



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, November 16, 2022

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

Animal Task Force

1. [202202078](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Jim Tomaszewski to the Animal Task Force for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/White)

Recommendation CONFIRM

Sponsors: Mayor

Cincinnati Elections Commission

2. [202202097](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Nicholas Klingensmith to the non-party affiliated seat of the Cincinnati Elections Commission for a term of four years, beginning December 1, 2022. This appointment is submitted to City Council for its advice & consent pursuant to its Rules. (Male/White)

Recommendation HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

Sponsors: Mayor

3. [202202086](#) **ORDINANCE**, submitted by Mayor Aftab Pureval, from Emily Smart Woerner, City Solicitor, **AUTHORIZING** the City Manager to accept an award from the Bloomberg Harvard City Leadership Initiative for participation in the Data Track program for the purpose of providing technical assistance to enable the City to develop improved data analysis evidence-based resource allocation, and performance management.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Mayor

MR. JEFFREYS

4. [202202087](#) **ORDINANCE**, submitted by Councilmember Jeffreys, from Emily Smart Woerner, City Solicitor, **ADOPTING** a Complete Streets policy for the design, construction, operation, repair and replacement of new and existing roadways within the City as an official policy of the City Council.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: Jeffreys

CITY MANAGER

5. [202202070](#) **REPORT**, dated 11/16/2022, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Good Feathers Pictures Inc.

Recommendation FILE

Sponsors: City Manager

6. [202202079](#) **REPORT**, dated 11/16/2022 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 Hasamen LLC, DBA Bond Hill Market, 4879 Reading Road. (#3654879, C1 C2 D6, Transfer) [Objections: Yes]

Recommendation FILE

Sponsors: City Manager

7. [202202082](#) **REPORT**, dated 11/16/2022 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 Opulent Theater & Events LLC, 3029 Madison Road. (#6563029, D5 D6, Transfer) [Objections: None]

Recommendation FILE

Sponsors: City Manager

8. [202202083](#) **REPORT**, dated 11/16/2022 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 Indus LLC, 3672-74 Erie Avenue. (#4133672, D5, New) [Objections: None]

Recommendation FILE

Sponsors: City Manager

9. [202202084](#) **REPORT**, dated 11/16/2022 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 Deme Kitchen LLC, DBA Deme Kitchen, 627 Main Street. (#2069627, D5J, New) [Objections: None]

Recommendation FILE

Sponsors: City Manager

10. [202202085](#) **REPORT**, dated 11/16/2022 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 Superior Sandman Holdings Inc, DBA Voodoo Brewery, 120 E. 8th Street. (#14945000005, D5J, New) [Objections: None]
Recommendation FILE
Sponsors: City Manager
11. [202202089](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/16/2022, **AUTHORIZING** the City Manager to accept an in-kind donation of a \$1,000 American Express no-fee gift card from the University of Cincinnati to be used for volunteer groups and events of the Cincinnati Police Department.
Recommendation BUDGET AND FINANCE COMMITTEE
Sponsors: City Manager
12. [202202090](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/16/2022, **AUTHORIZING** the City Manager to accept a State and Workforce Fellowship award from Results for America for technical assistance that provides coaching to City staff to help the City advance innovation in the City's workforce organizations and to strengthen the City's network by collaborating with other leaders in the public workforce system; provides access to training materials, webinars, and reports; and pays for a twice per year in-person meeting for two-day educational events.
Recommendation BUDGET AND FINANCE COMMITTEE
Sponsors: City Manager
13. [202202091](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/16/2022, **DESIGNATING** certain portions of Green Street from Logan Street to Race Street and certain portions of Pleasant Street from Liberty Street to West Elder Street in the Over-the-Rhine neighborhood as a Residential Parking Permit Area, in which area parking will be limited to holders of residential parking permits issued by the City of Cincinnati pursuant to Cincinnati Municipal Code Chapter 514.
Recommendation BUDGET AND FINANCE COMMITTEE
Sponsors: City Manager
- BUDGET AND FINANCE COMMITTEE**
14. [202202008](#) **REPORT**, dated 11/2/2022, submitted Sheryl M. M. Long, City Manager, regarding the Cincinnati Retirement System CY2021 Annual Report provided by the Cincinnati Retirement System Board of Trustees.
Recommendation APPROVE & FILE
Sponsors: City Manager

15. [202202041](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners' Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory's gift shop inventory, and other vital costs associated with running the City's parks; and **AUTHORIZING** the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430.

Recommendation PASS

Sponsors: City Manager

16. [202202044](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to accept in-kind donations from the Cincinnati Parks Foundation of park supplies, professional services, and contracted services, valued at approximately \$57,031.66, to benefit and improve various City parks.

Recommendation PASS

Sponsors: City Manager

17. [202202047](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$500 from the Clifton Area Neighborhood Council for the purpose of hosting a community Halloween event; and **AUTHORIZING** the Finance Director to deposit the donated funds into Fund 319, "Contributions for Recreation Purposes," revenue account no. 319x8571.

Recommendation PASS

Sponsors: City Manager

18. [202202050](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to accept an in-kind donation of six cans of infant formula valued at approximately \$107.94 from Dr. Sarah Tarai of the Cincinnati Primary Care Center for the purpose of providing care to patients at the Cincinnati Health Department.

Recommendation PASS

Sponsors: City Manager

19. [202202045](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 37) for the purpose of ensuring the timely completion of various road and bridge construction projects throughout the City.

Recommendation

PASS

Sponsors: City Manager

20. [202202046](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$25,000 from the Greater Cincinnati Foundation to the Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7400 for the purpose of providing resources to support the City's Urban Agriculture Program; and **AUTHORIZING** the Finance Director to deposit the grant resources into General Fund revenue account no. 050x8571.

Recommendation PASS EMERGENCY

Sponsors: City Manager

21. [202202048](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to apply for grant resources in an amount up to \$2,535,400 from the Ohio Child Care Stabilization Sub-Grant through the Ohio Child Care Resource and Referral Association and the Ohio Department of Job and Family Services for the purpose of supporting up to thirteen of the Cincinnati Recreation Commission's licensed neighborhood childcare programs.

Recommendation PASS EMERGENCY

Sponsors: City Manager

22. [202202049](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$8,200 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission's annual Track and Field program; and **AUTHORIZING** the Finance Director to deposit the grant funds into Fund 319, "Contributions for Recreation Purposes," revenue account no. 319x8571.

Recommendation PASS

Sponsors: City Manager

23. [202202042](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to execute a Grant of Easement in favor of Duke Energy Ohio, Inc., granting a utility easement across a portion of City-owned property generally located at 1600 Gest Street in the Lower Price Hill neighborhood of Cincinnati.

Recommendation PASS

Sponsors: City Manager

24. [202202052](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to execute a *Grant of Easement* in favor of LPH Thrives, LLC, pursuant to which the City of Cincinnati will grant an encroachment easement upon a portion of West Eighth Street in Lower Price Hill.

Recommendation PASS

Sponsors: City Manager

25. [202202054](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 11/9/2022, **AUTHORIZING** the City Manager to execute a plat entitled *Easement Vacation Plat E-1047Q2/WSL-3611* to release and quitclaim a portion of a public utility easement held by the City of Cincinnati for the use and benefit of Greater Cincinnati Water Works for a water main and associated appurtenances located in and upon certain real property located in the J. Eggleston Military Survey No. 609, Anderson Township, Hamilton County, Ohio being part of Parcel 4 of the Original Plat of Anderson Towne Center as shown on a plat recorded in Plat Book 373, Page 56-57, Hamilton County, Ohio Recorder's Office.

Recommendation PASS

Sponsors: City Manager

SUPPLEMENTAL ITEMS

PUBLIC SAFETY & GOVERNANCE COMMITTEE

26. [202202029](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 11/2/2022, **MODIFYING** the salary range schedules for all non-represented middle management employment classifications by amending all sections of Division 0 and certain sections of Division 7 (LAW) and Division 9 of Chapter 307 of the Cincinnati Municipal Code to provide for pay parity between non-represented employees and represented employees in those salary divisions.

Recommendation
PASS EMERGENCY

Sponsors: City Manager

HEALTHY NEIGHBORHOODS COMMITTEE

27. [202202061](#) **MOTION**, submitted by Councilmembers Cramerding, Owens, Johnson, Harris and Vice Mayor Kearney, **WE MOVE** that the Cincinnati Recreation Commission work with Cincinnati Public Schools to identify and provide a report of mutually beneficial recreation projects that would benefit students and all residents. This includes creating better access to existing facilities, fixing failing infrastructure, opening and restoring facilities that are currently closed, and exploring opportunities for new projects. This collaborative approach should focus on underserved neighborhoods where children, seniors, and all residents do not have equitable access to exercise and recreation opportunities. (STATEMENT ATTACHED).

Recommendation ADOPT

Sponsors: Cramerding, Owens, Johnson, Harris and Kearney

ANNOUNCEMENTS

Adjournment



AFTAB PUREVAL

City of Cincinnati, Office of the Mayor

Nov 2022

REAPPOINTMENT

I hereby reappoint Jim Tomaszewski to the Animal Task Force for a term of two 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

Nov 2022

APPOINTMENT

I hereby appoint Nicholas Klingensmith to the non-party affiliated seat of the Cincinnati Elections Commission for a term of four years, beginning December 1, 2022. This appointment is submitted to City Council for its advice & consent pursuant to its Rules.



Mayor Aftab Pureval

Nicholas Klingensmith

[REDACTED]
Cincinnati, Ohio [REDACTED]
[REDACTED]
[REDACTED]

Experience

Treleven & Klingensmith <i>Partner</i>	2019-Present
<ul style="list-style-type: none">• Broad legal practice including both criminal and civil litigation• Manage offices in Cincinnati, Oxford and Amelia• Manage associate attorneys and staff• Voted Best Law Firm by readers of CityBeat in 2020, 2021 & 2022	
Nicholas Klingensmith, Attorney at Law <i>Solo Practitioner</i>	2013-2019
Ernst & Associates <i>Associate Attorney</i>	2012-2013
City of Cincinnati <i>Assistant Prosecutor</i>	2010-2012
Hamilton County Common Pleas <i>Law Clerk, Honorable Melba D. Marsh</i>	2006-2010

Education

Juris Doctor <i>Salmon P. Chase College of Law</i>	2009
<ul style="list-style-type: none">• Class Rank: 12/42• Cum Laude	
Bachelor of Business Administration <i>University of Cincinnati</i>	2003
<ul style="list-style-type: none">• Major: Information Systems. Minor: International Business• Studied international business in Linz, Austria at the Johannes Kepler University	

Bar Admissions

Ohio
Kentucky, *Inactive*

20220216
Date: November 10, 2022

To: Mayor Aftab Pureval
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Ordinance – Bloomberg Harvard City Leadership Initiative Grant**

Transmitted herewith is an ordinance captioned as follows:

AUTHORIZING the City Manager to accept an award from the Bloomberg Harvard City Leadership Initiative for participation in the Data Track program for the purpose of providing technical assistance to enable the City to develop improved data analysis, evidence-based resource allocation, and performance management.

EESW/KKF(lb)
Attachment
373471



City of Cincinnati

KKF EESW

An Ordinance No. _____

- 2022

AUTHORIZING the City Manager to accept an award from the Bloomberg Harvard City Leadership Initiative for participation in the Data Track program for the purpose of providing technical assistance to enable the City to develop improved data analysis, evidence-based resource allocation, and performance management.

WHEREAS, the Bloomberg Harvard City Leadership Initiative (“Initiative”) provides opportunities in the Data Track program for the purpose of providing technical assistance to enable the City to develop improved data analysis, evidence-based resource allocation, and performance management; and

WHEREAS, the Mayor’s Office already is participating in the Initiative and has been awarded the opportunity to participate in the Data Track program, however, the award will not be accepted without the approval of Council; and

WHEREAS, the award requires no local match and there are no new FTEs associated with this award; and

WHEREAS, improving the City’s data analysis, evidence-based resource allocation, and performance management are in accordance with the “Collaborate” goal to “[c]ooperate internally and externally to improve service efficiency” and strategy to “[i]mprove service delivery, control costs, and diminish duplication of services,” as described on pages 217-219 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 hereby authorized to accept an award from the Bloomberg Harvard City Leadership Initiative for participation in the Data Track program for the purpose of providing technical assistance to enable the City to develop improved data analysis, evidence-based resource allocation, and performance management.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: November 10, 2022

To: Councilmember Mark Jeffreys
From: Emily Smart Woerner, City Solicitor *EESW*
Subject: **Ordinance – Adopting a Complete Streets Policy**

Transmitted herewith is an ordinance captioned as follows:

ADOPTING a Complete Streets policy for the design, construction, operation, repair, and replacement of new and existing roadways within the City as an official policy of the City Council.

EESW/MEH(lb)
Attachment
366728

City of Cincinnati

MEH *EEB*

An Ordinance No. _____ - 2022

ADOPTING a Complete Streets policy for the design, construction, operation, repair, and replacement of new and existing roadways within the City as an official policy of the City Council.

WHEREAS, “Complete Streets” are those roadways that, through their design and operation, accommodate the safe, comfortable, and accessible movement of all users, including pedestrians, bicyclists, transit users, motorists, emergency vehicles, freight and commercial vehicles, and people of all ages and abilities; and

WHEREAS, the Complete Streets approach reimagines sidewalks and roadways as vibrant public spaces—a “third place”—where participating in public life becomes irresistible and inevitable; and

WHEREAS, applying Complete Streets principles to the design, construction, operation, repair, and replacement of new and existing roadways can enhance multimodal access for users of various forms of transportation; and

WHEREAS, enhancing multimodal transportation access is essential to connecting Cincinnati’s neighborhoods on an equitable basis by ensuring those neighborhoods with the greatest need for alternative forms of transportation are served; and

WHEREAS, Complete Streets provide myriad public benefits beyond improved transportation options including, but not limited to, supporting a happier and healthier population by encouraging physical activity; reducing the City’s carbon footprint and increasing air quality; mitigating stormwater runoff and sewer overflows; connecting neighborhoods; fostering economic activity and job growth; and improving the financial condition of the City by reducing the cost of constructing and maintaining transportation facilities; and

WHEREAS, the establishment of a Complete Streets policy complements the City’s “Vision Zero” program, which aims to eliminate all traffic-related deaths and severe injuries, and is in furtherance of the Green Cincinnati Plan (2018), whose goals call for incorporating Complete Streets principles in all new roadway and rehabilitation projects and increasing the percentage of city streets that conform to Complete Streets principles; and

WHEREAS, the Council recognizes that the application of a Complete Streets policy to the design, construction, operation, repair, and replacement of new and existing roadway systems must account for a number of factors, including surrounding land-use patterns, community context, and available resources, and further requires technical expertise and the exercise of discretion and professional judgment by the City Administration and particularly the Department of Transportation and Engineering; and

WHEREAS, the Council finds the adoption of a Complete Streets policy to be in the interest of the public's health, safety, and welfare; now, therefore,

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

Section 1. That the City Council hereby adopts a Complete Streets policy for the design, construction, operation, repair, and replacement of new and existing roadways within the City as an official policy of the Council.

Section 2. That the Council's goals in adopting this policy include:

- a. Providing multimodal accommodations that increase connectivity for street users of all ages and abilities;
- b. Improving safety for all street and roadway users, particularly those groups that face comparatively greater safety risks, such as pedestrians, bicyclists, children, senior citizens, and persons with disabilities; and
- c. Increasing the comfort of street and roadway users, contributing to a sense of place, and creating a more pleasant experience for the street user.

Section 3. That the City Council authorizes the City Manager and the proper City officials to establish formal guidance for incorporating Complete Streets principles into the design, construction, operation, repair, and replacement of new and existing roadways, and to establish and revise related rules, regulations, policies, manuals, and procedures in order to incorporate Complete Streets principles, which guidance and revisions should make provision for appropriate levels of community engagement.

Section 4. That the City Council further authorizes the City Manager and the proper City officials to establish a formal reporting protocol for measuring the City's progress in implementing the Complete Streets policy, which reporting may include metrics such as (i) total miles of new bike facilities; (ii) linear feet of new pedestrian accommodation; (iii) number of curb-ramp installations along city streets; (iv) number of traffic-calming improvements; (v) number of safety

improvements; (vi) number of comfort enhancements; (vii) number of projects in each neighborhood; and (viii) number of crashes, injuries, and fatalities by mode of transportation.

Section 5. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the terms of this ordinance.

Section 6. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: 11/16/2022

To: Mayor and Members of City Council 202202070
From: Sheryl M. M. Long, City Manager
Subject: **SPECIAL EVENT PERMIT APPLICATION: (Good Feathers Pictures Inc.)**

In accordance with Cincinnati Municipal Code, Chapter 765; (David Ray Martin) 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 Police Department, Fire Department, Health Department, Parks Department, Department of Building and Inspections, Department of Community and Economic Development, Department of Finance, Department of Public Services, and Department of Transportation and Engineering. There are no objections to issuing the Special Events Permit.

The particulars of the requested event are as indicated:

EVENT NAME/TITLE: Good Feathers Pictures Inc.
EVENT SPONSOR/PRODUCER: David Ray Martin
CONTACT PERSON: Jessica Chavarria
LOCATION: Various locations throughout Cincinnati
DATE(S) AND TIME(S): 11/30/2022 through 02/17/2023
EVENT DESCRIPTION: Film Production
ANTICIPATED ATTENDANCE: 125
ALCOHOL SALES: YES. NO.
TEMPORARY LIQUOR PERMIT HOLDER IS: (N/A)



cc: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief

Date: November 16, 2022

To: Mayor and Members of City Council

202202079

From: Sheryl M. M. Long, City Manager

Subject: Liquor License – Transfer of Ownership

FINAL RECOMMENDATION REPORT

OBJECTIONS: Department of Buildings & Inspections

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: 3654879
PERMIT TYPE: TRFO
CLASS: C1 C2 D6
NAME: HASAMEN LLC
DBA: BOND HILL MARKET
4879 READING RD
CINCINNATI, OH 45237

On September 27, 2022, Bond Hill Community Council was notified of this application and do not object.



Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: November 22, 2022

Date: October 17, 2022
To: Lieutenant Colonel Teresa A. Theetge, Intern Police Chief
From: Officer Trent Crutcher, District Four Neighborhood Liaison Unit
Copies to:
Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: PBM #22-468
DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Four
PERMIT #: 8829349
TYPE OF PERMIT APPLIED FOR: Transfer of Ownership
PERMIT NAME & ADDRESS:

Name:	Hasamen LLC
Address:	4879 Reading Rd Cincinnati OH 45237

APPLICANTS NAME(S): TeamTek LLC

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Officer Crutcher
Date:	10/17/2022
Findings:	Inspection Completed

COMMUNITY COUNCIL NOTIFIED:

Name 1: Jacque Edmerson	Date: 10/17/2022	Notified by: email
Phone:	E-mail: president@bond-hill.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

DISPOSITION OF THE DISTRICT:

NO OBJECTIONS OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION:

DISTRICT FOUR COMPLETED ITS INSPECTION FOR THE TRANSFER OF LIQUOR LICENSE. OFFICER CRUTCHER REACHED OUT TO BOND HILL COMMUNITY COUNCIL AND RECEIVED NO RESPONSE AT THE TIME OF THIS MEMO.

i

*NO OBJECTIONS
EGM/5723*

*10/18/22
NO OBJECTION ✓
Capt M... / C110
D-4*

*No Objection
- m... / ECCH
10/19/22*

City of Cincinnati



October 17, 2022

To: Teresa Theetge, Interim Police Chief
From: Eugene Lackey, Division Manager, Permits & Inspections
Submit: 4879 Reading Rd - Liquor License Application

Investigations discloses that the Liquor License be **DISAPPROVED**
Unacceptable Hardware - Rear door deadbolts not removed
Unacceptable Exit Lighting - Lighting not working

The above location meets building and zoning requirements, and the application is approved from those standpoints.

