property"), as further described in Exhibit A (Legal Description of Property) hereto. Notwithstanding the foregoing, the Property shall not include any residential condominiums being developed in connection with the Project (as defined below) (the "Excluded Property"), and the Company acknowledges and agrees that the City's Community Reinvestment Area program entails separate applications by the owner of any residential condominium units included within the Project. For the avoidance of doubt, the Excluded Property shall not be exempt under this Agreement; however, this provision shall not be deemed to prohibit any owners from time to time of any Excluded Property from separately applying for a tax abatement in accordance with applicable law.
- E. The Company has proposed to remodel existing buildings located on the Property, within the boundaries of the City of Cincinnati, as more fully described in Section 1 herein (the "Project"), provided that the appropriate development incentives are available to support the economic viability of the Project.
- F. The Statute provides that if any part of a project is to be used for commercial or industrial purposes, including projects containing five or more dwelling units, in order to be eligible for tax exemption the City and the Company must enter into an agreement pursuant to Ohio Revised Code Section 3735.671 prior to commencement of construction or remodeling.
- G. The City, having appropriate authority under the Statute for this type of project, agrees (as provided herein and subject to all conditions herein) to provide the Company with the tax exemption incentives stated herein, available under the Statute, for development of the Project.
- H. The Company has submitted to the City an application for this tax exemption agreement (the "Application"), a copy of which is attached hereto as Exhibit B, has remitted with the Application

the City application fee of One Thousand Two Hundred Fifty Dollars (\$1,250) made payable to the City.

- I. The Director of the City's Department of Community and Economic Development has recommended approval of the Application on the basis that the Company is qualified by financial responsibility and business experience to create and preserve employment opportunities and improve the economic climate of the City.
- J. The Board of Education of the Cincinnati City School District (the "Board of Education"), pursuant to that certain *Tax Incentive Agreement* effective as of April 28, 2020, has approved exemptions of up to one hundred percent (100%) of Community Reinvestment Area projects, waived advance notice and right to review such projects, and waived sharing or allocation of municipal income taxes in connection with such projects.
- K. The Company has entered into (or will enter into) an agreement with the Board of Education requiring the Company to pay the Board of Education amounts equal to thirty-three percent (33%) of the full amount of exempt real property taxes that would have been paid to Hamilton County if this Agreement were not in effect (the "Board of Education Agreement").
- L. The Company represents and warrants to the City that the Company and its major tenants, if any, do not intend to relocate part or all of their operations to the City from another county or municipal corporation in the State of Ohio (the "State").
- M. The Company represents that within the past three (3) years neither the Company, any related member of the Company, nor any entity to which the Company is a successor has discontinued operations at a project site in the State during the term of a property tax exemption agreement (under Ohio Revised Code Section 3735.671, 5709.62, 5709.63 or 5709.632) applicable to that site, and the Company acknowledges that misrepresentation hereunder will result in voiding of this Agreement.
- N. The Company represents and warrants to the City that the Company is not subject to an Enterprise Zone Agreement with the City of Cincinnati for the Property or the Project.
- O. City Council passed (i) Motion No. 201401368 on November 19, 2014, establishing a tax incentive policy that incentivizes each applicant for a real property tax abatement in the neighborhoods of Downtown and OTR to enter into a voluntary tax incentive contribution agreement with a third-party organization ("VTICA") for an amount equal to a percentage of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement (the "VTICA Contribution"), which funds shall be committed by a third-party organization to support the streetcar that specially benefits the abated property, and (ii) Motion No. 201501592 on December 16, 2015, which established that the VTICA Contribution to be recognized by the Director of the Department of Community and Economic Development is 15% of the real property taxes that would have been payable on the abated property but for the City-authorized tax abatement. The Commercial Policy Ordinance confirmed that such motions have not been superseded and remain the will of Council.
- P. The Company acknowledges that the Streetcar will specially benefit the Project due to (a) the Streetcar's enhancement of public transit options in such neighborhoods and (b) the anticipated increase in property values attributable to public investment in Streetcar infrastructure.
- Q. The Company represents and warrants to the City that the Company has entered or will enter into a VTICA and shall pay the VTICA Contribution each year for the full term of the abatement.
- R. This Agreement has been authorized by Ordinance No. _____-2025, passed by Cincinnati City Council on _____, 2025.

- S. In determining to recommend and authorize this Agreement, the Department of Community and Economic Development and City Council, respectively, have acted in material reliance on the Company's representations in the Application and herein regarding the Project including, but not limited to, representations relating to the number of jobs to be created and/or retained by the Company, the Board of Education Agreement, the VTICA Contribution, and the Project's effect in promoting the general welfare of the people of Cincinnati by, for example, encouraging the development of real property located in the Community Reinvestment Area and thereby promoting economic growth and vitality in Cincinnati.

NOW, THEREFORE, pursuant to Ohio Revised Code Section 3735.67(A) and in conformity with the format required under Ohio Revised Code Section 3735.671, in consideration of the mutual covenants contained herein and the benefit to be derived by the parties from the execution hereof, the parties agree as follows:

