



City of Cincinnati

Cincinnati City Council

Meeting Minutes

801 Plum Street
Cincinnati, Ohio 45202

Wednesday, November 17, 2021 2:00 PM Council Chambers, Room 300

Council convened at 2:03 P.M., Mayor John Cranley, Presiding.

ROLL CALL

Present: Vice Mayor Christopher Smitherman, Councilmember Steve Goodin, Councilmember Jan-Michele Kearney, Councilmember Liz Keating, Councilmember David Mann, President Pro Tem Chris Seelbach, and Councilmember Wendell Young

Absent: Councilmember Greg Landsman, and Councilmember Betsy Sundermann

In attendance were City Manager Paula Boggs-Muething, City Solicitor Andrew Garth and Clerk of Council Melissa Autry

Council observed a moment of silence prayer and recited the Pledge of Allegiance to the Flag.

There being no objection, Minutes of the previous session of Council were ordered Approved and Filed.

MAYOR CRANLEY

1. **ORDINANCE**, dated 11/10/2021, submitted by Mayor John Cranley, from Andrew W. Garth, City Solicitor, **DECLARING** that the portion of Harrison Avenue located between Queen City Avenue and Westwood Avenue in the South Fairmount neighborhood shall hereby receive the honorary, secondary name of Moon Tree Bridge in memory of the Moon Tree, a large sycamore tree descended from seeds carried on the Apollo 14 mission to the moon and planted in the South Fairmount neighborhood. [202103109](#)

Referred to Neighborhoods Committee

MR. SEELBACH

MR. YOUNG

2. **MOTION**, submitted by Councilmembers Seelbach and Young, **WE MOVE** that the Administration convert the underutilized block of W 12th, between Central Ave & Central Parkway to long term metered parking at the same rate structure as the adjacent parking in existence on Central Ave, for the purpose of providing price sensitive workers & visitors [202103114](#)

increased parking options while better utilizing a city asset. This block of Parking in the West End adjacent to Over-the-Rhine has one of the lowest meter utilizations in the greater Downtown area, at below 15% utilization on average, as compared with the national standard goal of 85% utilization (for comparison, Vine Street often surpasses 90% utilization). Providing price sensitive low & moderate wage workers and guests an appropriately priced long term parking solution in a low demand area will increase overall meter utilization & provide diverse parking options for the urban core.

Referred to Neighborhoods Committee

MR. SEELBACH

MS. SUNDERMANN

MS. KEARNEY

MR. YOUNG

- 3. MOTION**, submitted by Councilmembers Seelbach, Sundermann, Kearney and Young, **WE MOVE** that the Administration immediately begin a thorough review of President Joe Biden's Infrastructure Investment & Jobs Act, a part of the Build Back Better Plan. This review should serve to prepare the City for any and all opportunities to capitalize on the maximum amount of eligible funding that will become available through its passage, and put the city in competitive position to apply for grants and receive other funds as they become available in the coming months. **WE FURTHER MOVE** the Administration return with a report to council, summarizing all aspects of the bill that could impact Cincinnati, if any policy direction is required for the administration to maximize its funding & grant applications, and how the administration plans to prepare applications (including the need to identify potential matching funds) so that Cincinnati taxpayers receive the greatest impact for urban infrastructure improvements. This review should be completed in approximately 45 days.

[202103115](#)

Referred to Budget & Finance Committee

CITY MANAGER

- 4. APPOINTMENT**, dated 11/10/2021, submitted by Paula Boggs Muething, City Manager, regarding the appointment of Joshua McMullen to the Board of Examiners of Plumbers.

[202103072](#)

Confirmed

Yes: Vice Mayor Smitherman
 Councilmember Goodin
 Councilmember Kearney
 Councilmember Keating
 Councilmember Mann
 President Pro Tem Seelbach
 Councilmember Young

Absent: Councilmember Landsman
 Councilmember Sundermann

5. **REPORT**, dated 11/17/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for FOUND HOLIDAY HOMECOMING CONCERT. [202103086](#)

Filed

6. **REPORT**, dated 11/17/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for SHIRLEY - MAJOR MOTION PICTURE. [202103089](#)

Filed

7. **RESOLUTION** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **APPROVING** the Saylor Park Plan as the planning guide for the Saylor Park neighborhood. [202103090](#)