Application No: 3654879

Permit Type: TRFO C1 C2 D6

Name: HASAMEN LLC
DBA BOND HILL MARKET
4879 READING RD
CINCINNATI, OH 45237

A handwritten signature in blue ink that reads "Eugene Lackey".

Eugene Lackey
Division Manager
Department of Buildings & Inspections

EL/tjl



October 17, 2022

HASAMEN LLC
DBA BOND HILL MARKET
4879 READING RD
CINCINNATI, OH 45237

Dear Applicant:

This Department was recently required to recommend approval or disapproval of your **LIQUOR LICENSE** application at 4879 Reading Rd

Investigation discloses that the application is **DISAPPROVED**
Unacceptable Hardware - Rear door deadbolts not removed
Unacceptable Exit Lighting - Lighting not working

A copy of this correspondence is being sent this date to the Police Department apprising them of these requirements.

If you need additional information regarding this matter, please contact **Bill Hern** Building Inspector, at **513-615-7440** , Monday thru Friday.

Sincerely

A handwritten signature in blue ink that reads "Eugene Lackey". The signature is written in a cursive style and is positioned above a horizontal line.

Eugene Lackey
Division Manager
Department of Buildings and Inspections

EL/tjl

Address: 4878 READING RD
 No: 2205
 Date: 9/27/22
 Due Date: 10/11/22
 Inspector: Bill Horn
 License Type: LIQUOR

ZONING				
Zoning		CC-M		
Permitted	Limited	Limitations	Legal Non-Conforming	Additional Notes
Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input type="checkbox"/>		Yes <input type="checkbox"/> No <input type="checkbox"/>	retail
INSPECTIONS				
PMCE Orders	Order #	Type of Construction	Accessed Property?	Called owner for entry?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		# B	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Area Dimensions Length: 40		Width: 40	Area: 1600	sq. ft.
Last Approved or Permitted Use		Other Uses in the Building:		Prior Use of Area:
CONVENIENCE STORE		SAME		SAME
Story of Proposed Use:				
1				
Building Conditions				
Type of Construction	Number of Exits		Acceptable	Not Acceptable
# B	2		<input checked="" type="checkbox"/>	<input type="checkbox"/>
Electric	Hardware	Sanitary Facilities	HVAC	Exit Signs Emergency Lighting
Acceptable <input checked="" type="checkbox"/> Not Acceptable <input type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input checked="" type="checkbox"/> Not Acceptable <input type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input checked="" type="checkbox"/> Not Acceptable <input type="checkbox"/> N/A <input type="checkbox"/>	Acceptable <input type="checkbox"/> Not Acceptable <input checked="" type="checkbox"/> N/A <input type="checkbox"/>
Sprinklers	Fire Alarms		Plans Required	Orders being Written?
Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Parking	Cabaret			
# of parking spaces	Area devoted to (exclude service, mechanical and bath areas)			
N/A				
Theater	Dancing (a)	Entertainment (b)	Patron Seating (c)	
# of seats	N/A	N/A	N/A	
Describe all unacceptable conditions identified:				
EXIT DOOR GOING OUT REAR DEAD BOLT NOT REMOVED. EXIT LIGHTS NOT WORKING. GAVE THEM 7 DAYS TO FIX. STILL NOT DONE				

APPROVED
 DISAPPROVED

wes munzel
 Zoning Reviewed by Bill Horn
 Inspected by Gy. White
 Inspecting Supervisor

Date 10/10/22
 Date 10/16/22
 Date

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

September 23, 2022

OHIO DIVISION OF LIQUOR CONTROL
LICENSING SECTION
NEW PERMIT SECTION
6606 TUSSING ROAD
P O BOX 4005
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 3654879
Permit Type: TRFO C1 C2 D6
Name: HASAMEN LLC
DBA BOND HILL MARKET
4879 READING RD
CINCINNATI OH 45237

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC
Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
8608 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)844-2380 FAX(614)844-3188

TO

3654879		TRFO	HASAMEN LLC
PERMIT NUMBER		TYPE	DBA BOND HILL MARKET
06 01 2020	ISSUE DATE		
09 19 2022	FILING DATE		
C1 C2 D6	PERMIT CLASSES		
31 066	A	F28449	
TAX DISTRICT		RECEIPT NO.	

FROM **09/21/2022**

8829349			TEAMTEK LLC
PERMIT NUMBER		TYPE	DBA BOND HILL FAMILY MARKET
06 01 2020	ISSUE DATE		
09 19 2022	FILING DATE		
C1 C2 D6	PERMIT CLASSES		
31 066			
TAX DISTRICT		RECEIPT NO.	



MAILED **09/21/2022**

RESPONSES MUST BE POSTMARKED NO LATER THAN. **10/24/2022**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING. **A TRFO 3654879**
REFER TO THIS NUMBER IN ALL INQUIRIES

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CINCINNATI CLERK OF COUNCIL
CITY HALL
801 PLUM ST ROOM 308
CINCINNATI OHIO 45202

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

For City Bulletin

Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 3654879
Permit Type: TRFO C1 C2 D6
Name: HASAMEN LLC
DBA BOND HILL MARKET
4879 READING RD
CINCINNATI OH 45237

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

09/23/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

10/24/2022

Date: November 16, 2022

To: Mayor and Members of City Council

202202082

From: Sheryl M. M. Long, City Manager

Subject: **Liquor License – Transfer of Location**

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: 6563029
PERMIT TYPE: TFOL
CLASS: D5 D6
NAME: OPULENT THEATER & EVENTS LLC
DBA: NONE LISTED
3029 MADISON RD
CINCINNATI, OH 45209

As of today's date, the Department of Buildings & Inspections provided no comment with their investigation.

On September 29, 2022, Oakley Community Council was notified of this application and do not object.


Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: November 22, 2022

Date: October 20, 2022

To: Lieutenant Colonel Teresa Theetge, Interim Police Chief

From: Police Officer Christine Barry, P64, District Two NLU

Copies to:

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

PATROL BUREAU MEMO #: 22-315

DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Two

PERMIT #: 1673008

TYPE OF PERMIT APPLIED FOR: Transfer of Location

PERMIT NAME & ADDRESS:

Name:	Opulent Theater & Events LLC
Address:	3029 Madison Rd

APPLICANTS NAME(S): Bronson Trebbi

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Christine Barry
Date:	10/20/22
Findings:	3029 Madison Rd found to be in compliance with all applicable procedures.

COMMUNITY COUNCIL NOTIFIED:

Name 1: Colleen Reynolds	Date: 10/20/2022	Notified by: email
Phone: 513-533-2039	E-mail: oakleycouncil@oakleynow.com	
Name 2: Joe Groh	Date: 10/20/2022	Notified by: email
Phone: 513-417-2248	E-mail: oakleycouncil@oakleynow.com	

DISPOSITION OF THE COMMUNITY COUNCIL:

NO OBJECTIONS
 OBJECTION: Attached Letter with Community Council Letterhead

DISPOSITION OF THE DISTRICT:

NO OBJECTIONS OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION:

[Empty rectangular box for providing reasons for objection]

CS

WADP: *[Signature]* 0410
10 25 12

No Objection
-mg/LTC4
11/8/22

City of Cincinnati

Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

September 27, 2022

**OHIO DIVISION OF LIQUOR CONTROL
LICENSING SECTION
NEW PERMIT SECTION
6606 TUSSING ROAD
P O BOX 4005
REYNOLDSBURG, OH 43068-9005**

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 6563029
Permit Type: TFOL D5 D6
Name: OPULENT THEATER & EVENTS LLC
3029 MADISON RD
CINCINNATI OH 45209

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC
Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
6608 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-8005
(614)644-2380 FAX(614)844-3168

TO

6563029		TFOL	OPULENT THEATER & EVENTS LLC
06	01	2018	3029 MADISON RD
<small>PERMIT NUMBER</small>			<small>CINCINNATI OH 45209</small>
<small>ISSUE DATE</small>			
09	21	2022	
<small>FILING DATE</small>			
D5	D6		
<small>PERMIT CLASSES</small>			
31	066	A	F28462
<small>TAX DISTRICT</small>		<small>RECEIPT NO.</small>	

FROM **09/23/2022** **SAFEKEEPING**

3479513			HABITS CAFE INC
06	01	2018	3036 MADISON RD 1ST FL & BSMT & PATIO
<small>PERMIT NUMBER</small>			<small>CINCINNATI OHIO 45209</small>
<small>ISSUE DATE</small>			
09	21	2022	
<small>FILING DATE</small>			
D5	D6		
<small>PERMIT CLASSES</small>			
31	066		
<small>TAX DISTRICT</small>		<small>RECEIPT NO.</small>	



MAILED **09/23/2022**

RESPONSES MUST BE POSTMARKED NO LATER THAN **10/24/2022**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A TFOL 6563029**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

27SEP22 PM 1:49

CINCINNATI CLERK OF COUNCIL
CITY HALL
801 PLUM ST ROOM 308
CINCINNATI OHIO 45202

CLERK OF COUNCIL

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

For City Bulletin

Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 6563029
Permit Type: TFOL D5 D6
Name: OPULENT THEATER & EVENTS LLC
3029 MADISON RD
CINCINNATI OH 45209

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

09/27/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

10/24/2022

Date: November 16, 2022

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202202083

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: 4133672
PERMIT TYPE: NEW
CLASS: D5
NAME: INDUS LLC
DBA: NONE LISTED
3672-74 ERIE AVE
CINCINNATI, OH 45208

As of today's date, the Department of Buildings & Inspections provided no comment with their investigation.

On September 28, 2022, Hyde Park Neighborhood Council was notified of this application and do not object.

 (ABC)

Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: November 22, 2022

Date: October 20, 2022
To: Lieutenant Colonel Teresa Theetge, Interim Police Chief
From: Police Officer Christine Barry, P64, District Two NLU
Copies to:
Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 22-315
DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: District Two
PERMIT #: 4133672
TYPE OF PERMIT APPLIED FOR: New

PERMIT NAME & ADDRESS:

Name:	Indus LLC
Address:	3672-74 Erie Av

APPLICANTS NAME(S): Morgan Patekar

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Christine Barry
Date:	10/20/22
Findings:	Premise still has some renovation to be done and will be inspected at a later date.

COMMUNITY COUNCIL NOTIFIED:

Name 1: Scott Hassel	Date: 10/20/2022	Notified by: phone
Phone: 513-739-9971	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

DISPOSITION OF THE DISTRICT:

NO OBJECTIONS OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION: _____

[Empty rectangular box for providing a reason for objection]

CB
CB

No objection - mg/LTC4
11/8/22

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

September 27, 2022

OHIO DIVISION OF LIQUOR CONTROL
LICENSING SECTION
NEW PERMIT SECTION
6606 TUSSING ROAD
P O BOX 4005
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 4133672
Permit Type: NEW D5
Name: INDUS LLC
3672-74 ERIE AVE
CINCINNATI OH 45208

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC
Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

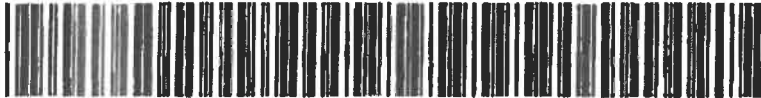
OHIO DIVISION OF LIQUOR CONTROL
 6608 TUSSING ROAD, P.O. BOX 4005
 REYNOLDSBURG, OHIO 43068-9005
 (614)644-2380 FAX(614)644-3188

TO

4133672		NEW		INDUS LLC	
PERMIT NUMBER		TYPE		3672-74 ERIE AVE	
08 29 2022				CINCINNATI OH 45208	
ISSUE DATE					
08 29 2022					
FILING DATE					
D5					
PERMIT CLASSES					
31	066	A		D53515	
TAX DISTRICT				RECEIPT NO.	

FROM 09/23/2022

PERMIT NUMBER		TYPE			
ISSUE DATE					
FILING DATE					
PERMIT CLASSES					
TAX DISTRICT				RECEIPT NO.	



MAILED 09/23/2022

RESPONSES MUST BE POSTMARKED NO LATER THAN. 10/24/2022

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
 WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
 REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 4133672**

(TRANSACTION # NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
 THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

775EP722#0:22

CINCINNATI CLERK OF COUNCIL
CITY HALL
801 PLUM ST ROOM 308
CINCINNATI OHIO 45202

CLERK OF COUNCIL

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

For City Bulletin

Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 4133672
Permit Type: NEW D5
Name: INDUS LLC
3672-74 ERIE AVE
CINCINNATI OH 45208

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

09/27/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

10/24/2022

Date: November 16, 2022

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

202202084

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: 2069627
PERMIT TYPE: NEW
CLASS: D5J
NAME: DEME KITCHEN LLC
DBA: DEME KITCHEN
627 MAIN ST
CINCINNATI, OH 45202

As of today's date, the Department of Buildings & Inspections provided no comment with their investigation.

On September 27, 2022, Downtown Residents Council was notified of this application and do not object.



Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: November 18, 2022

Date: October 24, 2022
To: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief
From: Captain Douglas M. Wiesman, Central Business Section Commander
Copies to:
Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 22-465
DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: Central Business Section
PERMIT #: 2069627
TYPE OF PERMIT APPLIED FOR: New
PERMIT NAME & ADDRESS:

Name:	Deme Kitchen LLC
Address:	627 Main St

APPLICANTS NAME(S): Wing Yan Choi

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Sergeant Mark Kelley
Date:	10/24/
Findings:	No Objection

COMMUNITY COUNCIL NOTIFIED:

Name 1: Allen Bunker	Date: 10/20/2022	Notified by: phone
Phone:	E-mail: X	
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

DISPOSITION OF THE DISTRICT:

NO OBJECTIONS OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION:

New Permit Application. Several attempts to contact were unsuccessful. Aside from lack of inspection CBS has no objection.

DMW
DMW/C164
10-25-22

No Objection - mg/LTC4
10/26/22

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

September 22, 2022

OHIO DIVISION OF LIQUOR CONTROL
LICENSING SECTION
NEW PERMIT SECTION
6606 TUSSING ROAD
P O BOX 4005
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:


Application No.: 2069627
Permit Type: NEW D5J
Name: DEME KITCHEN LLC
DBA DEME KITCHEN
627 MAIN ST
CINCINNATI OH 45202

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,


Melissa Autry, CMC
Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
8806 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-8005
(614)844-2380 FAX(614)844-3188

TO

2069627		NEW	DEME KITCHEN LLC
PERMIT NUMBER		TYPE	DBA DEME KITCHEN
ISSUE DATE		627 MAIN ST	
07 12 2021		CINCINNATI OH 45202	
FILING DATE			
D5J			
PERMIT CLASSES			
31	066	A	D05221
TAX DISTRICT			RECEIPT NO.

FROM **09/20/2022**

PERMIT NUMBER		TYPE
ISSUE DATE		
FILING DATE		
PERMIT CLASSES		
TAX DISTRICT		RECEIPT NO.



MAILED **09/20/2022**

RESPONSES MUST BE POSTMARKED NO LATER THAN **10/21/2022**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.
REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 2069627**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

CLERK OF COUNCIL
22SEP22PM8:18A

CINCINNATI CLERK OF COUNCIL
CITY HALL
801 PLUM ST ROOM 308
CINCINNATI OHIO 45202

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

For City Bulletin

Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 2069627
Permit Type: NEW D5J
Name: DEME KITCHEN LLC
DBA DEME KITCHEN
627 MAIN ST
CINCINNATI OH 45202

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

09/22/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

10/21/2022

Date: November 16, 2022

To: Mayor and Members of City Council

202202085

From: Sheryl M. M. Long, City Manager

Subject: Liquor License – New

FINAL RECOMMENDATION REPORT

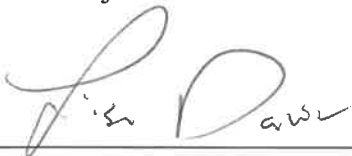
OBJECTIONS: None

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: 14945000005
PERMIT TYPE: NEW
CLASS: D5J
NAME: SUPERIOR SANDMAN HOLDINGS INC
DBA: VOODOO BREWERY
120 E 8TH ST
CINCINNATI, OH 45202

As of today's date, the Department of Buildings & Inspections provided no comment with their investigation.

On September 27, 2022, Downtown Residents Council was notified of this application and do not object.



Police Department Approval

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

MUST BE RECEIVED BY OHIO DIVISION OF LIQUOR CONTROL BY: November 18, 2022

Date: October 19, 2022
To: Lieutenant Colonel Teresa A. Theetge, Interim Police Chief
From: Captain Douglas M. Wiesman, Central Business Section Commander
Copies to:
Subject: **RENEWAL, TRANSFER OR ISSUANCE OF LIQUOR LICENSES**

PATROL BUREAU MEMO #: 22-465
DISTRICT INVESTIGATING LIQUOR PERMIT PREMISE: Central Business Section
PERMIT #: 1494500
TYPE OF PERMIT APPLIED FOR: New
PERMIT NAME & ADDRESS:

Name:	Voodoo Brewery
Address:	120 E 8 th Street

APPLICANTS NAME(S): Christopher Sands

INSPECTION / INVESTIGATION INFORMATION:

Officer:	Sergeant Mark Kelley
Date:	10/19/22
Findings:	No Objection

COMMUNITY COUNCIL NOTIFIED:

Name 1: Allen Bunker	Date: 9/19/2022	Notified by: email
Phone:	E-mail: X	
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

DISPOSITION OF THE DISTRICT:

NO OBJECTIONS OBJECTION: If objection checked, a narrative is required below

REASON FOR OBJECTION:

No Objection.

DMW

*DMW
C164
10-25-22*

*No Objection
- mg/rtc4
10/26/22.*

City of Cincinnati

Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

September 23, 2022

OHIO DIVISION OF LIQUOR CONTROL
LICENSING SECTION
NEW PERMIT SECTION
6606 TUSSING ROAD
P O BOX 4005
REYNOLDSBURG, OH 43068-9005

Dear Ohio Division of Liquor Control:

The Council of the City of Cincinnati, State of Ohio, is requesting a 30 day extension on the below cited liquor permit application:

Application No.: 14945000005
Permit Type: NEW D5J
Name: SUPERIOR SANDMAN
HOLDINGS INC
DBA VODOO BREWERY
120 E 8TH ST
CINCINNATI OH 45202

Pursuant to R.C. 4303.26(A), City of Cincinnati City Council, through its Clerk of Council (collectively, hereinafter "the City"), respectfully requests an additional 30 days in which to respond to the Ohio Division of Liquor Control regarding whether the City will request a hearing on the subject liquor permit application. The City makes such time extension request for good cause and not for unnecessary delay. Specifically, the City requires additional time for each of its various departments and the applicable community council to review and investigate the liquor application by performing all necessary inspections and research including, but not limited to, permit applicant interviews, site premises inspections, background investigations, and historical investigations regarding the history of the permit premises and the subject location. Moreover, such extension of time would provide the applicable community council an opportunity to meet, vote, and respond back to the City by the deadline. Therefore, the City requires such time extension in order to perform its due diligence in this matter. The City respectfully requests this time extension in good faith, for good cause, and not for unnecessary delay.

Please fax the confirmation back to us as soon as possible at (513)352-2578.

Thank you for your prompt attention.

Sincerely,

Melissa Autry, CMC
Clerk of Council

**NOTICE TO LEGISLATIVE
AUTHORITY**

OHIO DIVISION OF LIQUOR CONTROL
8808 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-8005
(614)844-2380 FAX(614)844-3168

TO

1494500005		NEW	SUPERIOR SANDMAN HOLDINGS INC	
PERMIT NUMBER		TYPE	DBA VODOO BREWERY	
08 29 2022		120 E 8TH ST		
ISSUE DATE		CINCINNATI OH 45202		
D5J				
FILING DATE				
PERMIT CLASSES				
31	066	A	D53839	
TAX DISTRICT			RECEIPT NO.	