Section 1. Project. Upon issuance of the necessary zoning and building approvals, the Company agrees to remodel the existing buildings on the Property to create, in aggregate, approximately 10,933 square feet of residential space, consisting of 16 residential units (the "Improvements") at an estimated aggregate cost of \$1,700,000 to commence after the execution of this Agreement and to be completed no later than December 31, 2026; *provided*, however, that the Director of the Department of Community and Economic Development (the "Housing Officer") may, in his or her discretion, extend such deadline for a period of up to 12 months by written notice if, in the Director's judgment, the Company is proceeding in good faith towards completion. The remodeling shall be in compliance with applicable building code requirements and zoning regulations. In addition to the foregoing, (A) the Project shall comply with the Americans with Disabilities Act, together with any and all regulations or other binding directives promulgated pursuant thereto (collectively, the "**ADA**"), and (B) if (i) any building(s) within the Project is subject to the accessibility requirements of the ADA (e.g., by constituting a "place of public accommodation" or another category of structure to which the ADA is applicable) and (ii) such building(s) is not already required to meet the Contractual Minimum Accessibility Requirements (as defined below) pursuant to the ADA, applicable building code requirements, or by any other legal requirement, then the Company shall cause such building(s) to comply with the Contractual Minimum Accessibility Requirements in addition to any requirements pursuant to the ADA and the applicable building code or legal requirement. As used herein, "**Contractual Minimum Accessibility Requirements**" means that a building shall, at a minimum, include (1) at least one point of entry (as used in the ADA), accessible from a public right of way, with respect to which all architectural barriers (as used in the ADA) to entry have been eliminated, and (2) if such accessible point of entry is not a building's primary point of entry, conspicuous signage directing persons to such accessible point of entry.

Section 2. Real Property Tax Exemption. Subject to the satisfaction of the conditions set forth in this Agreement, the City approves exemption from real property taxation, pursuant to and to the fullest extent authorized by the Statute, of one hundred percent (100%) of the amount by which the Improvements increase the assessed value of the Property as determined by the Hamilton County Auditor, for a period of twelve (12) years, provided that the Company shall have entered into the Board of Education Agreement. Within 120 days after completion of the Project (unless otherwise extended in writing by the City's Housing Officer), the Company must file the appropriate application for tax exemption with the City's Housing Officer. The Company is solely responsible to take this action. Upon receipt of the application for tax exemption, the City will proceed with the exemption authorized by this Agreement. In accordance with Ohio Revised Code Section 3735.67, the exemption is conditioned on verification by the Housing Officer of (A) the completion of remodeling, (B) the cost of remodeling, (C) the facts asserted in the application for exemption and (D) if a remodeled structure is a structure of historical or architectural significance as designated by the City, state or federal government, that the appropriateness of the remodeling has been certified in writing by the appropriate agency. If the required verification is made, the Housing Officer will forward the exemption application to the Hamilton County Auditor with the necessary certification by the Housing Officer. Subject to the conditions set forth in this Agreement, the exemption commences the first tax year for which the Improvements would first be taxable were the Improvements not exempted from taxation. The dates provided in this paragraph refer to tax years in which the subject property is assessed, as opposed to years in which taxes are billed. No exemption

shall commence after tax year 2027 nor extend beyond the earlier of (i) tax year 2038 or (ii) the end of the twelfth (12th) year of exemption.

Section 3. Use; Maintenance; Inspections. The Company shall use the Property solely for the purposes described in Section 1 hereof and shall properly maintain and repair the Property throughout the period of tax exemption authorized herein. The Company authorizes the Housing Officer, or the Housing Officer's designees, to enter upon the Property as reasonably required to perform property inspections in accordance with Ohio Revised Code Section 3735.68.

Section 4. Compliance with Board of Education Agreement. As a condition of the tax exemption authorized under this Agreement, the Company agrees to enter into and comply with its obligation under the Board of Education Agreement.

Section 5. Duty of Company to Pay Taxes. As required by Ohio Revised Code Section 3735.671(B)(3), the Company shall pay such real property taxes as are not exempted under this Agreement and are charged against the Property and shall file all tax reports and returns as required by law. If the Company fails to pay such taxes or file such returns and reports, exemptions from taxation granted or authorized under this Agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and continuing thereafter.

Section 6. Company Certifications Regarding Non-Delinquency of Tax Obligations. As required by Ohio Revised Code Section 3735.671(B)(4), the Company certifies that at the time this Agreement is executed, the Company does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State, and does not owe delinquent taxes for which the Company is liable under Ohio Revised Code Chapters 5735, 5739, 5741, 5743, 5747 or 5753, or if such delinquent taxes are owed, the Company currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C. §101, et seq., or such a petition has been filed against the Company. For the purposes of this certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Ohio Revised Code governing payment of those taxes.

Section 7. Covenant of Satisfaction of Tax and Other Obligations. In accordance with Ohio Revised Code Section 9.66, (A) the Company affirmatively covenants that it does not owe: (i) any delinquent taxes to the State or to a political subdivision of the State; (ii) any moneys to the State or a State agency for the administration or enforcement of any environmental laws of the State; or (iii) any other moneys to the State, a State agency or a political subdivision of the State that are past due, regardless of whether the amounts owed are being contested in a court of law or not; (B) the Company authorizes the City and/or the State to inspect the personal financial statements of the Company, including tax records and other similar information not ordinarily open to public inspection; and (C) the Company authorizes the Ohio Environmental Protection Agency and the Ohio Department of Taxation to release information to the City and or other State departments in connection with the above statements. As provided by statute, a knowingly false statement under this section may be prosecuted as a first degree misdemeanor under Ohio Revised Code Section 2921.13, may render the Company ineligible for any future economic development assistance from the State or any political subdivision of the State, and will result in the City requiring the Company's repayment of any assistance provided by the City in connection with the Project.

Section 8. City Cooperation. As required by Ohio Revised Code Section 3735.671(B), upon specific request from the Company, the City shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve and maintain exemptions from taxation granted under this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions.

Section 9. Continuation of Exemptions. As provided in Ohio Revised Code Section 3735.671(B), if for any reason the City revokes the designation of the City of Cincinnati as a Community Reinvestment Area, entitlements granted under this Agreement shall continue for the number of years specified under this Agreement, unless the Company materially fails to fulfill its obligations under this

Agreement and the City terminates or modifies the exemptions from taxation authorized pursuant to this Agreement.

Section 10. City Not Liable. The Company acknowledges that the exemption authorized in this Agreement is subject to approval and implementation by the appropriate state and/or county taxing authorities. The Company acknowledges that the City does not give any guarantee or assurance that the exemption approved in this Agreement will be so approved, and the Company agrees that in no event shall the Company seek to hold the City liable in any way in the event such exemption is not granted or implemented.