Referred to Economic, Growth & Zoning Committee

8. **REPORT**, dated 11/17/2021 submitted by Paula Boggs Muething, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for SPEEDWAY LCC, DBA SPEEDWAY #1547, 5571 Colerain Avenue, Cincinnati, Ohio 45239. (#84189940980, C1, C2, D6, TRANSFER) [Objections: NONE] [202103099](#)

Filed

9. **REPORT**, dated 11/17/2021 submitted by Paula Boggs Muething, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for SPEEDWAY LLC, DBA SPEEDWAY #9581, 124 E. Galbraith Road, Cincinnati, Ohio 45216. (#84189940615, C1, C2, TRANSFER) [Objections: NONE] [202103100](#)

Filed

10. **REPORT**, dated 11/17/2021 submitted by Paula Boggs Muething, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for ZIEGLER PARK LLC, 1322 Sycamore Street, Blocked Area By E. 14th Street, Broadway Street, Sycamore Street, E. 13th Street, Yukon Street, Woodward Street, and Goetz Alley, Cincinnati, Ohio 45202. (#9932398, F8, TEMPORARY) [Objections: NONE] [202103103](#)

Filed

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- 11. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **AUTHORIZING** the City Manager to execute a *Fifth Amendment to Contract* between the City of Cincinnati and the City of Reading, Ohio. [202103105](#)
- Referred to Budget & Finance Committee
- 12. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **AUTHORIZING** the City Manager to execute a *Water Service Agreement* between the City of Cincinnati and the Village of Glendale, Ohio. [202103106](#)
- Referred to Budget & Finance Committee
- 13. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **AUTHORIZING** the City Manager to execute a *Seventh Amendment to Water Contract* between the City of Cincinnati and the Village of Addyston, Ohio. [202103107](#)
- Referred to Budget & Finance Committee
- 14. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **MODIFYING** Section 401-81, "Charges to Political Subdivisions," of Chapter 401, "Water Works," of the Cincinnati Municipal Code to clarify the months during which the Summer rate and Winter Rate for charges to political subdivisions are applicable. [202103108](#)
- Referred to Major Projects & Smart Government Committee
- 15. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **ESTABLISHING** a new capital improvement program project account no. 980x981x222532, "Fleet Replacements - Obsolete," for the purpose of acquiring automotive and motorized equipment funded by sale proceeds of obsolete automotive and motorized equipment; **AUTHORIZING** the transfer and appropriation of the sum of \$705,482.97 from the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757 to newly established capital improvement program project account no. 980x981x222532, "Fleet Replacements - Obsolete"; **ESTABLISHING** a new capital improvement program project account no. 980x256x222533, "Fleet Services Maintenance Equipment," for the purpose of acquiring automotive maintenance equipment necessary to support Fleet Services Maintenance operations; and **AUTHORIZING** the transfer and appropriation of the sum of \$100,000 from the unappropriated surplus of Miscellaneous Permanent Improvement Fund 757 to capital improvement program project account no. 980x256x222533, "Fleet Services Maintenance Equipment." [202103110](#)
- Referred to Budget & Finance Committee
- 16. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate grant resources in an amount up to \$25,000 from the Ohio Department of Natural Resources Canopy Restoration Grant Program for the purpose of providing funding for the restoration and [202103111](#)
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improvement of urban forests, specifically in the Lower Price Hill and Queensgate neighborhoods; and AUTHORIZING the Finance Director to deposit the grant funds into Urban Forestry Fund 428.

Referred to Budget & Finance Committee

- 17. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **DECLARING** improvements to certain real property located at 312 Main Street in the Central Business District of Cincinnati, to be constructed pursuant to a *Development Agreement* between the City of Cincinnati and Fort Wash Hills, LLC, to be a public purpose and exempt from real property taxation for a period of 30 years pursuant to Section 5709.41 of the Ohio Revised Code.

[202103112](#)

Referred to Budget & Finance Committee

- 18. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **ESTABLISHING** priority order of property tax exemptions granted for parcels of real property located at 312 Main Street in the Central Business District of Cincinnati, within Cincinnati's Downtown South/Riverfront District Incentive District, in connection with a development undertaken by Fort Wash Hills, LLC.