FROM **09/20/2022**

PERMIT NUMBER		TYPE		
ISSUE DATE				
FILING DATE				
PERMIT CLASSES				
TAX DISTRICT			RECEIPT NO.	



MAILED **09/20/2022**

RESPONSES MUST BE POSTMARKED NO LATER THAN, **10/21/2022**

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES **A NEW 1494500-0005**

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD IN OUR COUNTY SEAT. IN COLUMBUS.

WE DO NOT REQUEST A HEARING.

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title) - Clerk of County Commissioner

(Date)

Clerk of City Council

Township Fiscal Officer

08:54:22Z

CINCINNATI CLERK OF COUNCIL
CITY HALL
801 PLUM ST ROOM 308
CINCINNATI OHIO 45202

CLERK OF COUNCIL

City of Cincinnati Council



Melissa Autry, CMC
Clerk of Council

Office of the Clerk

801 Plum Street, Suite 308
Cincinnati, Ohio 45202
Phone (513) 352-3246
Fax (513) 352-2578

For City Bulletin

Liquor Permit Application

From the Department of Liquor Control advising of permit application for the following:

Application No.: 14945000005
Permit Type: NEW D5J
Name: SUPERIOR SANDMAN
HOLDINGS INC
DBA VODOO BREWERY
120 E 8TH ST
CINCINNATI OH 45202

Pursuant to Section 4303.261 of the Ohio Revised Code, Council must notify the Department of Liquor Control within thirty days if there is an objection to the above permit.

Notice of Application was received by the Clerk of Council's Office

09/23/2022

MELISSA AUTRY, CMC Clerk of Council

The last day for the State to receive an objection is

10/21/2022

November 16, 2022

To: Mayor and Members of City Council 202202089

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Police: Acceptance of In-Kind Donation from the University of Cincinnati**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to accept an in-kind donation of a \$1,000 American Express no-fee gift card from the University of Cincinnati to be used for volunteer groups and events of the Cincinnati Police Department.

Approval of this Emergency Ordinance would authorize the City Manger to accept an in-kind donation of a \$1,000 American Express no-fee gift card from the University of Cincinnati to be used for volunteer groups and events of the Cincinnati Police Department.

The manager of the Cincinnati Police Department’s (CPD) Collaborative Policing Division, Jason Cooper, participated in a “Transformative Justice” collaborative at the University of Cincinnati from March to May 2022. In appreciation of Mr. Cooper’s participation in the collaborative, the University of Cincinnati has generously donated a \$1,000 American Express no-fee gift card to CPD.

If accepted, the gift card would be used to support expenses of the God Squad, Citizens on Patrol, Crossing Guards, and other volunteer groups and events sponsored by CPD’s Community Relations Unit (CRU).

This donation does not require additional FTEs or matching funds.

Acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” as described on pages 209-212 of Plan Cincinnati (2012).

The reason for the emergency is to ensure the timely acceptance of the donation.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director



Attachment

EMERGENCY

CFG

-2022

AUTHORIZING the City Manager to accept an in-kind donation of a \$1,000 American Express no-fee gift card from the University of Cincinnati to be used for volunteer groups and events of the Cincinnati Police Department.

WHEREAS, the manager of the Cincinnati Police Department’s (“CPD”) Collaborative Policing Division, Jason Cooper, participated in a “Transformative Justice” collaborative at the University of Cincinnati from March to May of 2022; and

WHEREAS, in appreciation of Mr. Cooper’s participation in the collaborative, the University of Cincinnati has generously donated a \$1,000 American Express no-fee gift card to CPD; and

WHEREAS, if accepted, the gift card would be used to support expenses of the God Squad, Citizens on Patrol, Crossing Guards, and other volunteer programs and events sponsored by CPD’s Community Relations Unit; and

WHEREAS, there are no new FTEs or local matching funds required; and

WHEREAS, acceptance of this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community,” described on pages 209-212 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 hereby authorized to accept an in-kind donation of a \$1,000 American Express no-fee gift card from the University of Cincinnati to be used for volunteer groups and events of the Cincinnati Police Department.

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

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 to ensure the timely acceptance of the donation.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

November 16, 2022

To: Mayor and Members of City Council 202202090
From: Sheryl M. M. Long, City Manager
Subject: Ordinance – OPDA: State and Workforce Fellowship Award

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept a State and Workforce Fellowship award from Results for America for technical assistance that provides coaching to City staff to help the City advance innovation in the City’s workforce organizations and to strengthen the City’s network by collaborating with other leaders in the public workforce system; provides access to training materials, webinars, and reports; and pays for a twice per year in-person meeting for two-day educational events.

This Ordinance authorizes the City Manager to accept a State and Workforce Fellowship award from Results for America (RFA) for technical assistance in the form of City staff receiving coaching to help advance innovation in the City’s workforce organizations and strengthening the City’s network by collaborating with other leaders in the public workforce system, gaining access to training materials, webinars, and reports, and providing twice per year two-day educational events with expenses to be covered by Results for America.

RFA provides opportunities for state and local workforce leaders, state education leaders, city/county government leaders, and nonprofit chief executives to support evidence-driven transformation of the public and social services sector through fellowship programs. The Office of Performance and Data Analytics (OPDA) has been awarded the opportunity to participate in the State and Workforce Fellowship program; however, the award will not be accepted without the approval of the City Council.

The award does not require a local match or new FTEs.

Innovating the City’s workforce organizations by strengthening the City’s network through collaboration with data- and evidence-driven state and local government leaders in order to make tangible progress in improving employment outcomes is in accordance with the “Collaborate” goal to “[c]ooperate internally and externally to improve service efficiency,” and strategy to “[i]mprove service delivery, control costs, and diminish duplication of services,” as described on pages 217 – 219 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director



Attachment

AUTHORIZING the City Manager to accept a State and Workforce Fellowship award from Results for America for technical assistance that provides coaching to City staff to help the City advance innovation in the City’s workforce organizations and to strengthen the City’s network by collaborating with other leaders in the public workforce system; provides access to training materials, webinars, and reports; and pays for a twice per year in-person meeting for two-day educational events.

WHEREAS, Results for America provides opportunities for state and local workforce leaders, state education leaders, city/county government leaders, and nonprofit chief executives to support evidence-driven transformation of the public and social services sector through fellowship programs; and

WHEREAS, the Office of Performance and Data Analytics has been awarded the opportunity to participate in the State and Workforce Fellowship program, however, the award will not be accepted without the approval of Council; and

WHEREAS, the award requires no local match and there are no new FTEs associated with this award; and

WHEREAS, innovating the City’s workforce organizations by strengthening the City’s network through collaboration with data- and evidence-driven state and local government leaders in order to make tangible progress in improving employment outcomes is in accordance with the “Collaborate” goal to “[c]ooperate internally and externally to improve service efficiency” and strategy to “[i]mprove service delivery, control costs, and diminish duplication of services,” as described on pages 217-219 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 hereby authorized to accept a State and Workforce Fellowship award from Results for America for the purpose of providing technical assistance that provides coaching to City staff to help the City advance innovation in the City’s workforce organizations and to strengthen the City’s network by collaborating with other leaders in the public workforce system; provides access to training materials, webinars, and reports; and pays for a twice per year in-person meeting for two-day educational events.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Date: November 16, 2022

To: Mayor and Members of City Council 202202091
From: Sheryl M. M. Long, City Manager
Subject: ORDINANCE – GREEN STREET & PLEASANT STREET RPPA

Attached is an ordinance captioned as follows:

DESIGNATING certain portions of Green Street from Logan Street to Race Street and certain portions of Pleasant Street from Liberty Street to West Elder Street in the Over-the-Rhine neighborhood as a Residential Parking Permit Area, in which area parking will be limited to holders of residential parking permits issued by the City of Cincinnati pursuant to Cincinnati Municipal Code Chapter 514.

The Over-the-Rhine (OTR) Residential Parking Permit Area (RPPA) was established in 2020 to improve the availability of on-street parking spaces for residents. The OTR Community Council and residents have requested another RPPA to provide more on-street parking for residents.

Once the RPPA signs are installed and permits issued, parking will be restricted to those with valid permits during the hours posted on the signs. There will be two types of permits available: Resident and Temporary. The Resident permits will cost \$30 per year and the Temporary permits will cost \$5 and will be valid for two weeks.

The Administration recommends passage of the attached ordinance.

cc: John S. Brazina, Director, Transportation and Engineering

City of Cincinnati

JRS

EESW

An Ordinance No. _____ - 2022

DESIGNATING certain portions of Green Street from Logan Street to Race Street and certain portions of Pleasant Street from Liberty Street to West Elder Street in the Over-the-Rhine neighborhood as a Residential Parking Permit Area, in which area parking will be limited to holders of residential parking permits issued by the City of Cincinnati pursuant to Cincinnati Municipal Code Chapter 514.

WHEREAS, City Council established certain portions of Green Street and Republic Street in the Over-the-Rhine neighborhood as a Residential Parking Permit Area (“RPPA”) on December 16, 2020 through the adoption of Ordinance No. 381-2020; and

WHEREAS, a petition has been submitted to the City by over 60 percent of the residents of the households on certain portions of Green Street from Logan Street to Race Street and certain portions of Pleasant Street from Liberty Street to West Elder Street in the Over-the-Rhine neighborhood requesting that the City expand the RPPA and designate the areas of each street depicted on Exhibit A to this ordinance as an RPPA per Cincinnati Municipal Code (“CMC”) Section 514-3; and

WHEREAS, the Department of Transportation and Engineering has completed two traffic parking studies of the existing RPPA, which studies found one hundred percent of parking spaces were occupied, and the department has additionally completed a traffic engineering study of the proposed RPPA expansion and recommended the final boundaries of the area in Exhibit A; and

WHEREAS, the City Manager has determined the RPPA proposed for certain portions of Green Street from Logan Street to Race Street and certain portions of Pleasant Street from Liberty Street to West Elder Street in the Over-the-Rhine neighborhood meets the City’s criteria for establishing an RPPA, including the RPPA criteria set forth in CMC Chapter 514; and

WHEREAS, the residents of the proposed RPPA expansion and the City Administration agree that all of the normal parameters established in CMC Section 514-7 for residential parking permits are appropriate for this RPPA, including limits of one permit per person and two permits per dwelling unit, and fees of \$30 for a one-year permit or \$15 for a six-month permit; and

WHEREAS, City Council finds the RPPA expansion will address residential parking issues on certain portions of Green Street from Logan Street to Race Street and certain portions of Pleasant Street from Liberty Street to West Elder Street in the Over-the-Rhine neighborhood and thereby will promote the public safety, welfare, and convenience; now, therefore,

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

Section 1. That Council hereby designates the certain portions of Green Street from Logan Street to Race Street and the certain portions of Pleasant Street from Liberty Street to West Elder Street in the Over-the-Rhine neighborhood, which area is depicted in Exhibit A attached to this ordinance and incorporated by reference, as a Residential Parking Permit Area (“RPPA”) pursuant to Cincinnati Municipal Code (“CMC”) Chapter 514.

Section 2. That the RPPA authorized herein shall be in effect and enforceable 24 hours a day, 7 days per week.

Section 3. That the City Manager is hereby authorized to take all necessary and proper actions under Cincinnati Municipal Code Chapter 514 and any other provisions of the Cincinnati Municipal Code to implement the creation and operation of the RPPA authorized in Section 1 hereof.



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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

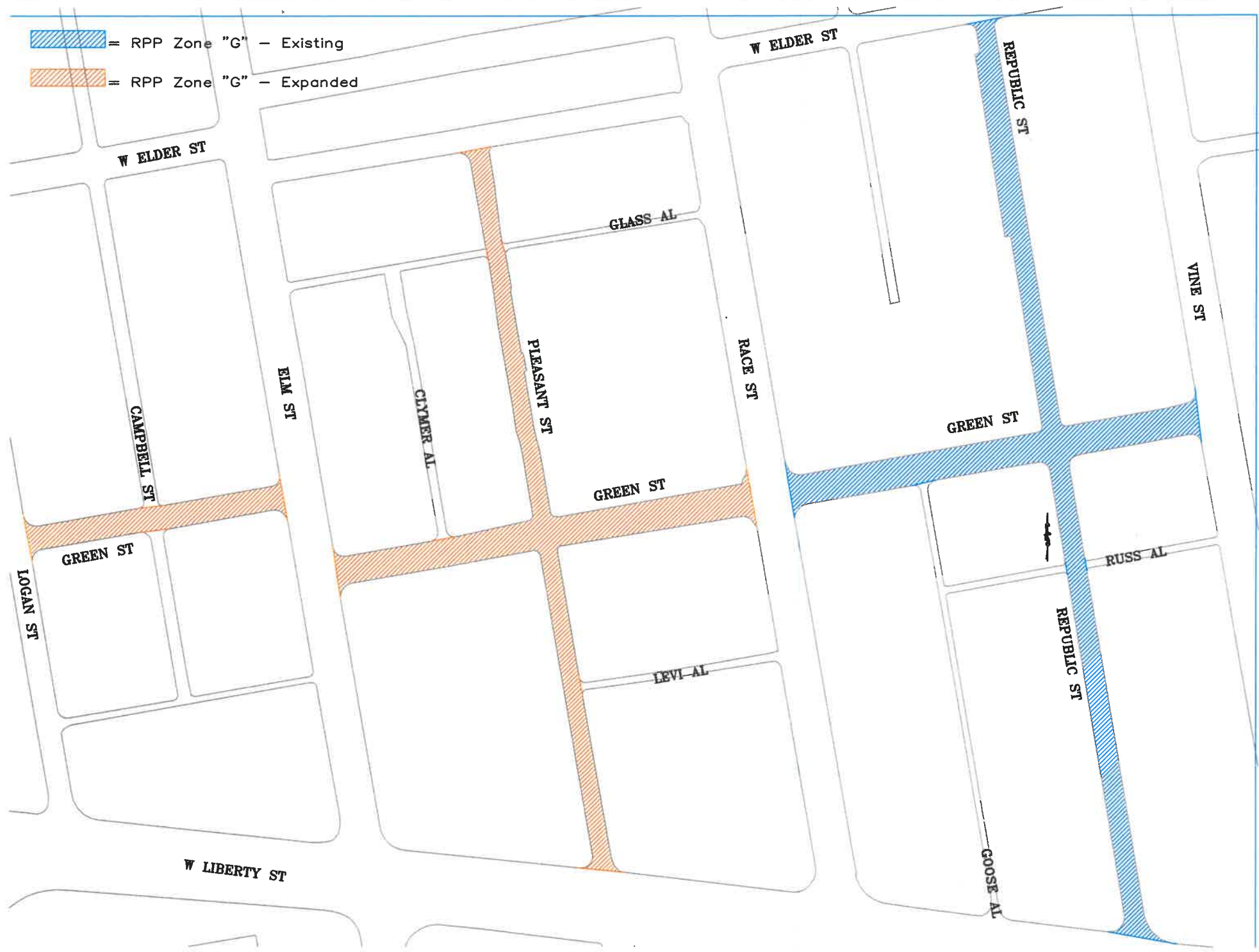
EXHIBIT A

-  = RPP Zone "G" - Existing
-  = RPP Zone "G" - Expanded



 = RPP Zone "G" - Existing

 = RPP Zone "G" - Expanded



November 2, 2022

202202008

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

Subject: **Cincinnati Retirement System CY2021 Annual Report**

Attached is the Cincinnati Retirement System's CY2021 Annual Report provided by the Cincinnati Retirement System Board of Trustees.

cc: William "Billy" Weber, Assistant City Manager
Michael Barnhill, Executive Director, Cincinnati Retirement System

To: Mayor and Members of City Council
From: Cincinnati Retirement System Board of Trustees
Copy: Sheryl Long, City Manager
Date: September 30, 2022
Subject: Cincinnati Retirement System CY2021 Annual Report

This report is from the Cincinnati Retirement System (CRS) Board of Trustees (Board) and provides the City Council with the state of the CRS Pension Trust and Healthcare Trust. This summary report, together with the CRS Financial Report, is intended to provide a comprehensive summary of the status of the Cincinnati Retirement System, in compliance with the CRS Board's reporting requirements as set out in the City's Administrative Code and Board Rules. The report is as of December 31, 2021. For additional information, please see the City's Annual Comprehensive Financial Report, Actuarial Valuations, and Investment Results on the CRS website.

The CRS is governed by the Collaborative Settlement Agreement (CSA). Under the CSA, the CRS Pension Trust is to be 100% funded by 2045. Under the CSA, the Healthcare Trust is to be 100% funded through 2045.

Given the current and projected funding positions of the Pension Trust, we recommend that the City Council continue to take action to increase the funding of the Pension Trust. In addition, we recommend that the City Manager continue to work with class counsel to finalize a funding policy for the Healthcare Trust. The City's municipal code requires that the City obtain input and recommendations from the CRS Board.

Background

The purposes of the CRS Pension Trust and Healthcare Trust are to provide promised retirement benefits and healthcare benefits to eligible retired city employees. CRS is a defined benefit plan that was established in 1931. The Collaborative Settlement Agreement (CSA) was approved in 2015 to settle litigation and provide a comprehensive strategy to stabilize CRS while securing sustainable and competitive retirement benefits for both current and future retirees.

As of December 31, 2021, there were 2,580 full-time active members, 4,390 pensioners receiving pension payments (which includes 184 members in the DROP plan who are still working), and 4,909 pensioners and spouses receiving healthcare benefits.

The CRS Board serves as an independent fiduciary on behalf of active and retired members of the retirement system. The Board retains Marquette Associates, an independent investment consulting firm, and Cheiron, a pension and healthcare actuarial consulting firm, both of which specialize in public sector retirement plans. Marquette and the Board have developed and follow a disciplined investment policy that can be found on the CRS website. Cheiron calculates the actuarial value of assets and liabilities and projects the funded status of the Trusts in future years based on professional actuarial standards and practices.

The assumed investment rate of return and discount rate for calculating liabilities is 7.5% per year as prescribed in the CSA. The annualized capital market rates of return for the past 5 and 10 years as of December 31, 2021, were 10.31% and 9.54%, respectively. CRS investment performance is at or above the median of peer public defined benefit retirement plans.

The table below highlights the actuarial value of assets, liabilities, and funded ratios.

	<u>Assets</u>	<u>Liabilities</u>	<u>Funded Ratio</u>
Pension			
Actuarial Value	\$1,831,955	\$2,560,259	71.6%
Market Value	\$2,001,579	\$2,560,259	78.2%
Health			
Actuarial Value	\$525,774	\$362,352	145.1%
Market Value	\$573,939	\$362,352	158.4%

Pension Trust

A goal of the CSA is to establish a projected 100% funding ratio in 30 years (i.e., by 12/31/2045). The assumptions used in finalizing the CSA projected that the Pension Trust would be fully funded in 30 years if all of the assumptions played out exactly. The status of the annual contributions and distributions is described below:

- The active employees contribute 9% of covered payroll to the Pension Trust as required by the CSA;
- The City contributes the minimum rate per the CSA of 16.25% of full-time covered payroll to the Pension Trust. (The General Fund represents 35% of covered payroll and other non-general funds represent 65% of covered payroll.);
- In CY2021, the City began contributing a payment to amortize the cost of the 2020 Early Retirement Incentive Plan (ERIP) over 15 years. Cheiron estimates that payment at 1.34% of payroll for this additional benefit, bringing the City’s contribution rate for the year to 17.59%;
- The Actuarially Determined Contribution (ADC) for the Pension Trust, as calculated by the actuary, is the annual employer contribution amount required to bring the Pension to a fully funded status in 30 years. **The ADC for FY2021 was 30.67% of covered payroll (as set by the CY2019 actuarial valuation). The actual contribution of 17.59% means the City contributed 57.4% of the actuarial recommendation;**

- Benefit payments and expenses have significantly exceeded employer and employee contributions for over a decade placing CRS in the bottom quartile among other public pension funds with negative cashflows. This means that CRS continues to liquidate a relatively large amount of assets to pay for benefits and expenses. This also means that CRS is much more dependent on investment returns than most public pension plans.