Section 11. Small Business Enterprise Program.

A. Compliance with Small Business Enterprise Program. The policy of the City is that a fair share of contracts be awarded to Small Business Enterprises (as such term is defined in Cincinnati Municipal Code ("CMC") Section 323-1-S, "SBEs"). Pursuant to CMC Section 323-11, the City's annual goal for SBE participation shall be thirty percent (30%) of the City's total dollars spent for construction (as such term is defined in CMC Section 323-1-C4), supplies (as such term is defined in CMC Section 323-1-S5), services (as such term is defined in CMC Section 323-1-S) and professional services (as such term is defined in CMC Section 323-1-P2). Accordingly, the Company shall use its best efforts and take affirmative steps to achieve the City's goal of voluntarily meeting thirty percent (30%) SBE participation. A list of SBEs may be obtained from the City's Department of Economic Inclusion. The Company may refer interested firms to the City's Department of Economic Inclusion for review and possible certification as an SBE. The Company shall comply with the provisions of CMC Chapter 323, including without limitation taking at least the following affirmative steps:

- (i) Including qualified SBEs on solicitation lists.
- (ii) Assuring that SBEs are solicited whenever they are potential sources.

The Company must advertise, on at least two separate occasions, both in local minority publications and in other local newspapers of general circulation, invitations to SBEs to provide services, to supply materials, or to bid on construction contracts, as applicable.

(iii) When economically feasible, dividing total requirements into small tasks or quantities so as to permit maximum SBE participation.

(iv) If any subcontracts are to be let, the Company shall require the prime contractor (if different from the Company) to take the above affirmative steps.

(v) Prior to the commencement of work under any subcontracts, the Company shall provide to the City a list of such subcontractors, including information as to the dollar amount of the subcontracts and such other information as may be requested by the City. The Company shall update the report monthly.

(vi) The Company shall periodically document its best efforts and affirmative steps to meet the above SBE participation goals by submitting such information as may be requested from time to time by the City.

B. Remedies for Noncompliance with Small Business Enterprise Program. Failure of the Company or its contractors and subcontractors to take the affirmative steps specified above, to provide fair and equal opportunity to SBEs, or to provide technical assistance to SBEs as may be necessary to reach SBE participation as set out in CMC Chapter 323 may be construed by the City as failure of the Company to use its best efforts, and, in addition to other remedies under this Agreement, may be a cause for the City to file suit in Common Pleas Court to enforce specific performance of the terms of this Section. The provisions of CMC Section 323-99 are hereby incorporated by reference into this Agreement.

Section 12. Jobs. The Company represents that, as of the date of the execution of this Agreement, the Company has no existing employment at the Property or in the State.

Section 13. Job Creation and Retention.

A. Jobs to be Created by Company. The Company agrees to use its best efforts to create (i) 0.5 full-time permanent jobs, and (ii) 15 full-time temporary construction jobs the Property in connection with the Project. In the case of the construction jobs, the job creation and retention period shall be concurrent with remodeling, and in the case of the other jobs described herein, the job creation period shall begin upon completion of remodeling and shall end three (3) years thereafter.

B. Company's Estimated Payroll Increase. The Company's increase in the number of employees will result in approximately (i) \$30,000 of additional annual payroll with respect to the full-time permanent jobs, and (ii) \$600,000 of additional annual payroll prior to the completion of the Project with respect to the full-time temporary construction jobs.

C. Community Reinvestment Area Employment. The Company shall (i) adopt hiring practices to ensure that at least twenty-five percent (25%) of the new employees shall be residents of the City of Cincinnati and (ii) give preference to residents of the City relative to residents of the State who do not reside in the City when hiring new employees under this Agreement.

D. Posting Available Employment Opportunities. To the extent allowable by law, the Company shall use its best efforts to post available employment opportunities within the Company's organization or the organization of any subcontractor working with the Company with the Ohio Means Jobs Center, 1916 Central Parkway, Cincinnati, Ohio 45214-2305, through its Employer Services Unit Manager at 513-746-7200.

Section 14. Equal Employment Opportunity. This Agreement is subject to the City's Equal Employment Opportunity Program contained in CMC Chapter 325. The Equal Employment Opportunity Clause in CMC Section 325-9 is incorporated by reference in this Agreement. The term "Company" is substituted for "Contractor" throughout CMC Section 325-9 in the context of this Agreement.

Section 15. Compliance with Immigration and Nationality Act. In the performance of its obligations under this Agreement, the Company agrees to comply with the provisions of the Immigration and Nationality Act codified at 8 U.S.C. §§ 1324a(a)(1)(A) and (a)(2). Any noncompliance with such provisions shall be solely determined by either the federal agencies authorized to enforce the Immigration and Nationality Act or the U.S. Attorney General, in accordance with Executive Order 12989 of the U.S. President dated February 13, 1996, and as amended by Executive Order 13465 of the U.S. President dated June 6, 2008.

Section 16. Default. As provided in Ohio Revised Code Section 3735.671(B)(7), if the Company materially fails to fulfill its obligations under this Agreement, or if the City determines that the certification as to delinquent taxes required by this Agreement (Section 6 hereof) or the covenant of satisfaction of tax and other obligations (Section 7 hereof) is fraudulent, the City may terminate or modify the exemptions from taxation granted or authorized under this Agreement and may require the repayment by the Company of the amount of taxes that would have been payable had the Improvements not been exempted from taxation pursuant to this Agreement. A modification of exemption may be in the form of reduction in the number of years that eligible property is exempt and/or a reduction in the exemption percentage. The City shall provide written notice to the Company prior to finding the Company in default under this section. The notice shall provide the Company with not less than thirty (30) days to cure the default prior to City termination or modification of the exemptions under this Agreement. The City may extend the cure period as reasonably necessary under the circumstances. In the event of such termination or modification, the City is authorized to so notify the appropriate taxing authorities in order to effect the termination or modification. If repayment of previously exempt taxes is required by the City under this Section, such amount shall be paid as directed by the City within thirty (30) days of written demand. The City may secure repayment of such taxes by a lien on the Property in the amount required to be repaid. Such a lien shall attach, and may be perfected, collected, and enforced, in the same manner as a mortgage lien on real property, and shall otherwise have the same force and effect as a

mortgage lien on real property. Amounts due and not paid when due under this Section 16 shall bear interest at the rate specified in Ohio Revised Code Section 1343.03(A) (as in effect on the date of the City's payment demand).