[202103113](#)

Referred to Budget & Finance Committee

BUDGET AND FINANCE COMMITTEE

- 19. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/10/2021, **AUTHORIZING** the establishment of new capital improvement program project account no. 980x162x221604, "Barrister Affordable Housing - TIF," for the purpose of providing resources for the Barrister Project, an affordable Low-Income Housing Tax Credit housing development located in Downtown Cincinnati; AUTHORIZING the transfer and appropriation of \$945,000 from the unappropriated surplus of Downtown/OTR East Equivalent Fund 483 to newly established capital improvement program project account no. 980x162x221604, "Barrister Affordable Housing - TIF," to provide resources for construction and development costs associated with the Barrister Project housing development; and further **DECLARING** that expenditures from capital improvement program project account no. 980x162x221604, "Barrister Affordable Housing - TIF," will serve a public purpose because the project will create additional affordable housing in Downtown Cincinnati.

[202103073](#)

Passed Emergency

Yes: Vice Mayor Smitherman
 Councilmember Goodin
 Councilmember Kearney
 Councilmember Keating
 Councilmember Mann
 President Pro Tem Seelbach
 Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0436-2021

Emergency clause to remain

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0436-2021

Suspension of the three readings

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0436-2021

- 20. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/10/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Griffon Apartments, LLC, an affiliate of The Model Group, Inc. and Cincinnati Center City Development Corporation (3CDC), thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 30 E. 15th Street, 1684 Central Parkway, 1827 Logan Street, and 1617-16119 Race Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of 2 existing buildings and construction of 2 new buildings to create, in aggregate, approximately 861 square feet of commercial space and approximately 30,678 square feet of residential space, consisting of 48 residential rental units, which remodeling and construction shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total remodeling and construction cost of approximately \$9,567,187.

[202103075](#)

Passed Emergency

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0437-2021

Emergency clause to remain

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0437-2021

Suspension of the three readings

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0437-2021

- 21. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/10/2021, **AUTHORIZING** the payment of \$3,600 from the Human Resources Department General Fund non-personnel operating budget account no. 050x121x2000x7281 as a moral obligation to William J. Miller, Jr. for payment of outstanding charges for labor arbitration services provided on May 21, 2021.

[202103077](#)

Passed Emergency

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0438-2021

Emergency clause to remain

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0438-2021

Suspension of the three readings

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0438-2021

- 22. MOTION**, submitted by Councilmember Kearney, **WE MOVE** for City Council to allocate \$6,000 from a source identified by the City Administration to the Whitney Strong Foundation to provide "Save a Life" training to local community organizations.

[202103082](#)

Adopted

Yes: Vice Mayor Smitherman
 Councilmember Goodin
 Councilmember Kearney
 Councilmember Keating
 Councilmember Mann
 President Pro Tem Seelbach
 Councilmember Young

Absent: Councilmember Landsman
 Councilmember Sundermann

23. ORDINANCE (EMERGENCY) submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **AUTHORIZING** the expenditure of City funds from Stormwater Management Fund non-personnel operating account no. 107x311x4000x7264 for the repair of a scour hole in a portion of the Mill Creek Channel owned by the Millcreek Valley Conservancy District; and **DECLARING** such expenditure to serve a public purpose.

[202103092](#)

Passed Emergency

Yes: Vice Mayor Smitherman
 Councilmember Goodin
 Councilmember Kearney
 Councilmember Keating
 Councilmember Mann
 President Pro Tem Seelbach
 Councilmember Young

Absent: Councilmember Landsman
 Councilmember Sundermann
 Enactment No: 0439-2021

Emergency clause to remain

Yes: Vice Mayor Smitherman
 Councilmember Goodin
 Councilmember Kearney
 Councilmember Keating
 Councilmember Mann
 President Pro Tem Seelbach
 Councilmember Young

Absent: Councilmember Landsman
 Councilmember Sundermann
 Enactment No: 0439-2021

Suspension of the three readings

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0439-2021

- 24. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/10/2021, **ESTABLISHING** new capital improvement program project account no. 980x164x221615, "Fountain Place Redevelopment - Divisions Inc"; **AUTHORIZING** the transfer and appropriation of the sum of \$1,200,000 from the unappropriated surplus of Urban Renewal - Tax Increment Bond Fund 852 to newly established capital improvement program project account no. 980x164x221615, "Fountain Place Redevelopment - Divisions Inc," for the purpose of providing resources for improvements to real property located at project site 50 West 5th Street; **DECLARING** that expenditures from capital improvement program project account no. 980x164x221615 serve a public purpose; and **DECLARING** this capital improvement project an urban renewal project located in an urban renewal area, each as defined in Ohio Revised Code Chapter 725.