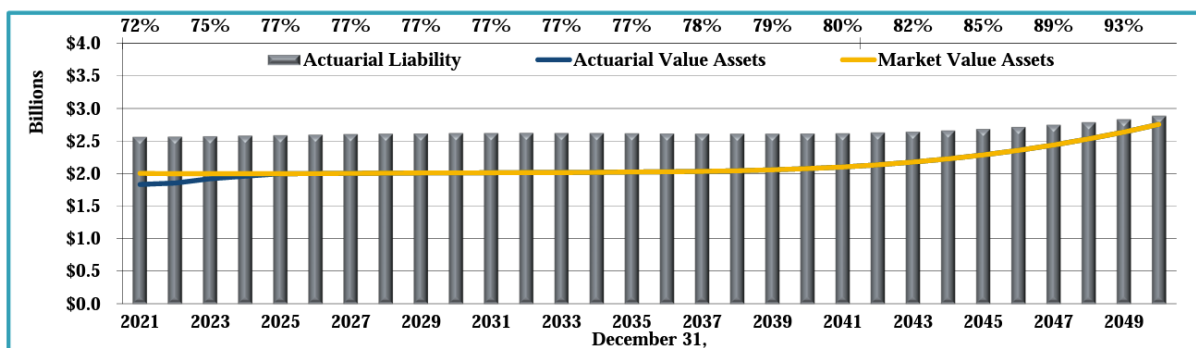
The following events occurred after the CSA was finalized:

- Ordinance 336, which reflects changes made in finalizing the CSA that increased liabilities, was approved by City Council in 2016;
- Revisions to actuarial assumptions (e.g., longer life span of retirees) occurred as recommended by the actuary and approved by the CRS Board;
- Annualized 5-year investment returns (2017 – 2021) were 10.31% as of December 31, 2021 vs. the assumed 7.5%. However, CRS is especially sensitive to the timing of capital market swings because it continues to liquidate assets to pay benefits when the capital market drops. This requires more time for the remaining assets to recover from capital market volatility;
- The City offered the ERIP in 2020 that provided two (2) additional years of service to eligible participants resulting in earlier retirements, additional benefits, and an increase in liabilities;
- The Deferred Retirement Option Plan (DROP) established in the CSA is required to be cost neutral, but it has increased the liabilities of the Pension Trust by \$11.6mm according to the initial review by the actuary.

The actuary’s latest revised funding progress for the Pension Trust, which includes the impact of the DROP and the ERIP, projects the funded ratio will reach nearly 100% by 2050 which is five years beyond the term of the CSA. However, if 2022 is a year in which returns are 0% (currently negative as of the date of this report), the actuary projects that 100% funding will not be achieved until 2073. As noted, CRS funding is highly dependent on investment returns.

The graph below reflects the City’s minimum required contributions of 16.25% of covered payroll for 30 years. It also includes the recommended budget’s \$2.7 million contribution per year for the next 15 years to pay for the ERIP liabilities and assumes the CSA benchmark return of 7.5% investment return for all future years.

Pension Trust

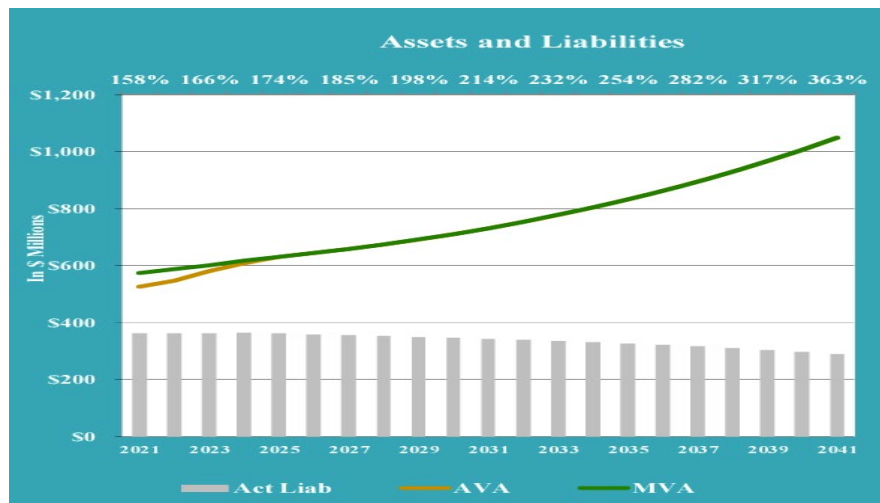


Healthcare Trust

At the time of the CSA signing, the Healthcare Trust was fully funded, and the City was required per the CSA to develop and present a proper funding policy to fully fund the healthcare trust at actuarially appropriate levels. The funding policy would keep the Trust fully funded over the lifetimes of current and future retirees and their beneficiaries covered by the CSA. Implementation of a full funding policy will assure that the Healthcare Trust remains fully funded to provide promised benefits. The Healthcare Trust is irrevocable and its assets must be used exclusively for healthcare benefits for CRS retirees and their beneficiaries. The City has yet to adopt a Healthcare Trust funding policy as required by the CSA and there have been no City contributions to the Trust since the CSA was signed.

In the graph below, the bars represent liabilities and the lines represent the actuarial value of assets (AVA) and the market value of assets (MVA) assets. The graph reflects that the Healthcare Trust is fully funded in 2021 and beyond. This is based on current assumptions being fully met. A funding policy would safeguard the trust for retirees and their beneficiaries in the future should the assumptions not be achieved.

Healthcare Trust



Investment Performance

While the simple conclusion may be to achieve higher returns or “invest our way out of this,” CRS’ investment performance has been solid relative to what the capital markets have provided. The 7.5% annualized return assumption remains a high hurdle as well as optimistic given persistent capital market volatility and the outlook of many investment consultants. The median investment return assumption of U.S. public retirement systems has steadily decreased over the past several years and is currently 7.0%. Our investment policy and portfolio allocation are

already among the more aggressive pension systems in our effort to achieve the 7.5% target with an acceptable level of risk, given the high negative cash flow.

The following chart reflects the annual rates of return and 10-year compound return. CRS has achieved the 7.5% CSA assumption. The poor capital market performance this year is likely to have a negative impact on CRS investment performance in 2022 and negatively affect the 10-year compound return.

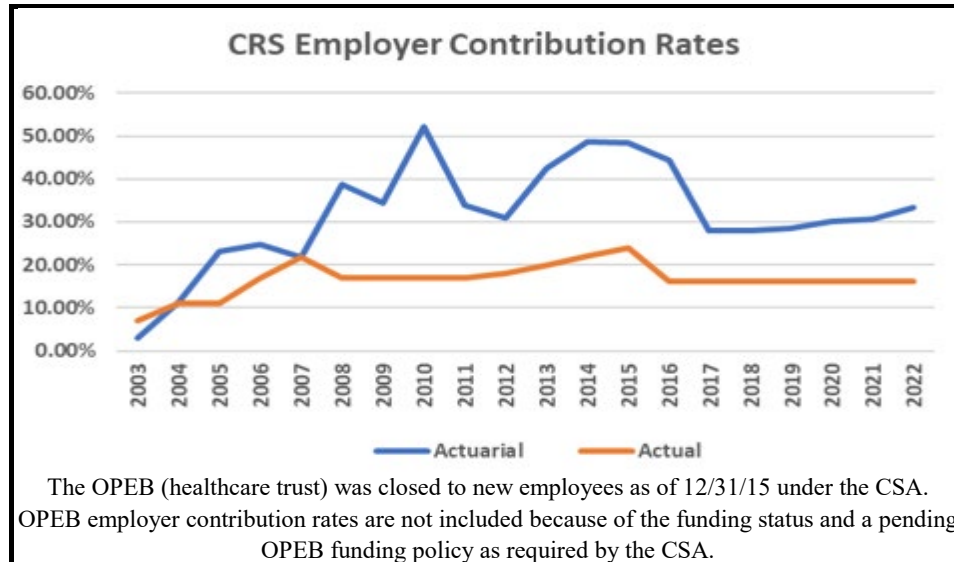
Annual CRS Rates of Investment Return		
<u>Plan Year</u>	Investment Return	
	<u>Assumption</u>	<u>Market Return</u>
2011	7.50%	0.88%
2012	7.50%	12.06%
2013	7.50%	16.99%
2014	7.50%	6.46%
2015	7.50%	-0.11%
2016	7.50%	9.24%
2017	7.50%	14.51%
2018	7.50%	-3.93%
2019	7.50%	16.40%
2020	7.50%	8.03%
2021	7.50%	18.06%
10-Year compound Average		9.54%
5-Year Compound Average		10.31%

The Board’s Investment Policy provides for a well-diversified portfolio across asset class, sector, investment managers and securities. The chart below is designed to achieve the 7.5% return with an acceptable level of risk.

<u>Asset Class</u>	<u>Policy %</u>
Fixed Income	17.00%
U.S. Equity	27.50%
Non-U.S. Equity	23.00%
Risk Parity	5.00%
Real Estate	7.50%
Infrastructure	10.00%
Private Equity	10.00%
Total	100.00%

Employer Contributions

In a defined benefit retirement plan such as CRS, the employer is responsible for providing benefits (as opposed to a defined contribution plan) and the employer generally accepts the financial risk. The Actuarially Determined Contribution (ADC) is the actuary recommended employer contribution to achieve full funding in 30 years. The chart below reflects the Pension Trust ADC and the City employer contribution for the last 20 years. By not contributing the ADC the unfunded liability increases over time meaning that the actuarial liability exceeds the value of assets.



Conclusion

The CRS Pension Trust and Healthcare Trust are undoubtedly challenged in providing promised retirement benefits. When the Collaborative Settlement Agreement was implemented, the Pension Trust and Healthcare Trust were projected to be fully funded in 30 years by 2045. For the Pension Trust this is no longer the case.

At the close of 2021, the Pension Trust has recovered somewhat as a result of extraordinary returns. By mid-2022, however, much of those excess returns are gone as a result of capital market losses. Funding vigilance therefore remains a priority for the Board. The future of the Health Care Trust is also uncertain due to the lack of a funding policy as required by the CSA. The following are possible solutions:

1. Increase City contributions to the Pension Trust above the minimum required amount of 16.25%, as provided for in the CSA. The Board has formally recommended an increase in rates by 0.5% each year until the actuarial projections reflect anticipated full funding by 2045. However, given the poor investment experience in 2022, the CRS actuary advises that an incremental approach will require annual rate increases of 0.75%

(includes DROP and ERIP). The Board acknowledges and appreciates the use of variable General Fund carryover to reduce unfunded pension obligations. Nonetheless, a more stable and predictable path to full funding is necessary. Failure to increase the City’s annual contribution rate will result in the CRS Pension Funded Ratio steadily decreasing until it reaches 52% in 2045; alternatively, incremental increases in the rate are required to achieve 100% funding by 2045:

Schedule of Funded Ratios	Earnings Assumption = 7.5%			
	Flat E'r Rate of 16.25%		Increase E'r Rate by 0.75%	
	E'r Contr Rate	Funded Ratio	E'r Contr Rate	Target Funded Ratio
12/31/2021	16.25%	70.15%	16.25%	70.15%
12/31/2022	16.25%	69.01%	17.00%	69.07%
12/31/2023	16.25%	69.44%	17.75%	69.65%
12/31/2024	16.25%	68.76%	18.50%	69.20%
12/31/2025	16.25%	68.02%	19.25%	68.78%
12/31/2026	16.25%	67.28%	20.00%	68.47%
12/31/2027	16.25%	66.52%	20.75%	68.26%
12/31/2028	16.25%	65.74%	21.50%	68.16%
12/31/2029	16.25%	64.94%	22.25%	68.18%
12/31/2030	16.25%	64.11%	23.00%	68.35%
12/31/2031	16.25%	63.26%	23.75%	68.67%
12/31/2032	16.25%	62.39%	24.50%	69.18%
12/31/2033	16.25%	61.50%	25.25%	69.89%
12/31/2034	16.25%	60.59%	26.00%	70.85%
12/31/2035	16.25%	59.67%	26.75%	72.06%
12/31/2036	16.25%	58.76%	27.50%	73.59%
12/31/2037	16.25%	57.75%	28.25%	75.34%
12/31/2038	16.25%	56.76%	28.25%	77.37%
12/31/2039	16.25%	55.80%	28.25%	79.69%
12/31/2040	16.25%	54.87%	28.25%	82.33%
12/31/2041	16.25%	54.03%	28.25%	85.31%
12/31/2042	16.25%	53.27%	28.25%	88.65%
12/31/2043	16.25%	52.61%	28.25%	92.37%
12/31/2044	16.25%	52.07%	28.25%	96.47%
12/31/2045	16.25%	51.66%	28.25%	100.96%

Cheiron Projection, September 2022

- Increase investment performance by increasing risk. Generally, there are several strategies affecting increased investment return. These include using different investment managers, making a riskier asset allocation, and attempting to lower fees. There is little we can do regarding these factors because we believe we have the appropriate managers, the appropriate asset allocation, and fees are already on the low end. With regard to asset allocation, the only way to increase expected returns in the future is to lower the fixed income allocation and add more to equities or other “riskier”

assets. Investment performance has been solid over time and the risk level of the portfolio is already aggressive relative to our peers. The Board and the investment consultant believe that taking any more risk would be imprudent. Conversely, taking less risk would decrease our chances of achieving the 7.5% target;

3. Reduce benefits. While unpopular and considered the last resort, reducing benefits would require re-opening the CSA; and
4. As the City has done before, explore issuing judgment bonds to reduce the unfunded actuarial liability. As of 12/31/2021, the unfunded actuarial liability for the Pension Trust was \$728.3mm (actuarial value) and \$558.7mm (market value).

Recommendation

At this time, we recommend the following:

1. That City Council increase the City's employer contributions to the Pension Trust by 0.75% for FY2024 and adjust the contribution periodically as necessary to assure full funding in 2045;
2. That the City Manager develop, and the City Council approve, a plan to consistently increase the Pension Trust ADC in the future. The ADC for FYE 2023 is \$68.4mm for the Pension Trust compared to \$40mm based on the minimum 16.25% currently budgeted.
3. That the City Manager continue to negotiate the Health Funding Policy with class counsels, consider the input and recommendations from the CRS Board, and that the City Council approve the funding policy for the Healthcare Trust to ensure that the promises to CRS members will be met well into the future. The Healthcare Trust was well funded as of the December 31, 2021, valuation and does not now require an ADC amount but may in the future;
4. That the City comply with the CSA to assure that the DROP program is cost neutral to the CRS Pension Trust and does not negatively impact the CRS Funding Ratio;

Immediate action is requested. Further delays will result in higher contributions in future years.

November 9, 2022

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202202041

Subject: Ordinance – Parks: Park Board Commissioners’ Fund Monetary Donation

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners’ Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory’s gift shop inventory, and other vital costs associated with running the City’s parks; and **AUTHORIZING** the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430.

Approval of this Ordinance will authorize the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners’ Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory’s gift shop inventory, and other vital costs associated with running the City’s parks. This Ordinance would also authorize the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430.

The Cincinnati Park Board Commissioners’ Fund consists of funds received from endowments and donations from various entities to support the Cincinnati Park Board.

The donation requires no matching funds. There are no new FTEs associated with the donation.

Acceptance of this donation is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment,” and strategy to “[p]rotect our natural resources,” as well as the “Collaborate” goal to [w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities,” as described on pages 193-196 and 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment



AUTHORIZING the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners' Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory's gift shop inventory, and other vital costs associated with running the City's parks; and **AUTHORIZING** the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430.

WHEREAS, the Park Board Commissioners' Fund consists of funds received from endowments and donations from various entities to support the Cincinnati Park Board; and

WHEREAS, acceptance of a donation totaling \$500,000 from the Park Board Commissioners' Fund will enable the Cincinnati Parks Department to purchase horticultural supplies, execute maintenance contracts, provide salary reimbursements, acquire Krohn Conservatory's gift shop inventory, and provide resources for other vital costs associated with running the City's parks; and

WHEREAS, the Cincinnati Board of Park Commissioners approved the use of \$500,000 and requested the distribution of the resources from the Park Board Commissioners' Fund; and

WHEREAS, there are no matching fund requirements or additional FTEs associated with the acceptance of this donation; and

WHEREAS, the acceptance of the donation is in accordance with the "Sustain" goal to "[p]reserve our natural and built environment" and strategy to "[p]rotect our natural resources," as well as the "Collaborate" goal to "[w]ork in synergy with the Cincinnati community" and strategy to "[u]nite our communities," as described on pages 193-196 and 207-212 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 hereby authorized to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioners' Fund for the purpose of providing resources for horticultural supplies, maintenance contracts, salary reimbursements, Krohn Conservatory's gift shop inventory, and other vital costs associated with running the City's parks.

Section 2. That the Finance Director is hereby authorized to deposit the donated funds into Parks Private Endowment and Donations Fund 430.

Section 3. That the proper City officials are hereby authorized to do all things necessary and proper to comply with the terms of Sections 1 and 2 hereof.

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

November 9, 2022

To: Mayor and Members of City Council 202202044
From: Sheryl M. M. Long, City Manager
Subject: **Ordinance – Parks: 2nd Quarter In-Kind Donations**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept in-kind donations from the Cincinnati Parks Foundation of park supplies, professional services, and contracted services, valued at approximately \$57,031.66, to benefit and improve various City parks.

Approval of this Ordinance will authorize the City Manager to accept in-kind donations from the Cincinnati Parks Foundation of park supplies, professional services, and contracted services valued at approximately \$57,031.66 to benefit and improve various City parks. A list of the in-kind donations is attached.

Donated Items	Amount
Horticultural Supplies	\$1,035.15
Equipment	\$55,996.51
Total:	\$57,031.66

Acceptance of these in-kind donations does not require new FTEs or matching funds.

Acceptance of in-kind donations is in accordance with the “Sustain” goal to “preserve our natural and built environment” and strategy to “protect our natural resources,” as described on pages 193 – 196 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
 Karen Alder, Finance Director



Attachments

AUTHORIZING the City Manager to accept in-kind donations from the Cincinnati Parks Foundation of park supplies, professional services, and contracted services, valued at approximately \$57,031.66, to benefit and improve various City parks.