Section 17. Annual Review and Report. As required by Ohio Revised Code Sections 3735.671(B)(5) and 5709.85, the Company shall provide to the City's Tax Incentive Review Council (or to the City Manager if so requested by the City) any information reasonably required by the Council or the City Manager to evaluate the Company's compliance with this Agreement, including returns filed pursuant to Ohio Revised Code Section 5711.02 if requested by the Council or City Manager. The performance of the Company's obligations stated in this Agreement shall be subject to annual review by the City's Tax Incentive Review Council (the "Annual Review and Report"). The Company shall submit information for the Annual Review and Report to the City no later than March 1 of each year.

Section 18. Revocation.

A. Generally. Pursuant to Ohio Revised Code Section 3735.68, the housing officer shall make annual inspections of the properties within the community reinvestment area upon which are located structures or remodeling for which an exemption has been granted under Ohio Revised Code Section 3735.67. If the housing officer finds that the property has not been properly maintained or repaired due to the neglect of the Company, the housing officer may revoke the exemption at any time after the first year of exemption. If the Company has materially failed to fulfill its obligations under this Agreement, or if the owner is determined to have violated division (E) of that section (see Section 18(B) of this Agreement), City Council, subject to the terms of the agreement, may revoke the exemption at any time after the first year of exemption. The housing officer or City Council shall notify the county auditor and the Company that the tax exemption no longer applies. If the housing officer or legislative authority revokes a tax exemption, the housing officer shall send a report of the revocation to the community reinvestment area housing council and to the tax incentive review council established pursuant to section 3735.69 or 5709.85 of the Revised Code, containing a statement of the findings as to the maintenance and repair of the property, failure to fulfill obligations under the written agreement, or violation of division (C) of Ohio Revised Code Section 3735.671, and the reason for revoking the exemption.

B. Prior Statutory Violations. The Company represents and warrants to the City that it is not prohibited by Ohio Revised Code Section 3735.671(C) from entering into this Agreement. As required by Ohio Revised Code Section 3735.671(B)(7), exemptions from taxation granted or authorized under this Agreement shall be revoked if it is determined that the Company, any successor to the Company or any related member (as those terms are defined in division (C) of Ohio Revised Code Section 3735.671) has violated the prohibition against entering into this Agreement under division (C) of Ohio Revised Code Section 3735.671 or under Ohio Revised Code Sections 5709.62, 5709.63, or 5709.632 prior to the time prescribed by that division or either of those sections.

Section 19. False Statements; Penalties; Material Representations.

A. Generally. As required in connection with Ohio Revised Code Section 9.66(C), the Company affirmatively covenants that it has made no false statements to the State or the City in the process of obtaining approval for this Agreement. If any representative of the Company has knowingly made a false statement to the State or the City to obtain approval for this Agreement, or if the Company fails to provide any information expressly required under the Application, the Company shall be required to immediately return all benefits received under this Agreement (by payment of the amount of taxes exempted hereunder, paid as directed by the City within thirty (30) days of written demand) and the Company shall be ineligible for any future economic development assistance from the State, any State agency or any political subdivision of the State pursuant to Ohio Revised Code Section 9.66(C)(1). Amounts due and not paid under this Section 19 shall bear interest at the rate of twelve percent (12%) per year. Any person who provides a false statement to secure economic development assistance (as defined in Ohio

Revised Code Section 9.66) may be guilty of falsification, a misdemeanor of the first degree, pursuant to Ohio Revised Code Section 2921.13(F)(1), which is punishable by fine of not more than One Thousand Dollars (\$1,000) and/or a term of imprisonment of not more than six (6) months.

B. Material Representations – Board of Education Agreement and VTICA. The Parties acknowledge and agree that a material failure by the Company to comply with its representations concerning the Board of Education Agreement or VTICA Contribution shall constitute an event of default for purposes of Section 16 (*Default*) and the basis for revocation under Section 18 (*Revocation*). Subject to the terms of the VTICA, if the VTICA is unenforceable for reasons of infeasibility or otherwise, the Company shall enter into alternative arrangements providing for the economic equivalent of the VTICA Contribution in order to support the streetcar. Such arrangements may include, but are not limited to, providing for the economic equivalent of the VTICA Contribution through formation of a special improvement district. For purposes of this Section 19.B, alternative arrangements must result in services substantially similar to those that would have been supported through the VTICA and at a value that is the economic equivalent of the VTICA Contribution, which value shall not be required to exceed the VTICA Contribution amount that would have been payable by the Company. Any determination of infeasibility or mechanism for providing alternative arrangements is subject to approval by the City at its sole discretion. Nothing in this Section 19.B shall operate to limit the City's enforcement authority under this Agreement including, without limitation, Section 16, Section 18, and Section 19.A.

Section 20. Conflict of Interest. The Company covenants that, to the Company's knowledge, no employee of the City has any personal interest, direct or indirect, in any matters pertaining to the Project, and the Company agrees to take appropriate steps to prevent any employee of the City from obtaining any such interest throughout the term of this Agreement.