[202103093](#)

Passed Emergency

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0433-2021

Emergency clause to remain

Yes: Vice Mayor Smitherman
 Councilmember Goodin
 Councilmember Kearney
 Councilmember Keating
 Councilmember Mann
 President Pro Tem Seelbach
 Councilmember Young

Absent: Councilmember Landsman
 Councilmember Sundermann
 Enactment No: 0433-2021

Suspension of the three readings

Yes: Vice Mayor Smitherman
 Councilmember Goodin
 Councilmember Kearney
 Councilmember Keating
 Councilmember Mann
 President Pro Tem Seelbach
 Councilmember Young

Absent: Councilmember Landsman
 Councilmember Sundermann
 Enactment No: 0433-2021

- 25. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/10/2021, **PROVIDING** FOR THE ISSUANCE, SALE AND DELIVERY OF NOT TO EXCEED \$1,200,000 OF ECONOMIC DEVELOPMENT REVENUE BONDS (FOUNDRY URBAN RENEW AL PROJECT), OR NOTES IN ANTICIPATION THEREOF, OF THE CITY OF CINCINNATI, COUNTY OF HAMILTON, STATE OF OHIO, FOR THE PURPOSE OF JOB CREATION WITHIN THE CITY'S CENTRAL BUSINESS DISTRICT; AUTHORIZING A PLEDGE AND LIEN ON CERTAIN REVENUES AND OTHER CITY RESOURCES, AS APPROPRIATE, TO SECURE SUCH BONDS OR NOTES; AND AUTHORIZING NECESSARY DOCUMENTS TO SECURE SUCH BONDS OR NOTES.

[202103094](#)

Passed Emergency

Yes: Vice Mayor Smitherman
 Councilmember Goodin
 Councilmember Kearney
 Councilmember Keating
 Councilmember Mann
 President Pro Tem Seelbach
 Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0434-2021

Emergency clause to remain

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0434-2021

Suspension of the three readings

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0434-2021

- 26. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/10/2021, **APPROVING AND AUTHORIZING** the execution of a Job Creation Tax Credit Agreement with Divisions Maintenance Group, pursuant to which the company agrees to create 649 new jobs at its office on the 3rd and 4th floors of the Foundry building (formerly known as Fountain Place) located at 505 Vine Street in Cincinnati's Central Business District and for a period of 10 years, the City agrees to provide an income tax credit equal to 50% of the City income tax revenue from such new jobs.

[202103096](#)

Passed Emergency

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0435-2021

Emergency clause to remain

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0435-2021

Suspension of the three readings

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0435-2021

27. ORDINANCE (EMERGENCY) submitted by Paula Boggs Muething, City Manager, on 11/17/2021, **ESTABLISHING** new bond fund, Fund No. 887, "Water Works Capital Improvements 2021"; and **AUTHORIZING** receipt and deposit of resources in an amount of up to \$70,000,000.00 from bond sale proceeds to the newly established Fund No. 887 for the purpose of providing resources for Water Works capital improvement projects.

[202103104](#)

Passed Emergency

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0440-2021

Emergency clause to remain

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0440-2021

Suspension of the three readings

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young

Absent: Councilmember Landsman
Councilmember Sundermann
Enactment No: 0440-2021

NEW BUSINESS

28. MOTION, submitted by Mayor John Cranley, **WE MOVE** that the City of Cincinnati cancel the Council Sessions scheduled for November 24, 2021 and December 22, 2021

[202103122](#)

Adopted

- Yes:** Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young
- Absent:** Councilmember Landsman
Councilmember Sundermann

Immediate Consideration

- Yes:** Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Mann
President Pro Tem Seelbach
Councilmember Young
- Absent:** Councilmember Landsman
Councilmember Sundermann

29. MOTION, submitted by Councilmember Kearney, **I MOVE** that the City Administration approve the creation of a secondary name for Evanswood in Clifton as David Mann Way. (STATEMENT ATTACHED).

[202103129](#)

Held

No announcements at this time

Council adjourned at 2:24 P.M.