WHEREAS, the Cincinnati Parks Foundation intends to donate park supplies, professional services, and contracted services, as set forth in Attachment A to this ordinance, to the City of Cincinnati to benefit and improve various City parks; and

WHEREAS, the value of the donation is approximately \$57,031.66; and

WHEREAS, there are no new FTEs associated with acceptance of this donation; and

WHEREAS, this acceptance of in-kind donations is in accordance with the “Sustain” goal to “[p]reserve our natural and built environment” and the strategy to “[p]rotect our natural resources,” as set forth on pages 193-196 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 hereby authorized to accept in-kind donations from the Cincinnati Parks Foundation of park supplies, professional services, and contracted services, valued at approximately \$57,031.66, to benefit and improve various City parks.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Cincinnati Park Board In-Kind Donations - 2nd Quarter 2022

Donor	Name	Memo	Expense Type	Amount
Parks Foundation	Baron Identification Products	Inv 48101 D'angelos, Mellott	Horticultural Supplies	\$ 66.00
Parks Foundation	Baron Identification Products	Inv 48101, D'Angelos, Mellott	Horticultural Supplies	\$ 66.00
Parks Foundation	Baron Identification Products	Inv 48166 Connie Madsen	Horticultural Supplies	\$ 18.75
Parks Foundation	E C SHAW COMPANY	Inv 831509 Spring daffodils - bette	Horticultural Supplies	\$ 142.40
Parks Foundation	LSI Lighting Solutions	Inv 1988270 lighting for pickleball courts	Equipment	\$ 54,075.00
Parks Foundation	LSI Lighting Solutions	10 lighting brackets	Equipment	\$ 1,125.40
Parks Foundation	Sweetwater	order 32074274, 2 additional speakers needed	Equipment	\$ 796.11
Parks Foundation	Woodlanders, Inc.	order 02202022 - 132447 plants for Mt Airy arboretum	Horticultural Supplies	\$ 742.00
			Total	\$ 57,031.66

November 9, 2022

To: Mayor and Members of City Council 202202047

From: Sheryl M. M. Long, City Manager

Subject: Ordinance – Cincinnati Recreation Commission (CRC): Clifton Community Event Donation

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept and appropriate a donation in the amount of \$500 from the Clifton Area Neighborhood Council for the purpose of hosting a community Halloween event; and **AUTHORIZING** the Finance Director to deposit the donated funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

Approval of this Ordinance would authorize the City Manager to accept a donation in the amount of up to \$500 from the Clifton Area Neighborhood Council for the purpose of hosting a community Halloween event. This Ordinance further authorizes the Finance Director to deposit the donated funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

The Clifton Area Neighborhood Council has graciously offered a donation to support hosting a community Halloween event at the Clifton Recreation Center.

There are no new FTEs or matching funds associated with the donation.

This donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities,” as described on pages 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director



Attachment

AUTHORIZING the City Manager to accept and appropriate a donation in the amount of \$500 from the Clifton Area Neighborhood Council for the purpose of hosting a community Halloween event; and **AUTHORIZING** the Finance Director to deposit the donated funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

WHEREAS, the Clifton Area Neighborhood Council has graciously offered a donation to support hosting of a Halloween community event at the Clifton Recreation Center; and

WHEREAS, acceptance of the donation requires no matching funds, and no FTEs are associated with the donation; and

WHEREAS, this donation is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and the strategy to “[u]nite our communities,” as described on pages 207-212 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 hereby authorized to accept and appropriate a donation in the amount of \$500 from the Clifton Area Neighborhood Council for the purpose of hosting a community Halloween event.

Section 2. That the Director of Finance is hereby authorized to deposit the donated funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

November 9, 2022

To: Mayor and Members of City Council 202202050
From: Sheryl M. M. Long, City Manager
Subject: **Ordinance – Health: Infant Formula In-Kind Donation**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to accept an in-kind donation of six cans of infant formula valued at approximately \$107.94 from Dr. Sarah Tarai of the Cincinnati Primary Care Center for the purpose of providing care to patients at the Cincinnati Health Department.

Approval of this Ordinance would authorize the City Manager to accept an in-kind donation of six (6) cans of infant formula valued at approximately \$107.94 from Dr. Sarah Tarai of the Cincinnati Primary Care Center for the purpose of providing care to patients at the Cincinnati Health Department. Dr. Tarai, a Public Health Pediatrician, is a City employee in the Cincinnati Health Department.

No additional FTE are associated with this donation, and matching funds are not required.

This donation is in accordance with the Sustain goal to “[b]ecome a healthier Cincinnati” as described on pages 181-192 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment



AUTHORIZING the City Manager to accept an in-kind donation of six cans of infant formula valued at approximately \$107.94 from Dr. Sarah Tarai of the Cincinnati Primary Care Center for the purpose of providing care to patients at the Cincinnati Health Department.

WHEREAS, there is currently a national shortage of infant formula; and

WHEREAS, the national shortage of infant formula is negatively impacting patients at the Cincinnati Health Department (“CHD”); and

WHEREAS, this donation of six cans of infant formula (“Donation”) will be used to provide care to CHD patients; and

WHEREAS, the Donation does not require a local match or any additional FTEs; and

WHEREAS, the Donation is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati,” as described on pages 181-192 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 hereby authorized to accept an in-kind donation of six cans of infant formula valued at approximately \$107.94 from Dr. Sarah Tarai of the Cincinnati Primary Care Center for the purpose of providing care to patients at the Cincinnati Health Department.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____

November 9, 2022

To: Mayor and Members of City Council 202202045

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – DOTE: Municipal Road Fund Program (MRF) and Ohio Public Works Commission (OPWC) Round 37 Funding Applications**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 37) for the purpose of ensuring the timely completion of various road and bridge construction projects throughout the City.

This Ordinance authorizes the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund (MRF) program and the Ohio Public Works Commission (OPWC) State Capital Improvement Program (SCIP), the Local Transportation Improvement Program (LTIP), and the Revolving Loan Fund Program as part of Funding Round 37.

The Department of Transportation and Engineering (DOTE) identified the attached list of potential projects and local matching resources for the funding year 2024 grant application, although the list is subject to change. If the City is awarded any grants, loans, or loan assistance under these programs, DOTE will only accept grant resources for which the City Council has provided authorization. Depending on the terms of the grant award for each project, local match funds may be required. Local match resources would come from existing and future capital improvement program project accounts as indicated in the attachment. No additional FTEs are associated with these applications for grants, loans, or loan assistance.

The implementation of these potential projects is in accordance with the "Connect" goal to "[d]evelop an efficient multi-modal transportation system that supports neighborhood livability," as described on pages 129-138 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachments



AUTHORIZING the City Manager to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 37) for the purpose of ensuring the timely completion of various road and bridge construction projects throughout the City.

WHEREAS, the Department of Transportation and Engineering (“DOTE”) has applied for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 37) for funding year 2024, in order to ensure the timely completion of projects identified by DOTE as high priorities; and

WHEREAS, DOTE identified the attached list of potential projects as high priorities for which it has applied for assistance, although the list is subject to change and DOTE may apply for resources for projects not included in the attachment; and

WHEREAS, depending on the terms of the grant award for each project, local match funds may be required for assistance; and

WHEREAS, anticipated sources of local match funds, which would come from existing and future capital improvement program project accounts, are identified for each of the projects in the attachment; and

WHEREAS, DOTE will prepare all applications as requests for grant funding, but there may be opportunities to obtain additional zero percent interest loans for these projects once the District Integrating Committee allocation of grant monies is exhausted; and

WHEREAS, if the City is awarded any grants, loans, or loan assistance under these programs, DOTE will request authorization from Council in order to accept and appropriate such resources; and

WHEREAS, no additional FTEs are associated with the applications for grants, loans, and loan assistance; and

WHEREAS, the implementation of these potential projects is in accordance with the “Connect” goal to “[d]evelop an efficient multi-modal transportation system that supports neighborhood livability,” as described on pages 129-138 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 hereby authorized to apply for grants, loans, and loan assistance awarded by Hamilton County from the Municipal Road Fund Program and the Ohio Public Works Commission State Capital Improvement Program, the Local Transportation Improvement Program, and the Revolving Loan Program (Funding Round 37) to ensure the timely completion of various road and bridge construction projects throughout the City.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Project List – OPWC & MRF Funding

1. Warsaw Avenue Improvements
 - Match required: \$800,000 from Transit Infrastructure Fund Grant and a future Street Rehabilitation capital project account
2. CTCS Fiber Optic Cable project – OTR
 - Match required: \$6,000,000 from a Congestion Mitigation/Air Quality (CMAQ) grant
3. Beekman Avenue Improvements
 - Match required: \$1,040,000 from Transit Infrastructure Fund Grant and a future Street Rehabilitation capital project account
4. Faraday Road Improvements
 - Match required: \$1,500,000 from a future Street Rehabilitation capital project account
5. Art Museum Drive Landslide Correction
 - Match required: \$281,913 from future a Wall Stabilization & Landslide Correction capital project account
6. Riverside Drive Retaining Wall Improvements
 - Match required: \$289,432 from future a Wall Stabilization & Landslide Correction capital project account
7. Whetsel Avenue Improvements
 - Match required: \$900,000 from a future Street Rehabilitation capital project account
8. Hillside Avenue Improvements
 - Match required: \$266,810 from a future Wall Stabilization & Landslide Correction capital project account
9. Wilder Avenue Retaining Wall Rehabilitation
 - Match required: \$66,989 from future Wall Stabilization & Landslide Correction capital project accounts
10. CBD Streetlighting Improvements
 - Match required: \$200,000 from future Street Light Infrastructure capital project account
11. Seventh and Vine Streets Improvements
 - Match required: \$320,000 from future Street Light Infrastructure capital project account
12. Wooster Road Improvements
 - Match required: \$750,000 future Street Rehabilitation capital project accounts

November 9, 2022

To: Mayor and Members of City Council 202202046

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – OES: Greater Cincinnati Foundation (GCF) Urban Agriculture Grant**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$25,000 from the Greater Cincinnati Foundation to the Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7400 for the purpose of providing resources to support the City’s Urban Agriculture Program; and **AUTHORIZING** the Finance Director to deposit the grant resources into General Fund revenue account no. 050x8571.

This Emergency Ordinance authorizes the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$25,000 from the Greater Cincinnati Foundation (GCF) to the Office of Environment and Sustainability (OES) General Fund non-personnel operating budget account no. 050x104x7400 for the purpose of providing resources to support the City’s Urban Agriculture Program. This Emergency Ordinance also authorizes the Finance Director to deposit the grant resources into General Fund revenue account no. 050x8571.

The GCF grant requires no local match or new FTEs.

The Office of Environment and Sustainability has already applied for this grant but will not accept any funds without the approval of the City Council.

The Urban Agriculture Program supports the goals to have “100% of residents have convenient access to healthy, affordable foods” and “[t]riple acreage of urban food production,” as described on pages 126-130 of the Green Cincinnati Plan (2018).

The Urban Agriculture Program is also in accordance with the "Sustain" goal to “[b]ecome a healthier Cincinnati” and strategy to “[c]reate a healthy environment and reduce energy consumption,” as described on pages 181-186 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to accept grant resources in a timely manner so the Urban Agriculture Program may continue to provide essential food services.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director



Attachment

EMERGENCY

CFG

-2022

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$25,000 from the Greater Cincinnati Foundation to the Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7400 for the purpose of providing resources to support the City’s Urban Agriculture Program; and **AUTHORIZING** the Finance Director to deposit the grant resources into General Fund revenue account no. 050x8571.

WHEREAS, there is a grant available in the amount of up to \$25,000 from the Greater Cincinnati Foundation for the purpose of providing resources to support the City’s Urban Agriculture Program; and

WHEREAS, on May 16, 2018, Council adopted the original version of the 2018 Green Cincinnati Plan with its full list of recommendations in Motion No. 201800830; and

WHEREAS, the Urban Agriculture Program supports the goals to have “100% of residents have convenient access to healthy, affordable foods” and to “[t]riple acreage of urban food production,” as described on pages 126-130 of the Green Cincinnati Plan (2018); and

WHEREAS, the Greater Cincinnati Foundation grant requires no local match, and there are no new FTEs associated with this grant; and

WHEREAS, the Office of Environment and Sustainability has already applied for the grant, but will not accept any resources without approval of Council; and

WHEREAS, support for the City’s Urban Agriculture Program is in accordance with the “Sustain” goal to “[b]ecome a healthier Cincinnati,” and strategy to “[c]reate a healthy environment and reduce energy consumption,” as described on pages 181-186 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 hereby authorized to apply for, accept, and appropriate a grant in the amount of up to \$25,000 from the Greater Cincinnati Foundation to the Office of Environment and Sustainability General Fund non-personnel operating budget account no. 050x104x7400 for the purpose of providing resources to support the City’s Urban Agriculture Program.

Section 2. That the Director of Finance is hereby authorized to deposit the grant resources into General Fund revenue account no. 050x8571.

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 of Sections 1 and 2 herein.

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 accept grant resources in a timely manner so the Urban Agriculture Program may continue to provide essential food services.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

November 9, 2022

To: Mayor and Members of City Council 202202048

From: Sheryl M. M. Long, City Manager

Subject: **Emergency Ordinance – Cincinnati Recreation Commission (CRC):
Ohio Child Care Stabilization Sub-Grant Application Supporting
CRC Childcare Programs**

Attached is an Emergency Ordinance captioned:

AUTHORIZING the City Manager to apply for grant resources in an amount up to \$2,535,400 from the Ohio Child Care Stabilization Sub-Grant through the Ohio Child Care Resource and Referral Association and the Ohio Department of Job and Family Services for the purpose of supporting up to thirteen of the Cincinnati Recreation Commission’s licensed neighborhood childcare programs.

Approval of this Emergency Ordinance would authorize the City Manager to apply for grant resources in an amount of up to \$2,535,400 from the Ohio Child Care Stabilization Sub-Grant through the Ohio Child Care Resource and Referral Association (OCCRRA) and the Ohio Department of Job and Family Services (ODJFS) for the purpose of supporting up to thirteen of the Cincinnati Recreation Commission’s (CRC) licensed neighborhood childcare programs.

If awarded, the grant resources would offset the cost of providing licensed childcare programs by the CRC in various Cincinnati neighborhoods, such as Bond Hill, Corryville, East Walnut Hills, Evanston, Madisonville, Millvale, Northside, Pleasant Ridge, Price Hill, Sayler Park, Walnut Hills, West End, and Winton Hills.

There is no local match required and acceptance of the grant will not require the addition of any FTEs. The deadline to apply is November 30, 2022.

Applying for grant resources to support CRC's licensed neighborhood childcare programs is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities” as described on pages 207-212 of Plan Cincinnati (2012).

The reason for the emergency is the immediate need to apply for the grant prior to the deadline of November 30, 2022.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director



Attachment

EMERGENCY

KKF

- 2022

AUTHORIZING the City Manager to apply for grant resources in an amount up to \$2,535,400 from the Ohio Child Care Stabilization Sub-Grant through the Ohio Child Care Resource and Referral Association and the Ohio Department of Job and Family Services for the purpose of supporting up to thirteen of the Cincinnati Recreation Commission’s licensed neighborhood childcare programs.

WHEREAS, grant resources in an amount up to \$2,535,400 are available from the Ohio Child Care Stabilization Sub-Grant through the Ohio Child Care Resource and Referral Association and the Ohio Department of Job and Family Services, which, if awarded, will be used to offset the cost of providing licensed childcare programs by the Cincinnati Recreation Commission (“CRC”) in various Cincinnati neighborhoods, such as Bond Hill, Corryville, East Walnut Hills, Evanston, Madisonville, Millvale, Northside, Pleasant Ridge, Price Hill, Saylor Park, Walnut Hills, West End, and Winton Hills; and

WHEREAS, CRC may apply for the grant resources prior to the effective date of this ordinance, but no funds will be accepted without Council approval; and

WHEREAS, there is no local match required, and acceptance of the grant resources will not require the addition of any FTEs; and

WHEREAS, applying for grant resources to support CRC’s licensed neighborhood childcare programs is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” and strategy to “[u]nite our communities,” as described on pages 207-212 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 apply for grant resources in an amount up to \$2,535,400 from the Ohio Child Care Stabilization Sub-Grant through the Ohio Child Care Resource and Referral Association and the Ohio Department of Job and Family Services for the purpose of supporting approximately thirteen of the Cincinnati Recreation Commission’s licensed neighborhood childcare programs.

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

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 apply for the grant prior to the deadline of November 30, 2022.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

November 9, 2022

To: Mayor and Members of City Council 202202049

From: Sheryl M. M. Long, City Manager

Subject: **Ordinance – Cincinnati Recreation Commission (CRC): Cincinnati Police Department Preventive Education Grant**

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$8,200 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission’s annual Track and Field program; and **AUTHORIZING** the Finance Director to deposit the grant funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

Approval of this Ordinance would authorize the City Manager to apply for, accept, and appropriate a grant of up to \$8,200 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission’s (CRC) annual Track and Field program. This Ordinance further authorizes the Finance Director to deposit the grant funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

CRC’s Track and Field program is a ten-week program that teaches track and field skills to at-risk youth and teens. It is intended to promote healthy lifestyles and drug-free alternatives through physical fitness and education.

The Cincinnati Police Department (CPD) provides grants for community-based drug and alcohol prevention programs from their State Asset Forfeiture Funds as stipulated in Ohio Revised Code (ORC) Section 2981.13.

CRC has already applied for this grant. Should this Ordinance not be approved, the grant funding will not be accepted. There are no new FTEs or matching funds associated with the grant.

Acceptance of this grant award is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” as well as the strategy to “[u]nite our communities,” as described on pages 207-212 of Plan Cincinnati (2012).

The Administration recommends passage of this Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment



AUTHORIZING the City Manager to apply for, accept, and appropriate a grant of up to \$8,200 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission’s annual Track and Field Program; and **AUTHORIZING** the Finance Director to deposit the grant funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

WHEREAS, the Cincinnati Recreation Commission’s (“CRC”) Track and Field Program is a ten-week program that teaches track and field skills to at-risk youth and teens, and is intended to promote healthy lifestyles and drug-free alternatives through physical fitness and education; and

WHEREAS, the Cincinnati Police Department provides grants for community-based drug and alcohol prevention programs from its State Asset Forfeiture Funds as stipulated in Ohio Revised Code Section 2981.13; and

WHEREAS, CRC has already applied for this grant, but no funds will be accepted without approval by Council; and

WHEREAS, there are no additional FTEs associated with this grant, and there are no matching fund requirements; and

WHEREAS, acceptance of this grant is in accordance with the “Collaborate” goal to “[w]ork in synergy with the Cincinnati community” as well as the strategy to “[u]nite our communities,” as described on pages 207-212 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 hereby authorized to apply for, accept, and appropriate a grant of up to \$8,200 from the Cincinnati Police Department Community Preventive Education Grant Program for the purpose of providing resources for the Cincinnati Recreation Commission’s annual Track and Field Program.

Section 2. That the Finance Director is hereby authorized to deposit the funds into Fund 319, “Contributions for Recreation Purposes,” revenue account no. 319x8571.

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

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

November 9, 2022

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202202042

Subject: Ordinance – MSD: Grant of Easement in favor of Duke Energy Ohio, Inc.

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to execute a *Grant of Easement* in favor of Duke Energy Ohio, Inc., granting a utility easement across a portion of City-owned property generally located at 1600 Gest Street in the Lower Price Hill neighborhood of Cincinnati.

The Administration recommends passage of this Ordinance.

cc: Diana Christy, MSD Director

Attachment

City of Cincinnati

CHM

EESW

An Ordinance No. _____

- 2022

AUTHORIZING the City Manager to execute a *Grant of Easement* in favor of Duke Energy Ohio, Inc., granting a utility easement across a portion of City-owned property generally located at 1600 Gest Street in the Lower Price Hill neighborhood of Cincinnati.