Section 21. Annual Fee. The Company shall pay an annual fee of Five Hundred Dollars (\$500) or one percent (1%) of the annual taxes exempted under this Agreement, whichever is greater, but not to exceed Two Thousand, Five Hundred Dollars (\$2,500) per annum. This fee is due with submission of the information for Annual Review and Report by March 1 of each year.

Section 22. Discontinued Operations. As provided in Ohio Revised Code Section 3735.671(C), if, prior to the expiration of the term of this Agreement, the Company discontinues operations at the Project so that the Property is no longer being used for the purposes described in Section 1 hereof, then the Company, its successors, and any related member shall not enter into an agreement under Ohio Revised Code Sections 3735.671, 5709.62, 5709.63 or 5709.632, and no legislative authority shall enter into such an agreement with the Company, its successors or any related member prior to the expiration of three (3) years after the discontinuation of operations. As used in this Section 22, "successors" and "related member" shall have the meanings set forth in Ohio Revised Code Section 3735.671(C).

Section 23. Notices. Unless otherwise specified herein, each party shall address written notices, demands and communications in connection with this Agreement to the other party as follows (or to such other address as is communicated in accordance with this Section):

To the City:

City of Cincinnati
Attention: Director of the Department of Community and Economic Development
Centennial Plaza Two, Suite 700
805 Central Avenue
Cincinnati, Ohio 45202

To the Company:

OTR Historical Development, LLC
13705 132nd Avenue
Jamaica, NY 11436
Attn: Nirmal Paudel

If the Company sends a notice to the City alleging that the City is in default under this Agreement, the Company shall simultaneously send a copy of such notice to: City Solicitor, City of Cincinnati, 801 Plum Street, Room 214, Cincinnati, OH 45202.

Section 24. Acknowledgment of City Participation. The Company agrees to acknowledge the support of the City on construction signs, project and exhibition signage, and any publicity such as that appearing on the internet, television, cable television, radio, or in the press or any other printed media. In identifying the City as a Project partner, the Company shall use either the phrase "Project Assistance by the City of Cincinnati" or a City of Cincinnati logotype or other form of acknowledgement that has been approved in advance in writing by the City.

Section 25. Entire Agreement. This Agreement and the Exhibits attached hereto constitute the entire agreement between the City and the Company with respect to the subject matter herein, superseding any prior or contemporaneous agreement with respect thereto.

Section 26. Governing Law. This Agreement is entered into and is to be performed in the State. The City and the Company agree that the law of the State of Ohio shall govern the rights, obligations, duties and liabilities of the parties to this Agreement and shall govern the interpretation of this Agreement.

Section 27. Waiver. The City's waiver of any breach by the Company of any provision of this Agreement shall not constitute or operate as a waiver by the City of any other breach of such provision or of any other provisions, nor shall any failure or delay by the City to enforce any provision hereof operate as a waiver of such provision or of any other provision.

Section 28. Severability. This Agreement shall be severable; if any part or parts of this Agreement shall for any reason be held invalid or unenforceable by a court of competent jurisdiction, all remaining parts shall remain binding and in full force and effect.

Section 29. Amendment. This Agreement may be modified or amended only by a written agreement duly executed by the parties hereto or their representatives.

Section 30. Non-Assignment. As required by Ohio Revised Code Section 3735.671(B)(6), this Agreement is not transferable or assignable by the Company without the express written approval of the City Manager of the City. If the Company has entered into a Board of Education Agreement or VTICA in connection with the Property, the City shall not approve the assignment of this Agreement unless the assignee has assumed the Company's remaining obligations under the Board of Education Agreement and VTICA, as applicable. Failure to assign or otherwise perform the Company's obligations under the Board of Education Agreement or VTICA upon transfer of the Property during the term of the tax abatement authorized by this Agreement shall be basis for revocation of the tax exemption under Section 18.

Section 31. Recording. At its election, the City may record this Agreement at the City's expense in the Hamilton County Recorder's Office.

Section 32. Legislative Action Required. As provided in Ohio Revised Code Section 3735.671, the Company and the City acknowledge that this Agreement must be approved by formal action of the City Council of the City as a condition for this Agreement to take effect. Notwithstanding anything to the contrary herein, this Agreement shall take effect after the later of the date of such approval or the final date of execution of this Agreement by all parties.

Section 33. Additional Representations and Warranties of Company. The Company represents and warrants that (a) it is duly organized and existing and it has full power and authority to take, and has taken, all action necessary to execute and deliver this Agreement and any other documents required or permitted to be executed or delivered by it in connection with this Agreement, and to fulfill its obligations hereunder; (b) no notices to, or consents, authorizations or approvals of, any person are required (other than any already given or obtained) for its due execution, delivery and performance of this Agreement; and (c) this Agreement has been duly executed and delivered by it and constitutes the legal, valid and binding obligation of the Company.

Section 34. Certification as to Non-Debarment. The Company represents that neither it nor any of its principals is presently debarred by any federal, state, or local government agency. In completing the Project, the Company shall not solicit bids from any contractors or subcontractors who are identified as being debarred by any federal, state, or local government agency. If the Company or any of its principals becomes debarred by any federal, state, or local government agency during the term of this Agreement, the company shall be considered in default under this Agreement.

Section 35. Appeals. Pursuant to Ohio Revised Code Section 3735.70, a person aggrieved under the Statute or this Agreement may appeal to the community reinvestment area housing council, which shall have the authority to overrule any decision of a housing officer. Appeals may be taken from a decision of the council to the court of common pleas of the county where the area is located.

Section 36. Wage Enforcement.

(i) Applicability. Council passed Ordinance No. 22-2016 on February 3, 2016, which ordained Chapter 326 (Wage Enforcement) of the Cincinnati Municipal Code (the "Wage Enforcement Chapter"). The Wage Enforcement Chapter was then amended by Ordinance No. 96-2017, passed May 17, 2017. As amended, the Wage Enforcement Chapter imposes certain requirements upon persons entering into agreements with the City whereby the City provides an incentive or benefit that is projected to exceed \$25,000, as described more particularly in the Wage Enforcement Chapter. Cincinnati Municipal Code Section 326-5 requires that the language below be included in contracts subject to the Wage Enforcement Chapter.