WHEREAS, the City of Cincinnati owns certain real property located at 1600 Gest Street in Lower Price Hill, containing the Mill Creek Wastewater Treatment Plant (the "Property"); and

WHEREAS, Duke Energy Ohio, Inc., an Ohio corporation ("Grantee"), has requested an easement across the Property for underground electrical lines and associated structures, equipment, and appurtenances to serve the Mill Creek Wastewater Treatment Plant, as more particularly depicted and described in the *Grant of Easement* attached to this ordinance as Attachment A and incorporated herein by reference ("Easement"); and

WHEREAS, the City Manager, in consultation with the Metropolitan Sewer District of Greater Cincinnati ("MSD"), has determined that granting the Easement to Grantee is not adverse to the City's retained interest in the Property; and

WHEREAS, pursuant to Cincinnati Municipal Code Section 331-5, Council may authorize the encumbrance of City-owned property without competitive bidding in those cases in which it determines that it is in the best interest of the City; and

WHEREAS, the fair market value of the Easement, as determined by appraisal by the City's Real Estate Services Division, is \$38,000, however, the City is agreeable to granting the Easement to Grantee for less than fair market value, namely, \$1.00, because granting the Easement is for the benefit of the City to increase electrical capacity at the Mill Creek Wastewater Treatment Plant, which will provide the City with equivalent economic and noneconomic benefits to the fair market value of the Easement; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the Easement at its meeting on October 7, 2022; now, therefore,

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

Section 1. That the City Manager is hereby authorized to execute a *Grant of Easement*, in substantially the form attached to this ordinance as Attachment A and incorporated herein by

reference, in favor of Duke Energy Ohio, Inc., an Ohio corporation (“Grantee”), pursuant to which the City will grant to Grantee a utility easement for underground electrical lines and associated structures, equipment, and appurtenances (the “Easement”) to serve the Mill Creek Wastewater Treatment Plant located at 1600 Gest Street in Lower Price Hill (the “Property”), as more particularly described and depicted on Attachment A.

Section 2. That granting the Easement to Grantee is not adverse to the City’s retained interest in the Property.

Section 3. That it is in the best interest of the City to grant the Easement without competitive bidding because granting the Easement is in the best interest of the City because it is necessary to increase electrical capacity at the Mill Creek Wastewater Treatment Plant, and, as a practical matter, no one other than Grantee would have any use for the Easement.

Section 4. That the fair market value of the Easement, as determined by appraisal by the City’s Real Estate Services Division, is \$38,000, however, the City is agreeable to grant the Easement to Grantee for less than fair market value, namely, \$1.00, to increase electrical capacity at the Mill Creek Wastewater Treatment Plant in promotion of the public health, safety, and general welfare, which will provide the City with an equivalent economic and noneconomic benefit to the fair market value of the Easement.

Section 5. That the proceeds from the *Grant of Easement* shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City’s Real Estate Services Division in connection with the Easement, and that the City’s Finance Director is hereby authorized to deposit amounts in excess thereof, if any, into Miscellaneous Permanent Improvement Fund 757.

Section 6. That the proper City officials are hereby authorized to take all necessary and proper actions to carry out the provisions of this ordinance and to fulfill the terms of the *Grant of Easement* including, without limitation, executing any and all ancillary agreements, plats, and other real estate documents.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

----- space above for County Recorder -----

GRANT OF EASEMENT

Pt. Parcel #148-0010-0001-90

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the **CITY OF CINCINNATI**, an Ohio municipal corporation, having an address of 801 Plum Street, Cincinnati, OH 45202 ("**Grantor**"), hereby grants unto **DUKE ENERGY OHIO, INC.**, an Ohio corporation, having an address of 139 East Fourth Street, Cincinnati, OH 45202 ("**Grantee**"), a perpetual, non-exclusive easement to construct, reconstruct, operate, maintain, repair, replace, add to, modify and remove electric lines and all necessary and convenient supporting structures (such as poles), wires, cables, guy wires with anchors, grounding systems, counterpoises, surface equipment (including but not limited to transformers and switchgears), and all other appurtenances, fixtures and equipment (hereinafter referred to as the "**Facilities**"), for the transmission and distribution of electrical energy, and for technological purposes (including but not limited to telecommunications), across a portion of the following described real estate (the land and any and all improvements now or hereafter located thereon being referred to herein as the "**Property**"):

Situate in Section 30, Town 4, Fractional Range 1, City of Cincinnati, Storre Township, Hamilton County, State of Ohio; being a parcel of land of 9.19 acres, as conveyed to the **CITY OF CINCINNATI** from The Cincinnati Union Terminal Company by Warranty Deed dated December 15, 1941, and as recorded in **Deed Book 1945, Page 130**, in the Office of the Recorder of Hamilton County, Ohio.

The portion of the Property encumbered by the easement and within which the Facilities are or may hereafter be located being that area indicated, relative to landmarks and property lines, on the drawing attached hereto as "Exhibit A" (hereinafter referred to as the "**Easement Area**").

The respective rights and duties of Grantor and Grantee hereunder are as follows:

1. Access. Grantee shall have the right of ingress and egress over the Easement Area and Property using existing lanes, driveways and adjoining public roads where practical as determined by Grantee.
2. Clearing of Vegetation. Grantee shall have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, overhanging branches and other vegetation (collectively,

“Vegetation”) within the Easement Area. Grantee shall also have the right to cut down, clear, trim, remove and otherwise control any Vegetation that is adjacent to the Easement Area but only to the extent such Vegetation may endanger the safe or reliable operation of the Facilities as reasonably determined by Grantee. Following Grantee’s removal of Vegetation, Grantee shall restore the surface of the Easement Area and Property, as the case may be, to a safe and slightly condition. By way of example and not limitation, if Grantee cuts down trees, Grantee shall either completely remove the tree stumps or cut them off level to the ground, and if Grantee damages grassy areas, Grantee shall either re-sod or re-seed the damaged area.

3. Environmental Condition. To the best of Grantor’s actual knowledge without having performed any independent inquiry, investigation or environmental assessment, the Easement Area does not contain any hazardous or toxic materials or other environmental contamination.

4. No Obstructions or Excavation. Grantor shall not, without Grantee’s prior written consent, (a) place, or permit the placement of, any structures or other permanent obstructions within or adjacent to the Easement Area that may interfere with Grantee’s exercise of its rights hereunder; (b) excavate or place, or permit the excavation or placement of, any dirt or other similar material within the Easement Area; or (c) install, or permit the installation of, a pond, lake or similar containment vehicle within or adjacent to the Easement Area that would result in the retention of water within the Easement Area. Grantee shall have the right to remove any and all such unauthorized obstructions and, notwithstanding the provisions of paragraph 6 (Repair of Damage) below, Grantee shall not be required to repair any damage to the surface of the Easement Area or Property resulting therefrom.

5. Storing of Dirt. Grantee shall have the right to temporarily pile dirt and other material and to operate equipment upon the surface of the Easement Area, and also on the land immediately adjacent to the Easement Area not to exceed fifteen (15) feet in width on either side of the Easement Area, but only during those times when Grantee is constructing, reconstructing, maintaining, repairing, replacing, adding to, modifying, or removing the Facilities.

6. Repair of Damage. Grantee, at its expense, shall promptly repair any and all physical damage to the surface area of the Easement Area and any and all damage to the Property resulting from Grantee’s exercise of its rights hereunder, including without limitation damage caused by Grantee’s employees, agents, contractors and subcontractors. In making such repairs, Grantee shall restore the affected area to a safe and slightly condition and otherwise to a condition that is reasonably close to the condition that the affected area was in immediately prior to the damage. If Grantee does not, in the opinion of Grantor, satisfactorily repair any such damage, Grantor may, within ninety (90) days of discovering such damage, file a claim for such damage with Grantee (a) at 139 East Fourth Street, Cincinnati, OH 45202, Attn: Right of Way Services EY100, or (b) by contacting an authorized Right of Way Services representative of Grantee. Grantee shall not be expected to respond to claims filed thereafter.

7. Grantor’s Reserved Rights. Grantor shall have the right to use the Easement Area in any manner that is not inconsistent with the rights granted herein to Grantee. Grantor’s and Grantee’s use of the Easement Area shall comply with all applicable laws and codes.

8. Authority to Grant Easement. Grantor represents that it has the necessary authority and title to the Property to grant this easement to Grantee.

9. Easement to Run with the Land. The provisions hereof shall be deemed to “run with the

land” and shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. Upon any transfer of the fee simple interest in the Property, the transferor of such interest shall be relieved of all liability and obligations hereunder thereafter accruing, and the transferee shall be deemed to have assumed all such liability and obligations.

The rights herein granted to Grantee are subject to any and all existing easements, restrictions and other matters of record affecting the Property.

Executed by the CITY of CINCINNATI by the City Manager on this ____ day of _____, 2022, as duly authorized by Ordinance _____-2022 passed on _____, 2022.

CITY OF CINCINNATI

By: _____
City Manager

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by _____, City Manager of the City of Cincinnati, an Ohio municipal corporation, on behalf of the corporation.

Notary Public
My commission expires: _____

Approved as to Form:

Assistant City Solicitor

ACKNOWLEDGED AND ACCEPTED BY:
DUKE ENERGY OHIO, INC.

By: _____

Its: _____

Date: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022,
by _____, of Duke Energy Ohio, Inc., an Ohio corporation, on behalf of the
corporation.

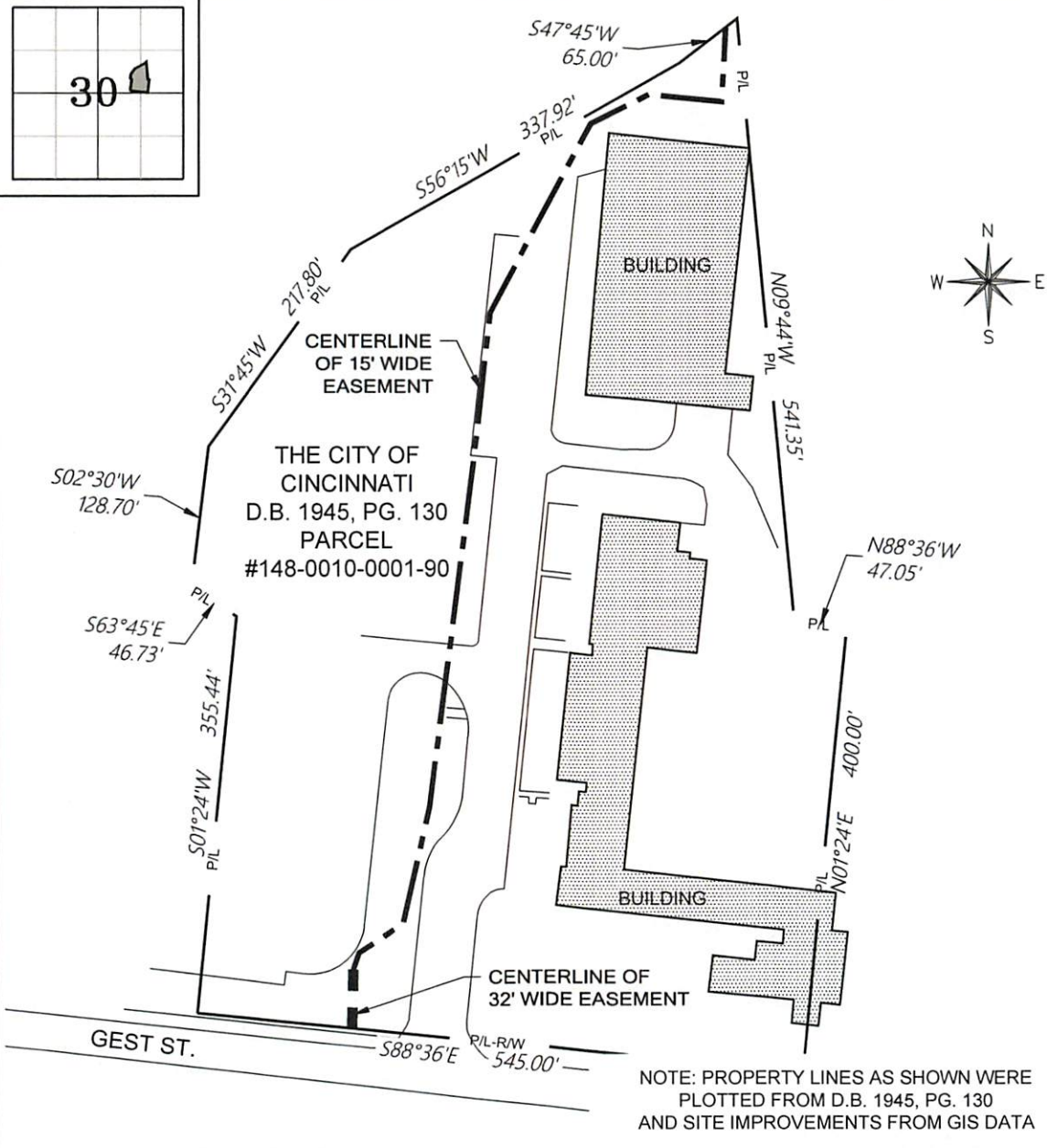
Notary Public

My commission expires: _____

This Instrument Prepared by Janice L. Walker, Attorney-at-Law, 139 E. Fourth St., Cincinnati, OH 45202.

For Grantee's Internal Use:
Emax No: 42085766
Prepared by: NRH
Prepared date: May 26, 2022
Pad No. HMO-30955

THIS IS NOT A SURVEY. LOCATIONS SHOWN ARE APPROXIMATE. THE ACTUAL CENTERLINE LOCATION OF THE UTILITY LINE IS THE CENTERLINE OF THE EASEMENT.



HAMILTON COUNTY, OHIO

SITE NAME: STORRE TOWNSHIP SECTION 30 T-4, F.R.-1



DR. AM	EXHIBIT MAP OF: EASEMENT
CK. MT	EXHIBIT MAP FOR: THE CITY OF CINCINNATI
DATE 10/01/2021	LOCATION 1600 GEST ST, CINCINNATI, OH
EXHIBIT 'A'	EMAX #42085766

----- space above for County Recorder -----

GRANT OF EASEMENT

Pt. Parcel #148-0010-0001-90

In consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the **CITY OF CINCINNATI**, an Ohio municipal corporation, having an address of 801 Plum Street, Cincinnati, OH 45202 ("**Grantor**"), hereby grants unto **DUKE ENERGY OHIO, INC.**, an Ohio corporation, having an address of 139 East Fourth Street, Cincinnati, OH 45202 ("**Grantee**"), a perpetual, non-exclusive easement to construct, reconstruct, operate, maintain, repair, replace, add to, modify and remove electric lines and all necessary and convenient supporting structures (such as poles), wires, cables, guy wires with anchors, grounding systems, counterpoises, surface equipment (including but not limited to transformers and switchgears), and all other appurtenances, fixtures and equipment (hereinafter referred to as the "**Facilities**"), for the transmission and distribution of electrical energy, and for technological purposes (including but not limited to telecommunications), across a portion of the following described real estate (the land and any and all improvements now or hereafter located thereon being referred to herein as the "**Property**":

Situate in Section 30, Town 4, Fractional Range 1, City of Cincinnati, Storre Township, Hamilton County, State of Ohio; being a parcel of land of 9.19 acres, as conveyed to the **CITY OF CINCINNATI** from The Cincinnati Union Terminal Company by Warranty Deed dated December 15, 1941, and as recorded in **Deed Book 1945, Page 130**, in the Office of the Recorder of Hamilton County, Ohio.

The portion of the Property encumbered by the easement and within which the Facilities are or may hereafter be located being that area indicated, relative to landmarks and property lines, on the drawing attached hereto as "Exhibit A" (hereinafter referred to as the "**Easement Area**").

The respective rights and duties of Grantor and Grantee hereunder are as follows:

1. Access. Grantee shall have the right of ingress and egress over the Easement Area and Property using existing lanes, driveways and adjoining public roads where practical as determined by Grantee.
2. Clearing of Vegetation. Grantee shall have the right to cut down, clear, trim, remove, and otherwise control any trees, shrubs, overhanging branches and other vegetation (collectively,

“Vegetation”) within the Easement Area. Grantee shall also have the right to cut down, clear, trim, remove and otherwise control any Vegetation that is adjacent to the Easement Area but only to the extent such Vegetation may endanger the safe or reliable operation of the Facilities as reasonably determined by Grantee. Following Grantee’s removal of Vegetation, Grantee shall restore the surface of the Easement Area and Property, as the case may be, to a safe and slightly condition. By way of example and not limitation, if Grantee cuts down trees, Grantee shall either completely remove the tree stumps or cut them off level to the ground, and if Grantee damages grassy areas, Grantee shall either re-sod or re-seed the damaged area.

3. Environmental Condition. To the best of Grantor’s actual knowledge without having performed any independent inquiry, investigation or environmental assessment, the Easement Area does not contain any hazardous or toxic materials or other environmental contamination.

4. No Obstructions or Excavation. Grantor shall not, without Grantee’s prior written consent, (a) place, or permit the placement of, any structures or other permanent obstructions within or adjacent to the Easement Area that may interfere with Grantee’s exercise of its rights hereunder; (b) excavate or place, or permit the excavation or placement of, any dirt or other similar material within the Easement Area; or (c) install, or permit the installation of, a pond, lake or similar containment vehicle within or adjacent to the Easement Area that would result in the retention of water within the Easement Area. Grantee shall have the right to remove any and all such unauthorized obstructions and, notwithstanding the provisions of paragraph 6 (Repair of Damage) below, Grantee shall not be required to repair any damage to the surface of the Easement Area or Property resulting therefrom.

5. Storing of Dirt. Grantee shall have the right to temporarily pile dirt and other material and to operate equipment upon the surface of the Easement Area, and also on the land immediately adjacent to the Easement Area not to exceed fifteen (15) feet in width on either side of the Easement Area, but only during those times when Grantee is constructing, reconstructing, maintaining, repairing, replacing, adding to, modifying, or removing the Facilities.

6. Repair of Damage. Grantee, at its expense, shall promptly repair any and all physical damage to the surface area of the Easement Area and any and all damage to the Property resulting from Grantee’s exercise of its rights hereunder, including without limitation damage caused by Grantee’s employees, agents, contractors and subcontractors. In making such repairs, Grantee shall restore the affected area to a safe and slightly condition and otherwise to a condition that is reasonably close to the condition that the affected area was in immediately prior to the damage. If Grantee does not, in the opinion of Grantor, satisfactorily repair any such damage, Grantor may, within ninety (90) days of discovering such damage, file a claim for such damage with Grantee (a) at 139 East Fourth Street, Cincinnati, OH 45202, Attn: Right of Way Services EY100, or (b) by contacting an authorized Right of Way Services representative of Grantee. Grantee shall not be expected to respond to claims filed thereafter.

7. Grantor’s Reserved Rights. Grantor shall have the right to use the Easement Area in any manner that is not inconsistent with the rights granted herein to Grantee. Grantor’s and Grantee’s use of the Easement Area shall comply with all applicable laws and codes.

8. Authority to Grant Easement. Grantor represents that it has the necessary authority and title to the Property to grant this easement to Grantee.

9. Easement to Run with the Land. The provisions hereof shall be deemed to “run with the

land” and shall inure to the benefit of and be binding upon the parties hereto and their respective successors and assigns. Upon any transfer of the fee simple interest in the Property, the transferor of such interest shall be relieved of all liability and obligations hereunder thereafter accruing, and the transferee shall be deemed to have assumed all such liability and obligations.

The rights herein granted to Grantee are subject to any and all existing easements, restrictions and other matters of record affecting the Property.

Executed by the CITY of CINCINNATI by the City Manager on this ____ day of _____, 2022, as duly authorized by Ordinance _____-2022 passed on _____, 2022.

CITY OF CINCINNATI

By: _____
City Manager

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022, by _____, City Manager of the City of Cincinnati, an Ohio municipal corporation, on behalf of the corporation.

Notary Public
My commission expires: _____

Approved as to Form:

Assistant City Solicitor

ACKNOWLEDGED AND ACCEPTED BY:
DUKE ENERGY OHIO, INC.

By: _____

Its: _____

Date: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this _____ day of _____, 2022,
by _____, of Duke Energy Ohio, Inc., an Ohio corporation, on behalf of the
corporation.