(ii) Required Contractual Language. Capitalized terms used, but not defined, in this clause (ii) have the meanings ascribed thereto in the Wage Enforcement Chapter.

(a) This contract is or may be subject to the Wage Enforcement provisions of the Cincinnati Municipal Code. These provisions require that any Person who has an Agreement with the city or with a Contractor or Subcontractor of that Person shall report all Complaints or Adverse Determinations of Wage Theft and Payroll Fraud (as each of those terms is defined in Chapter 326 of the Cincinnati Municipal Code) against the Contractor or Subcontractors to the Department of Economic Inclusion within 30 days of notification of the Complaint or Adverse Determination.

(b) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to include provisions in solicitations and contracts regarding a Development Site that all employers, Contractors or Subcontractors performing or proposing to perform work on a Development Site provide an initial sworn and notarized "Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee and, within 30 days of an Adverse Determination or Complaint of Wage Theft or Payroll Fraud, shall provide an "Amended Affidavit Regarding Wage Theft and Payroll Fraud" on a form prescribed by the city manager or his or her designee.

(c) If this contract is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this contract is required to authorize, and does hereby specifically authorize, any local, state or federal agency, court, administrative body or other entity investigating a complaint of Wage Theft or Payroll Fraud against the Person (collectively "investigative bodies") to release to the City's Department of Economic Inclusion any and all evidence,

findings, complaints and determinations associated with the allegations of Wage Theft or Payroll Fraud upon the City's request and further authorizes such investigative bodies to keep the City advised regarding the status of the investigation and ultimate determination. If the investigative bodies require the Person to provide additional authorization on a prescribed form or in another manner, the Person shall be required to provide such additional authorization within 14 days of a request by the City.

(d) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall include in its contracts with all Contractors language that requires the Contractors to provide the authorizations set forth in subsection (c) above and that further requires each Contractor to include in its contracts with Subcontractors those same obligations for each Subcontractor and each lower tier subcontractor.

(e) If this Agreement is subject to the Wage Enforcement provisions of Chapter 326 of the Cincinnati Municipal Code, the Person entering into this Agreement shall post a conspicuous notice on the Development Site throughout the entire period work is being performed pursuant to the Agreement indicating that the work being performed is subject to Cincinnati Municipal Code Chapter 326, Wage Enforcement, as administered by the City of Cincinnati Department of Economic Inclusion. Such notice shall include contact information for the Department of Economic Inclusion as provided by the department.

(f) Under the Wage Enforcement provisions, the City shall have the authority, under appropriate circumstances, to terminate this contract or to reduce the incentives or subsidies to be provided under this contract and to seek other remedies, including debarment.

Section 37. Legal Requirements. In completing and operating the Project, the Company shall comply with all applicable statutes, ordinances, regulations, and rules of the government of the United States, State of Ohio, County of Hamilton, and City of Cincinnati.

Section 38. Counterparts and Electronic Signatures. This Agreement may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original but all of which together shall constitute one and the same instrument. This Agreement may be executed and delivered by electronic signature.

Remainder of this page intentionally left blank. Signature page follows.

Executed by the parties on the dates indicated below, effective as of the later of such dates (the "Effective Date").

CITY OF CINCINNATI,
an Ohio municipal corporation

OTR HISTORICAL DEVELOPMENT, LLC,
an Ohio limited liability company

By: _____
Sheryl M. M. Long, City Manager

Date: _____, 2025

By: _____

Printed Name: _____

Title: _____

Date: _____, 2025

Authorized by resolution dated _____

Approved as to Form:

Assistant City Solicitor

Certified Date: _____

Fund/Code: _____

Amount: _____

By: _____
Steve Webb, City Finance Director

Exhibit A to CRA Agreement

LEGAL DESCRIPTION OF PROPERTY

Lying and being in the City of Cincinnati, County of Hamilton, State of Ohio, and being more particularly described as follows:

Beginning at the intersection of the South line of East Clifton Avenue and the West line of Frintz Street; thence Westwardly along the South line of East Clifton Avenue, 307 feet to the place of beginning for this description; thence from said beginning point, Westwardly along the South line of East Clifton Avenue, 58 feet; thence Southwardly parallel with Frintz Street, 119.36 feet to the North line of Hust Alley, a 12 foot alley; thence Eastwardly along the North line of Hust Alley, 4 feet; thence Northwardly parallel with Frintz Street, 36.64 feet; thence Eastwardly 54 feet to a point in the East line of Grantor's property, 82.55 feet South of East Clifton Avenue; thence Northwardly on a line parallel to Frintz Street, 82.55 feet to the South line of East Clifton Avenue and the place of beginning, together with Grantor's interest in any easement for existing sewer and water lines across the property adjoining on the South and extending from the South line of the above described property Southwardly to Hust Alley.

094-0005-0145 & 0146 cons. **ST**

Exhibit B to CRA Agreement

APPLICATION FOR TAX EXEMPTION

[to be included in execution version]

September 8, 2025

To: Members of the Budget & Finance Committee 202501669

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – 2025 Assessment Equalization Board Ordinance – DCID**

Attached is an Ordinance captioned:

ESTABLISHING the Downtown Cincinnati Improvement District Assessment Equalization Board, appointing three members thereto, and setting the time and place for hearings in accordance with the applicable provisions of the Ohio Revised Code.

On June 11, 2025, City Council passed Resolution No. 51 – 2025 declaring the necessity of assessing the real property within the Downtown Cincinnati Improvement District in order to raise funds for the implementation of the 2026-2029 Services Plan.

The attached ordinance will create an appeal process for property owners in the Downtown Cincinnati Improvement District who object to the assessment.