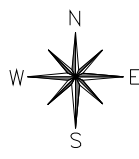
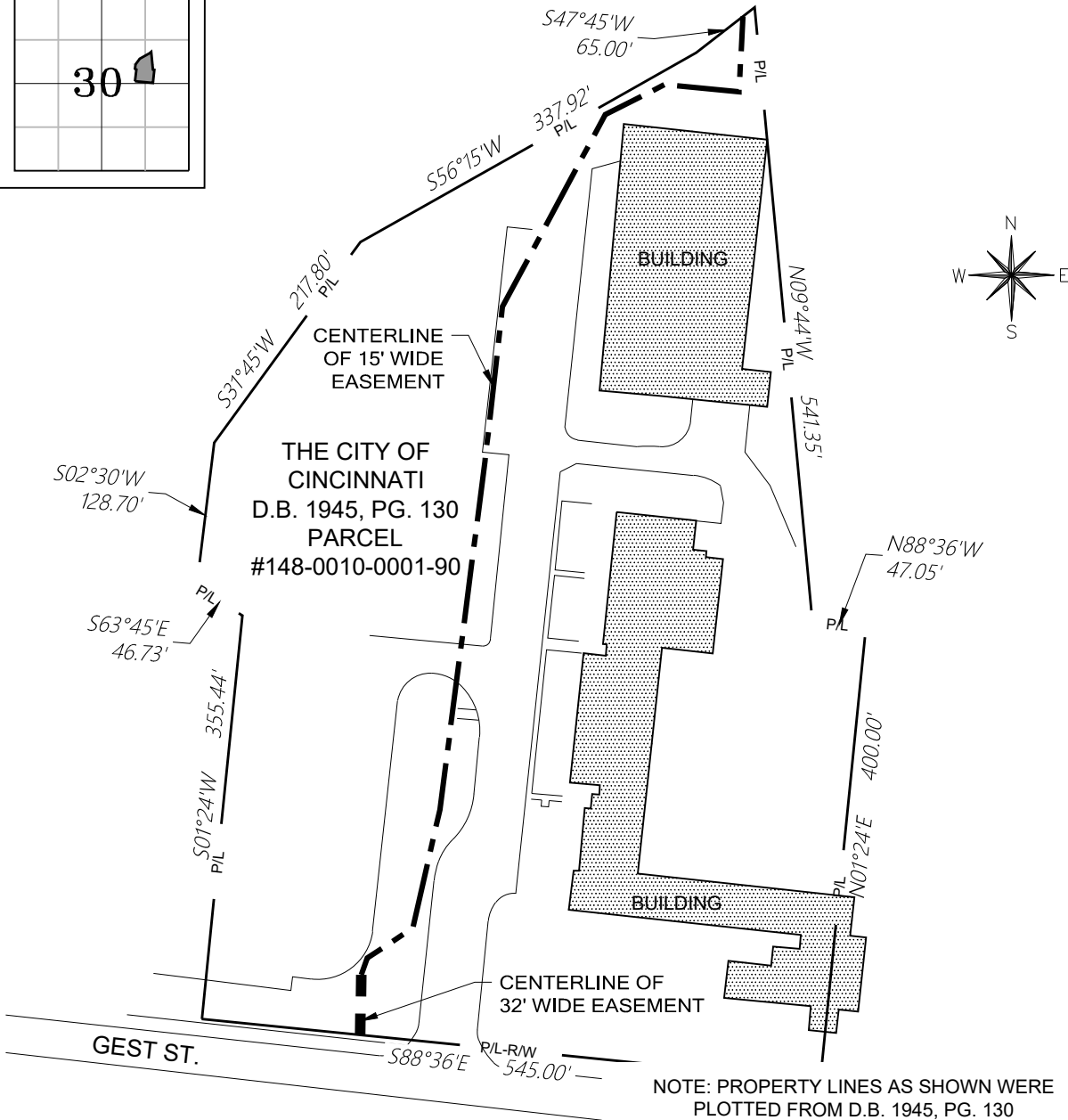
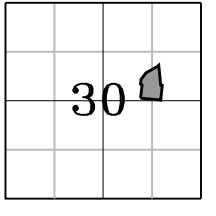
Notary Public

My commission expires: _____

This Instrument Prepared by Janice L. Walker, Attorney-at-Law, 139 E. Fourth St., Cincinnati, OH 45202.

For Grantee's Internal Use:
Emax No: 42085766
Prepared by: NRH
Prepared date: May 26, 2022
Pad No. HMO-30955

THIS IS NOT A SURVEY. LOCATIONS SHOWN ARE APPROXIMATE. THE ACTUAL CENTERLINE LOCATION OF THE UTILITY LINE IS THE CENTERLINE OF THE EASEMENT.



NOTE: PROPERTY LINES AS SHOWN WERE PLOTTED FROM D.B. 1945, PG. 130 AND SITE IMPROVEMENTS FROM GIS DATA

HAMILTON COUNTY, OHIO

SITE NAME: STORRE TOWNSHIP SECTION 30 T-4, F.R.-1

	DR. AM	EXHIBIT MAP OF: EASEMENT
	CK. MT	EXHIBIT MAP FOR: THE CITY OF CINCINNATI
	DATE 10/01/2021	LOCATION 1600 GEST ST, CINCINNATI, OH
EXHIBIT 'A'		EMAX #42085766

Date: November 9, 2022

To: Mayor and Members of City Council 202202052
From: Sheryl M. M. Long, City Manager
Subject: ORDINANCE – LPH THRIVES, LLC GRANT OF EASEMENT (PORTION OF WEST EIGHTH STREET)

Attached is an ordinance captioned as follows:

AUTHORIZING the City Manager to execute a *Grant of Easement* in favor of LPH Thrives, LLC, pursuant to which the City of Cincinnati will grant an encroachment easement upon a portion of West Eighth Street in Lower Price Hill.

LPH Thrives, LLC (“Grantee”) owns the property located at 2113 West Eighth Street in the Lower Price Hill neighborhood and has requested an easement for an out-swinging door encroaching upon portions of the West Eighth Street public rights-of-way.

The City has determined that granting the easement to Grantee is not adverse to the City’s retained interest in the public right-of-way and will not have an adverse effect on the usability or accessibility of any existing transportation facilities.

The fair market value of the easements is approximately \$50 which Grantee has agreed to pay.

The City Planning Commission approved the easements at its meeting on August 19, 2022.

The Administration recommends passage of the attached ordinance.

Attachment I – Grant of Easement

cc: John S. Brazina, Director, Transportation and Engineering

City of Cincinnati

CHM

EESW

An Ordinance No. _____

- 2022

AUTHORIZING the City Manager to execute a *Grant of Easement* in favor of LPH Thrives, LLC, pursuant to which the City of Cincinnati will grant an encroachment easement upon a portion of West Eighth Street in Lower Price Hill.

WHEREAS, LPH Thrives, LLC, an Ohio limited liability company (“Grantee”), owns certain real property located at 2113 West Eighth Street in Lower Price Hill; and

WHEREAS, the City of Cincinnati owns the adjoining West Eighth Street public right-of-way (“Property”), which Property is under the management of the City’s Department of Transportation and Engineering (“DOT E”); and

WHEREAS, Grantee has requested an easement from the City for an encroachment upon a portion of the Property, namely, an out-swinging door, as more particularly depicted and described in the *Grant of Easement* attached to this ordinance as Attachment A and incorporated herein by reference (“Easement”); and

WHEREAS, the City Manager, in consultation with DOT E, has determined (i) that granting the Easement to Grantee is not adverse to the City’s retained interest in the Property and; (ii) that granting the Easement will not have an adverse effect on the usability or accessibility of any existing transportation facilities located within the public right-of-way; and

WHEREAS, pursuant to Cincinnati Municipal Code Sec. 331-5, the City Council may authorize the encumbrance of City-owned property without competitive bidding in those cases in which it determines that it is in the best interest of the City; and

WHEREAS, the City’s Real Estate Services Division has determined by a professional appraisal that the fair market value of the Easement is approximately \$50, which Grantee has agreed to pay; and

WHEREAS, the City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the Easement at its meeting on August 19, 2022; now, therefore,

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

Section 1. That the City Manager is hereby authorized to execute a *Grant of Easement* in favor of LPH Thrives, LLC, an Ohio limited liability company (“Grantee”), owner of the

property located at 2113 West Eighth Street in Lower Price Hill, in substantially the form attached to this ordinance as Attachment A and incorporated herein by reference, pursuant to which the City of Cincinnati will grant to Grantee an easement to construct and maintain an encroachment (“Easement”) upon the West Eighth Street public right-of-way (the “Property”), as more particularly described on Attachment A.

Section 2. That granting the Easement to Grantee (i) is not adverse to the City’s retained interest in the Property; and (ii) will not have an adverse effect on the usability or accessibility of any existing transportation facilities located within the public right-of-way.

Section 3. That it is in the best interest of the City to grant the Easement without competitive bidding because, as a practical matter, no one other than Grantee, an adjoining property owner, would have any use for the Easement.

Section 4. That the collective fair market value of the Easement, as determined by a professional appraisal by the City’s Real Estate Services Division, is approximately \$50, which Grantee has agreed to pay.

Section 5. That the proceeds from the *Grant of Easement* shall be deposited into Property Management Fund 209 to pay the fees for services provided by the City’s Real Estate Services Division in connection with the *Grant of Easement*, and that the City’s Finance Director is hereby authorized to deposit amounts in excess thereof, if any, into Miscellaneous Permanent Improvement Fund 757.

Section 6. That the City’s Finance Director is authorized to transfer and appropriate such excess funds from Miscellaneous Permanent Improvement Fund 757 into Capital Improvement Program Project Account No. 980x233xYY2306, “Street Improvements,” in which “YY”

represents the last two digits of the fiscal year in which the closing occurs and the proceeds are received, referencing the latter fiscal year if the events occur in different fiscal years.

Section 7. That the City Manager and other City officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance and to fulfill the terms of the *Grant of Easement* including, without limitation, executing any and all ancillary agreements, plats, and other real estate documents.

Section 8. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

ATTACHMENT A

[SPACE ABOVE FOR RECORDER'S USE]

GRANT OF EASEMENT

(encroachment upon a portion of W. 8th Street)

This Grant of Easement is granted as of the Effective Date (as defined on the signature page hereof) by the **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), in favor of **LPH THRIVES, LLC**, an Ohio limited liability company, with a tax mailing address of 114 W. 14th Street, Cincinnati, OH 45202 ("**Grantee**").

Recitals:

A. By virtue of a *Quitclaim Deed* recorded on August 2, 2021, in OR 14471, Page 4088, Hamilton County, Ohio Records, Grantee holds title to certain real property located at 2113 W. 8th Street, Cincinnati, OH 45204, as more particularly described on Exhibit A (*Legal Description – Benefitted Property*) and depicted on Exhibit B (*Survey Plat*) hereto (the "**Benefitted Property**").

B. The City owns the adjoining West 8th Street public right-of-way, which is under the management of the City's Department of Transportation and Engineering ("**DOT**").

C. Grantee has requested the City to grant an easement for an out swinging door encroachment upon the West 8th Street public right-of-way (the "**Encroachment**").

D. The City Manager, in consultation with DOT, has determined that (i) the easement will not have an adverse effect on the City's retained interest in the West 8th Street public right-of-way, and (ii) granting the easement will not have an adverse effect on the usability or accessibility of any existing West 8th Street public right-of-way facilities.

E. The City's Real Estate Services Division has determined that the fair market value of the easement, as determined by professional appraisal, is \$50, which has been deposited with the Real Estate Services Division.

F. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the easement at its meeting on August 19, 2022.

G. Cincinnati City Council approved the easement by Ordinance No. []-2022, passed on [], 2022.

NOW THEREFORE, the parties do hereby agree as follows:

1. Grant of Easement. The City does hereby grant to Grantee, on the terms and conditions set forth herein, as an appurtenance to and for the benefit of the Benefitted Property, a non-exclusive encroachment easement to use, maintain, repair, reconstruct, replace, and remove the Encroachment in, over, and across the West 8th Street public right-of-way, as more particularly depicted on Exhibit B and described on Exhibit C (Legal Description- Easement) hereto (the “**Easement**” or “**Easement Area**”, as applicable). Grantee shall not make any modifications to the Encroachment within the Easement Area without the City’s prior written consent.

2. Termination. Notwithstanding anything herein to the contrary, the Easement shall automatically terminate upon (i) the complete or partial demolition of the Encroachment within the Easement Area, such that the Easement would be rendered unnecessary; (ii) upon written notice from the City, if the City determines that it needs the Easement Area, or any portion thereof for a municipal purpose, including, without limitation to the implementation of Americans with Disabilities Act (“**ADA**”) regulations compliance or accessibility standards; or (iii) upon written notice from the City if the City determines that the Encroachment are creating a public safety issue, such as noncompliance with ADA accessibility regulations, contributing to adverse impacts on the usability or accessibility of any public right-of-way facilities.

3. Maintenance and Repairs. At no cost to the City, Grantee shall maintain the Encroachment in a continuous state of good and safe condition and repair. Grantee acknowledges that there may be existing easements, utility lines, and related facilities in the vicinity of the Easement Area (“**Third-Party Utility Lines**”). In connection with Grantee’s maintenance, repair, and use of the Encroachment, Grantee shall not interfere with the access of utility companies to maintain and repair the Third-Party Utility Lines and shall, at Grantee’s expense, promptly repair any and all damage to Third-Party Utility Lines caused by Grantee, its agents, employees, contractors, subcontractors, tenants, licensees, or invitees. Any relocation of Third-Party Utility Lines necessitated by the maintenance, repair, reconstruction, removal, or sealing of the Encroachment under this instrument shall be handled entirely at Grantee’s expense. All activities undertaken by Grantee under this instrument shall be in compliance with all applicable codes, laws, and other governmental standards, policies, guidelines and requirements.

4. Insurance; Indemnification. At all times, and in addition to whatever other insurance and bond requirements as the City may from time to time require, Grantee shall maintain or cause to be maintained a policy of Commercial General Liability insurance, with an insurance company reasonably acceptable to the City and naming the City as an additional insured, in an amount not less than \$1,000,000 per occurrence, combined single limit/\$1,000,000 aggregate, or in such greater amount as the City may from time to time require. Grantee shall furnish to the City a certificate of insurance evidencing such insurance upon the City’s request and, in any event, prior to undertaking any construction activities within the Easement Area. Grantee hereby waives all claims and rights of recovery against the City, and on behalf of Grantee’s insurers, rights of subrogation, in connection with any damage to the Encroachment, no matter how caused. Grantee shall defend (with counsel reasonably acceptable to the City), indemnify, and hold the City harmless from and against any and all claims, actions, losses, costs (including without limitation reasonable attorneys’ fees), liability and damages suffered or incurred by, or asserted against, the City in connection with the use, maintenance, repair, and all other matters associated with the Encroachment.

5. Default. If Grantee, its successors-in-interest, or assigns fail to perform any required work under this instrument and fail to address the same to DOTE’s satisfaction within thirty (30) days after receiving written notice thereof from DOTE, the City shall have right to perform such work, at Grantee’s expense, payable within ten (10) days after receiving an invoice from DOTE evidencing the amount due. Grantee, its successors-in-interest, or assigns shall be liable to DOTE for the payment of such work. Any outstanding amount due under this instrument shall create a lien on the Benefitted Property until fully paid. At the City’s option, the City may file an affidavit in the Hamilton County, Ohio Recorder’s office to memorialize any outstanding amounts due under this instrument.

6. Covenants Running with the Land. The provisions hereof shall run with the land and shall inure to the benefit of and be binding upon the City, Grantee, and their respective successors-in-interest and assigns.

7. Governing Law; Severability. This instrument shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. If any provisions hereof are determined to be invalid or unenforceable by a court of law, the remainder of this instrument shall not be affected thereby, and all other provisions of this instrument shall be valid and enforceable to the fullest extent permitted by law.

8. Notices. All notices given hereunder shall be in writing and shall be sent by U.S. certified or registered mail, return receipt requested, or delivered by a recognized courier service, or by personal delivery, to the parties at their respective addresses set forth in the introductory paragraph hereof, with a copy to CREA LPH Thrives, LLC, 30 South Meridian Street, Suite 400, Indianapolis, Indiana 46204, or such other address as either party may specify from time to time by notice given in the manner prescribed herein. All notices to the City shall be addressed to the Office of the City Manager, and a copy of each such notice shall simultaneously be delivered to: Department of Transportation and Engineering, Attn: Director, Room 450. In the event of an alleged breach by the City of this instrument, a copy of each notice of breach shall simultaneously be delivered to the Office of the City Solicitor, 801 Plum Street, Room 214, Cincinnati, OH 45202.

9. Coordinated Report Conditions (CR #5-2022). The following additional conditions shall apply:

a. NOTE: Grantee shall maintain a minimum of an eight-foot unobstructed pedestrian path between the Easement Area and the curb.

10. Counterparts and Electronic Signatures. This instrument may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original. This instrument may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

11. Exhibits. The following exhibits are attached hereto and made a part hereof:
Exhibit A – *Legal Description - Benefitted Property*
Exhibit B – *Survey Plat*
Exhibit C – *Legal Description - Easement*

Executed by the parties on the respective date of acknowledgement listed below, effective as the later of such dates (the "Effective Date").