Chapter 727 of the Ohio Revised Code sets forth the steps that political subdivisions must follow prior to levying an assessment. One provision of the chapter permits affected property owners to challenge an assessment as to “amount or apportionment.” If such an objection is filed, the law requires that an assessment equalization board be created to hear the objections. Two objections to the assessment have been filed. After the hearing, the board will report back to Council, and Council will consider the board’s report and legislation on whether to proceed with and levy the assessments.

Since Chapter 727 requires that the county auditor be notified of all assessments by October, quick action is needed to establish the board, hold a hearing, and have Council consider the assessment ordinances in a timely manner.

The Administration recommends the adoption of this ordinance.

cc: William “Billy” Weber, Assistant City Manager

EMERGENCY

JRS

- 2025

ESTABLISHING the Downtown Cincinnati Improvement District Assessment Equalization Board, appointing three members thereto, and setting the time and place for hearings in accordance with the applicable provisions of the Ohio Revised Code.

WHEREAS, Resolution No. 51-2025 (“Resolution”), adopted by City Council on June 2, 2025, pursuant to Ohio Revised Code Section 727.12, declared the necessity of assessing properties in the Downtown Cincinnati Improvement District (“SID”) to implement the 2026-2029 services plan for the district (“Services Plan”); and

WHEREAS, pursuant to Ohio Revised Code Section 727.13, the property owners located in the SID have been timely served with notice of the passage of the Resolution, via certified mail and publication; and

WHEREAS, the estimated assessments necessary for implementing the Services Plan have been on file with the Clerk of Council and have been available for public inspection since the adoption of the Resolution; and

WHEREAS, Ohio Revised Code Section 727.16 requires an assessment equalization board to hear and determine objections by property owners to the amount or apportionment of an estimated assessment, or the estimated assessment against their property, made pursuant to Ohio Revised Code Section 727.15; and

WHEREAS, Council wishes to establish an assessment equalization board to hear and determine objections by property owners to the amount or apportionment of an estimated assessment, or estimated assessments against their property; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That City Council hereby establishes the Downtown Cincinnati Improvement District Assessment Equalization Board (“Equalization Board”) to hear and determine objections by property owners to the amount or apportionment of an estimated assessment, or estimated assessments against their property, made in connection with the proposed levy of assessments to implement the 2026-2029 services plan (“Services Plan”) for the Downtown Cincinnati Improvement District (“SID”).

Section 2. That the following persons, each being disinterested freeholders of the City of Cincinnati as required by Ohio Revised Code Section 727.16, are hereby appointed to the Equalization Board: Reginald Harris, Kayla Camp, and Rachel Hastings.

Section 3. That the Equalization Board shall meet at 9:30 a.m. on September 22, 2025, and continue in session, if necessary, from day to day, until all objections are heard. The meeting shall be held in the hearing room located on the fifth floor of Centennial II, 805 Central Avenue, Cincinnati, Ohio 45202.

Section 4. That no less than five days before the hearing date set forth above, the Clerk of Council shall send notice of the hearing by certified mail, ordinary mail, and email (if an email address has been provided) to all persons who timely filed proper objections to the estimated assessments to implement the Services Plan for the SID.

Section 5. That the board shall report its recommendations to City Council, including any changes which should be made to the estimated assessments upon completion of all hearings.

Section 6. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to take the administrative actions necessary to establish and empanel the Equalization Board to timely hear objections to the estimated assessments necessary to implement the Services Plan for the SID.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: August 6, 2025

To: Councilmember Meeka Owens
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Ordinance – Modifying CMC Chapter 871**

Transmitted herewith is an ordinance captioned as follows:

MODIFYING Chapter 871, “Landlord-Tenant Relations,” of the Cincinnati Municipal Code by **AMENDING** Section 871-3, “Definitions,” and **ORDAINING** new Section 871-17, “Retaliation Prohibited,” to protect tenants and tenant organizations against retaliation for reporting hazardous or substandard living conditions and advocating regarding their tenancy.

EESW/MRM(dbr)
Attachment
4912-6333-5766

City of Cincinnati

An Ordinance No. _____

MRM

EESW

- 2025

MODIFYING Chapter 871, “Landlord-Tenant Relations,” of the Cincinnati Municipal Code by **AMENDING** Section 871-3, “Definitions,” and **ORDAINING** new Section 871-17, “Retaliation Prohibited,” to protect tenants and tenant organizations against retaliation for reporting hazardous or substandard living conditions and advocating regarding their tenancy.

WHEREAS, tenants living in residential rental property are entitled to safe and sanitary living conditions; and

WHEREAS, the City of Cincinnati’s enforcement of building, health, fire, and safety code provisions is primarily driven by complaints from residents, including tenants of residential rental property; and

WHEREAS, it is critical that tenants of residential rental property who report code violations and substandard living conditions at their place of residence can access the City’s code enforcement services; and

WHEREAS, tenants of residential rental property who seek intervention from the City’s code enforcement service providers should be protected from retaliation to ensure that City officials can perform their jobs and ensure owners of residential rental properties comply with health and safety regulations; and

WHEREAS, R.C. Section 5321.02(A)(1) prohibits retaliation against tenants living in residential rental housing who make complaints regarding the condition of their residence; and

WHEREAS, Council desires to create local protections for tenants living in residential rental properties who seek intervention by the City’s code enforcement officials to address reports of building, housing, health, fire, and safety code violations; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That existing Section 871-3, “Definitions,” of Chapter 871, “Landlord-Tenant Relations,” of the Cincinnati Municipal Code is amended as follows:

Sec. 871-3. Definitions.

As used in this Chapter 871, the following words and terms shall have the meanings indicated in this section. Words and terms used and not specifically defined in this section, but which are defined in the Cincinnati Building Code, Title XI of the Cincinnati Municipal Code - Ohio Basic Building Code, shall have the meanings there defined. Words used in the singular

include the plural and the plural the singular. Words used in the masculine gender include the feminine, and the feminine the masculine.

- (a) “Director of Buildings and Inspections” or “Director” shall be construed to include the director of buildings and inspections and authorized employees appointed to perform specific duties of the Department of Buildings and Inspections in the enforcement of the provisions of the Ohio Building Code and the Cincinnati Building Code.
- (b) “Landlord” means the owner of a rental unit.
- (c) “Protected activity” or “protected activities” means any advocacy or action related to advocacy by a tenant or tenant organization intended to influence or impact the health, safety, or welfare of a tenant of residential rental property; the terms of a rental agreement; or the amount or payment of rent including, but not limited to:
 - (1) Reporting or complaining to an appropriate governmental agency of a violation of a building, housing, health, fire, or safety code that is applicable to the premises of the residential rental property;
 - (2) Reporting or complaining to the landlord, landlord’s agent or representative, or person in control of the residential rental property of any violation of R.C. 5321.04, Section 871-9, or any substantially similar successor statute or ordinance;
 - (3) Using or indicating an intent to use a right or remedy provided under R.C. 5321.07 or any substantially similar successor statute;
 - (4) Communicating or joining with other tenants for the purpose of negotiating or dealing collectively with the landlord on any of the terms and conditions of a rental agreement;
 - (5) Establishing or operating an organization intended to advocate for tenants or engage in protected activity;
 - (6) Distributing, posting, or placing leaflets on doors of rental units, in lobby areas, or common areas;
 - (7) Conducting door-to-door surveys to determine interest from tenants in establishing a tenant organization or promoting tenant rights;
 - (8) Offering information about tenant organizations, tenant rights, or landlord obligations;
 - (9) Assisting tenants to participate in tenant organization activities; or

- (10) Convening meetings of tenants to discuss, advocate, or plan to respond to issues related to tenant health, safety, or welfare; criminal activity at the premises; enforcement action by a governmental entity regarding the premises; or violations of building, health, or fire safety laws or standards.
- (d) “Rental agreement” means any contract or lease, whether written, oral, or implied by operation of law, for the rental of the rental unit.
- (e) “Rental unit” means the whole or part of a building including common areas used by a person for living dining, cooking, sleeping, and sanitation purposes owned or controlled by another, under an agreement for the periodic payment of rent.
- (f) “Retaliate” means increasing the tenant’s rent, decreasing services that are due to the tenant, or bringing or threatening to bring an action for possession of the tenant’s premises, serving a notice to leave the premises, terminating the tenant’s rental agreement, refusing to renew the tenant’s rental agreement or to continue the tenant’s tenancy, shutting off or interfering with access to utilities, refusing to accept rent payments, interfering with the tenant’s lawful use of the premises, or any other action or threat intended to deter or punish a tenant or tenant organizer from engaging in a protected activity.
- (g) “Security deposit” means any deposit of money or other property however denominated whose primary function is to secure the performance of the tenant under a rental agreement.
- (h) “Tenant” means an occupant of a rental unit other than an owner or operator.
- (i) “Tenant household” means an individual tenant who lawfully resides in a rental unit or two or more individuals who lawfully reside in the same rental unit, whether or not such individuals are related to one another by blood or marriage.
- (j) “Tenant organization” means any group of people who establish a group at the invitation or request of tenants for the purpose of addressing issues related to the health, safety, and welfare of tenants; the terms and conditions of their tenancy; health, building, fire, and other safety code compliance; and crime around the premises.
- (k) “Vacate order” means an order to vacate and keep vacant an occupied rental unit, which order is issued pursuant to the city’s police powers to protect public health, safety, and welfare, including pursuant to Section 3742.40 of the Ohio Revised Code, Rule 370-30-11 of the Ohio Administrative Code, Section 602-7 or Section 1101-65 of the Cincinnati Municipal Code, or the director’s authority pursuant to Section 5, Article XXI of the Cincinnati Administrative Code.

Section 2. That new Section 871-17, "Retaliation Prohibited," of Chapter 871, "Landlord-Tenant Relations," of the Cincinnati Municipal Code is ordained as follows:

Sec. 871-17 Retaliation Prohibited.

- (a) No landlord, landlord's agent or representative, or person in control of the premises of a residential rental property shall retaliate or threaten to retaliate against a tenant or tenant organization because the tenant or tenant organizer engaged in a protected activity.
- (b) Nothing in section (a) of this section shall prohibit a landlord from:
 - (1) increasing the rent to reflect the cost of improvements installed at the residential rental property or to reflect an increase in other costs of operation of the residential rental property.
 - (2) enforcing a tenant's obligations under R.C. 5321.05, Section 871-9, or any substantially similar successor statute or ordinance, so long as the landlord has not assumed responsibility for any of these obligations pursuant to R.C. 5321.13(F).
- (c) If a landlord acts in violation of section (a) of this section the tenant may:
 - (1) Use the retaliatory action of the landlord as a defense to an action by the landlord to recover possession of the premises;
 - (3) Recover possession of the premises; or
 - (4) Terminate the rental agreement.

In addition to the remedies described in division (c), the tenant or tenant organizer may recover from the landlord reasonable attorneys' fees together with the greater of three times any actual damages or an amount equal to three times the periodic rent.
- (d) It shall be prima facie evidence of a violation of section (a) that a landlord, landlord's agent or representative, or a person in control of the premises threatened to engage or engaged in an action listed in Section 871-3(f) within six months of a tenant engaging in a protected activity.
- (e) In addition to the remedies provided by Section 871-15, any person who violates, threatens to violate, or engages in a pattern of violations of this section shall be enjoined from further violation consistent with state law.

Section 3. That the City Manager and the proper City officials are authorized to take all necessary and proper actions to carry out the provisions of Section 1.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2025

Aftab Pureval, Mayor

Attest: _____
Clerk

Deletions are indicated by strikethrough; additions are indicated by underline.