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by _____, the _____ of the City of Cincinnati, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public
My commission expires: _____

Approved by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form by:

Assistant City Solicitor

[Grantee Signature Page Follows]

ACCEPTED AND AGREED TO BY:

LPH THRIVES, LLC,
an Ohio limited liability company,

By: _____

Printed Name: _____

Title: _____

Date: _____, 2022

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by _____, the _____ of **LPH THRIVES, LLC**, an Ohio limited liability company, on behalf of the company. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public
My commission expires: _____

This instrument prepared by:
City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

EXHIBIT A

to Grant of Easement

Legal Description - Benefitted Property

Parcel ID No.: 149-0011-0136-90 57
2113 W. 8th

All that certain lot of land in Cincinnati, Hamilton County, Ohio, in Section 30, Township 4, Fractional Range 1, of the Miami Purchase, bounded and described as follows:

Commencing at a point in the South line of Eighth Street seventy-five (75) feet East of Depot Street and extending

Thence eastwardly twenty-five (25) feet to a point in the South line of said Eighth Street;

Thence, southwardly parallel to Depot Street one hundred twenty (120) feet more or less to Pardee Alley; Thence, westwardly with Pardee Alley twenty-five (25) feet to a point seventy-five (75) feet distant from Depot Street; Thence, northwardly one hundred twenty (120) feet more or less to the South line of Eighth Street and the place of

EXHIBIT B

to Grant of Easement

Survey Plat

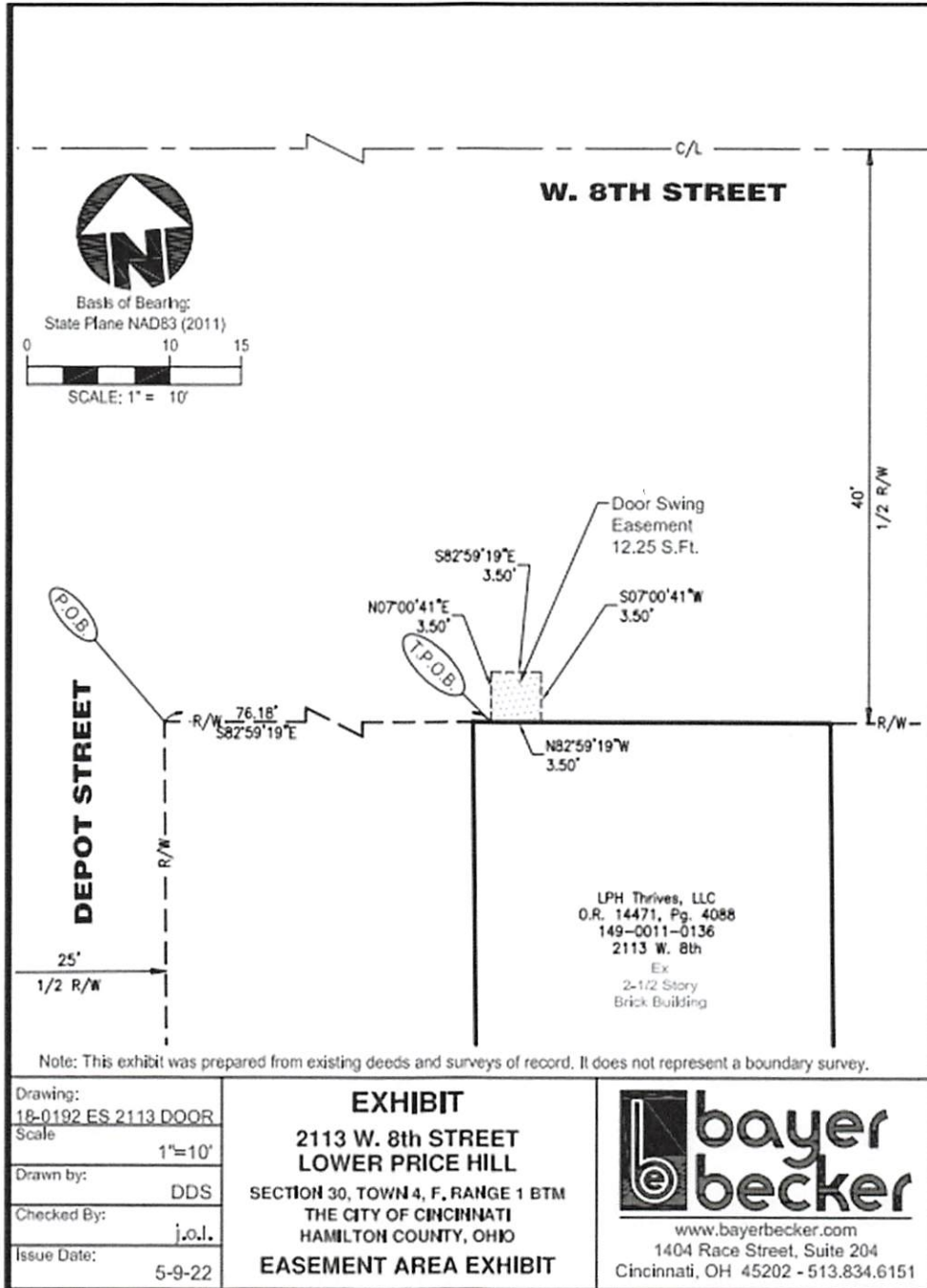


EXHIBIT C

to Grant of Easement

Legal Description – Easement

Description: Exhibit
Door Swing Easement

Date: May 9, 2022

Location: 2113 W. 8th Street
City of Cincinnati
Hamilton County, Ohio



Situated in Section 30, Town 4, Fractional Range 1 Between the Miamis, The City of Cincinnati, Hamilton County, Ohio being a Door Swing Easement and being further described as follows:

Begin at a point found by measuring from the intersection of the south right of way of W. 8th Street (80') and the east right of way of Depot Street (50'); thence, departing the east right of way of said Depot Street and with the south right of way of said W. 8th Street, South 82° 59' 19" East, 76.18 feet to the true point of beginning;

thence, from the True Point of Beginning thus found and through the right of way of said right of said W. 8th Street for the following three courses:

- 1) North 07° 00' 41" East, 3.50 feet;
- 2) South 82° 59' 19" East, 3.50 feet;
- 3) South 07° 00' 41" West, 3.50 feet to the right of way of said right of said W. 8th Street

thence, with right of way of said right of said W. 8th Street, North 82° 59' 20" West, 3.50 feet to the True Point of Beginning containing 12.25 square feet.

Basis of Bearings: NAD83(2011) Ohio State Plane Coordinates, South Zone (3402).

The above description was prepared from an easement exhibit made on May 9, 2022 under the direction of Jeffrey O. Lambert, Professional Surveyor #7568 in the State of Ohio.

[SPACE ABOVE FOR RECORDER'S USE]

GRANT OF EASEMENT

(encroachment upon a portion of W. 8th Street)

This Grant of Easement is granted as of the Effective Date (as defined on the signature page hereof) by the **CITY OF CINCINNATI**, an Ohio municipal corporation, 801 Plum Street, Cincinnati, OH 45202 (the "**City**"), in favor of **LPH THRIVES, LLC**, an Ohio limited liability company, with a tax mailing address of 114 W. 14th Street, Cincinnati, OH 45202 ("**Grantee**").

Recitals:

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B. The City owns the adjoining West 8th Street public right-of-way, which is under the management of the City's Department of Transportation and Engineering ("**DOTE**").

C. Grantee has requested the City to grant an easement for an out swinging door encroachment upon the West 8th Street public right-of-way (the "**Encroachment**").

D. The City Manager, in consultation with DOTE, has determined that (i) the easement will not have an adverse effect on the City's retained interest in the West 8th Street public right-of-way, and (ii) granting the easement will not have an adverse effect on the usability or accessibility of any existing West 8th Street public right-of-way facilities.

E. The City's Real Estate Services Division has determined that the fair market value of the easement, as determined by professional appraisal, is \$50, which has been deposited with the Real Estate Services Division.

F. City Planning Commission, having the authority to approve the change in the use of City-owned property, approved the easement at its meeting on August 19, 2022.

G. Cincinnati City Council approved the easement by Ordinance No. [__]-2022, passed on [____], 2022.

NOW THEREFORE, the parties do hereby agree as follows:

1. Grant of Easement. The City does hereby grant to Grantee, on the terms and conditions set forth herein, as an appurtenance to and for the benefit of the Benefitted Property, a non-exclusive encroachment easement to use, maintain, repair, reconstruct, replace, and remove the Encroachment in, over, and across the West 8th Street public right-of-way, as more particularly depicted on Exhibit B and described on Exhibit C (Legal Description- Easement) hereto (the “**Easement**” or “**Easement Area**”, as applicable). Grantee shall not make any modifications to the Encroachment within the Easement Area without the City’s prior written consent.

2. Termination. Notwithstanding anything herein to the contrary, the Easement shall automatically terminate upon (i) the complete or partial demolition of the Encroachment within the Easement Area, such that the Easement would be rendered unnecessary; (ii) upon written notice from the City, if the City determines that it needs the Easement Area, or any portion thereof for a municipal purpose, including, without limitation to the implementation of Americans with Disabilities Act (“**ADA**”) regulations compliance or accessibility standards; or (iii) upon written notice from the City if the City determines that the Encroachment are creating a public safety issue, such as noncompliance with ADA accessibility regulations, contributing to adverse impacts on the usability or accessibility of any public right-of-way facilities.

3. Maintenance and Repairs. At no cost to the City, Grantee shall maintain the Encroachment in a continuous state of good and safe condition and repair. Grantee acknowledges that there may be existing easements, utility lines, and related facilities in the vicinity of the Easement Area (“**Third-Party Utility Lines**”). In connection with Grantee’s maintenance, repair, and use of the Encroachment, Grantee shall not interfere with the access of utility companies to maintain and repair the Third-Party Utility Lines and shall, at Grantee’s expense, promptly repair any and all damage to Third-Party Utility Lines caused by Grantee, its agents, employees, contractors, subcontractors, tenants, licensees, or invitees. Any relocation of Third-Party Utility Lines necessitated by the maintenance, repair, reconstruction, removal, or sealing of the Encroachment under this instrument shall be handled entirely at Grantee’s expense. All activities undertaken by Grantee under this instrument shall be in compliance with all applicable codes, laws, and other governmental standards, policies, guidelines and requirements.

4. Insurance; Indemnification. At all times, and in addition to whatever other insurance and bond requirements as the City may from time to time require, Grantee shall maintain or cause to be maintained a policy of Commercial General Liability insurance, with an insurance company reasonably acceptable to the City and naming the City as an additional insured, in an amount not less than \$1,000,000 per occurrence, combined single limit/\$1,000,000 aggregate, or in such greater amount as the City may from time to time require. Grantee shall furnish to the City a certificate of insurance evidencing such insurance upon the City’s request and, in any event, prior to undertaking any construction activities within the Easement Area. Grantee hereby waives all claims and rights of recovery against the City, and on behalf of Grantee’s insurers, rights of subrogation, in connection with any damage to the Encroachment, no matter how caused. Grantee shall defend (with counsel reasonably acceptable to the City), indemnify, and hold the City harmless from and against any and all claims, actions, losses, costs (including without limitation reasonable attorneys’ fees), liability and damages suffered or incurred by, or asserted against, the City in connection with the use, maintenance, repair, and all other matters associated with the Encroachment.

5. Default. If Grantee, its successors-in-interest, or assigns fail to perform any required work under this instrument and fail to address the same to DOTE’s satisfaction within thirty (30) days after receiving written notice thereof from DOTE, the City shall have right to perform such work, at Grantee’s expense, payable within ten (10) days after receiving an invoice from DOTE evidencing the amount due. Grantee, its successors-in-interest, or assigns shall be liable to DOTE for the payment of such work. Any outstanding amount due under this instrument shall create a lien on the Benefitted Property until fully paid. At the City’s option, the City may file an affidavit in the Hamilton County, Ohio Recorder’s office to memorialize any outstanding amounts due under this instrument.

6. Covenants Running with the Land. The provisions hereof shall run with the land and shall inure to the benefit of and be binding upon the City, Grantee, and their respective successors-in-interest and assigns.

7. Governing Law; Severability. This instrument shall be governed by and construed in accordance with the laws of the City of Cincinnati and the State of Ohio. If any provisions hereof are determined to be invalid or unenforceable by a court of law, the remainder of this instrument shall not be affected thereby, and all other provisions of this instrument shall be valid and enforceable to the fullest extent permitted by law.

8. Notices. All notices given hereunder shall be in writing and shall be sent by U.S. certified or registered mail, return receipt requested, or delivered by a recognized courier service, or by personal delivery, to the parties at their respective addresses set forth in the introductory paragraph hereof, with a copy to CREA LPH Thrives, LLC, 30 South Meridian Street, Suite 400, Indianapolis, Indiana 46204, or such other address as either party may specify from time to time by notice given in the manner prescribed herein. All notices to the City shall be addressed to the Office of the City Manager, and a copy of each such notice shall simultaneously be delivered to: Department of Transportation and Engineering, Attn: Director, Room 450. In the event of an alleged breach by the City of this instrument, a copy of each notice of breach shall simultaneously be delivered to the Office of the City Solicitor, 801 Plum Street, Room 214, Cincinnati, OH 45202.

9. Coordinated Report Conditions (CR #5-2022). The following additional conditions shall apply:

a. DOTÉ: Grantee shall maintain a minimum of an eight-foot unobstructed pedestrian path between the Easement Area and the curb.

10. Counterparts and Electronic Signatures. This instrument may be executed by the parties hereto in two or more counterparts and each executed counterpart shall be considered an original. This instrument may be executed and delivered by electronic signature; any original signatures that are initially delivered electronically shall be physically delivered as soon as reasonably possible.

11. Exhibits. The following exhibits are attached hereto and made a part hereof:

Exhibit A – *Legal Description - Benefitted Property*

Exhibit B – *Survey Plat*

Exhibit C – *Legal Description - Easement*

Executed by the parties on the respective date of acknowledgement listed below, effective as the later of such dates (the "Effective Date").

CITY OF CINCINNATI

By: _____

Printed Name: _____

Title: _____

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by _____, the _____ of the City of Cincinnati, an Ohio municipal corporation, on behalf of the municipal corporation. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public
My commission expires: _____

Approved by:

John S. Brazina, Director
Department of Transportation and Engineering

Approved as to Form by:

Assistant City Solicitor

[Grantee Signature Page Follows]

ACCEPTED AND AGREED TO BY:

LPH THRIVES, LLC,
an Ohio limited liability company,

By: _____

Printed Name: _____

Title: _____

Date: _____, 2022

STATE OF OHIO)
) ss:
COUNTY OF HAMILTON)

The foregoing instrument was acknowledged before me this ____ day of _____, 2022 by _____, the _____ of **LPH THRIVES, LLC**, an Ohio limited liability company, on behalf of the company. The notarial act certified hereby is an acknowledgement. No oath or affirmation was administered to the signer with regard to the notarial act certified to hereby.

Notary Public
My commission expires: _____

This instrument prepared by:
City of Cincinnati Law Department
801 Plum Street, Suite 214
Cincinnati, OH 45202

EXHIBIT A

to Grant of Easement

Legal Description - Benefitted Property

Parcel ID No.: 149-0011-0136-90 37
2113 W. 8th

All that certain lot of land in Cincinnati, Hamilton County, Ohio, in Section 30, Township 4, Fractional Range 1, of the Miami Purchase, bounded and described as follows:

Commencing at a point in the South line of Eighth Street seventy-five (75) feet East of Depot Street and extending

Thence eastwardly twenty-five (25) feet to a point in the South line of said Eighth Street;

Thence, southwardly parallel to Depot Street one hundred twenty (120) feet more or less to

Pardee Alley; Thence, westwardly with Pardee Alley twenty-five (25) feet to a point seventy-

five (75) feet distant from Depot Street; Thence, northwardly one hundred twenty (120) feet

more or less to the South line of Eighth Street and the place of

EXHIBIT B

to Grant of Easement

Survey Plat

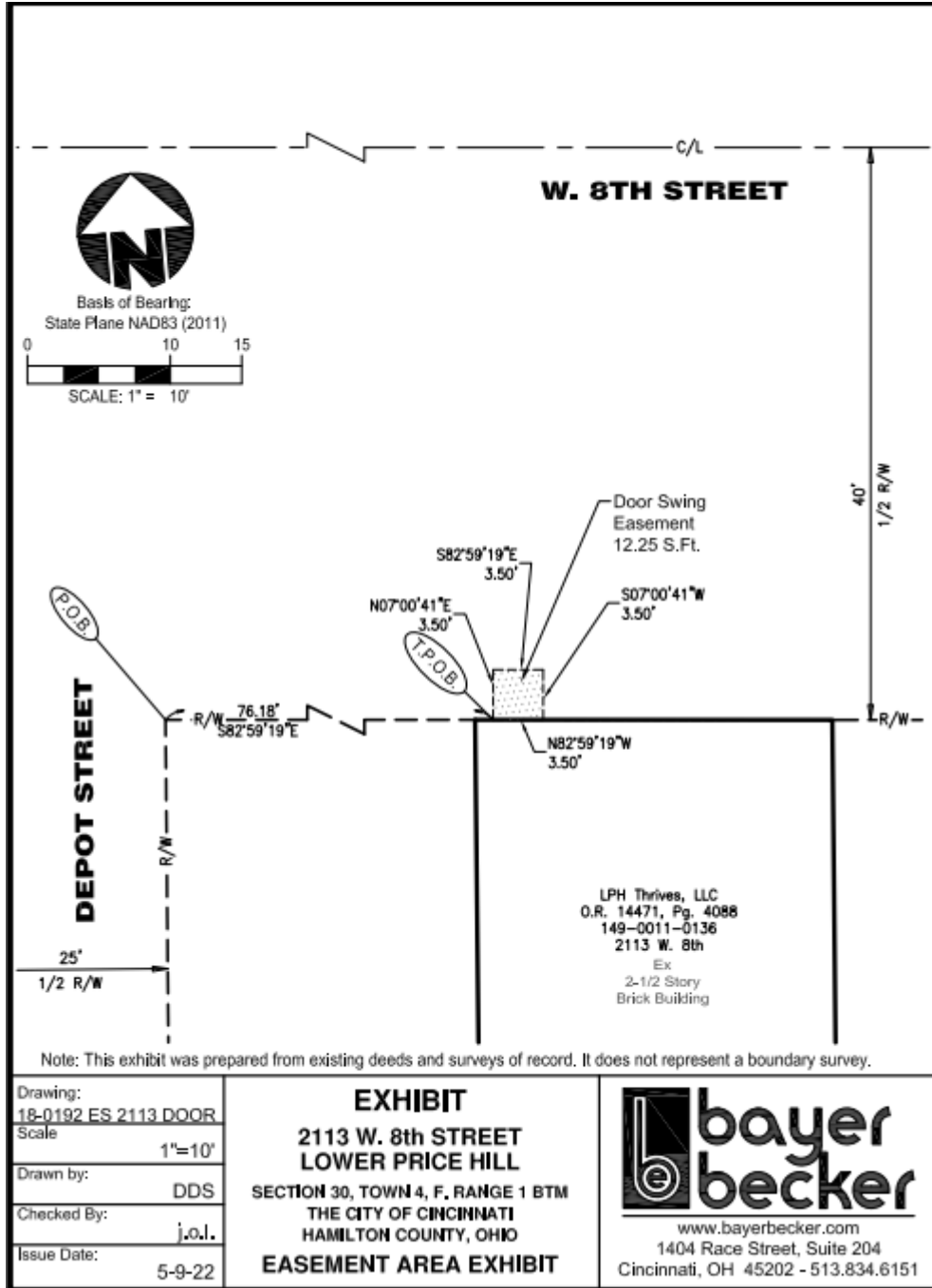


EXHIBIT C

to Grant of Easement

Legal Description – Easement

Description: Exhibit
Door Swing Easement

Date: May 9, 2022

Location: 2113 W. 8th Street
City of Cincinnati
Hamilton County, Ohio



Situated in Section 30, Town 4, Fractional Range 1 Between the Miamis, The City of Cincinnati, Hamilton County, Ohio being a Door Swing Easement and being further described as follows:

Begin at a point found by measuring from the intersection of the south right of way of W. 8th Street (80') and the east right of way of Depot Street (50'); thence, departing the east right of way of said Depot Street and with the south right of way of said W. 8th Street, South 82° 59' 19" East, 76.18 feet to the true point of beginning;

thence, from the True Point of Beginning thus found and through the right of way of said right of said W. 8th Street for the following three courses:

- 1) North 07° 00' 41" East, 3.50 feet;
- 2) South 82° 59' 19" East, 3.50 feet;
- 3) South 07° 00' 41" West, 3.50 feet to the right of way of said right of said W. 8th Street

thence, with right of way of said right of said W. 8th Street, North 82° 59' 20" West, 3.50 feet to the True Point of Beginning containing 12.25 square feet.

Basis of Bearings: NAD83(2011) Ohio State Plane Coordinates, South Zone (3402).

The above description was prepared from an easement exhibit made on May 9, 2022 under the direction of Jeffrey O. Lambert, Professional Surveyor #7568 in the State of Ohio.

November 09, 2022
202202054

To: Mayor and Members of City Council
From: Sheryl M.M. Long, City Manager
Subject: Ordinance-Release of GCWW Watermain Easement in Anderson Twp.

Attached is an Ordinance captioned:

AUTHORIZING the City Manager to execute a plat entitled *Easement Vacation Plat E-1047Q2/WSL-3611* to release and quitclaim a portion of a public utility easement held by the City of Cincinnati for the use and benefit of Greater Cincinnati Water Works for a water main and associated appurtenances located in and upon certain real property located in the J. Eggleston Military Survey No. 609, Anderson Township, Hamilton County, Ohio being part of Parcel 4 of the Original Plat of Anderson Towne Center as shown on a plat recorded in Plat Book 373, Page 56-57, Hamilton County, Ohio Recorder's Office.

The City is the beneficiary of a utility easement for a water main and associated appurtenances, which encumbers certain real property located in Anderson Township. The owner of the property requested that the City release and quitclaim its rights in a portion of the water main easement. The City Manager, in consultation with the Greater Cincinnati Water Works Director, has determined that the portion of the easement encumbering the property is not needed for any municipal purpose. Therefore, the City is agreeable to releasing the portion of the easement encumbering the property.

The Administration recommends passage of this Ordinance.

cc: Verna Arnette, GCWW, Interim Executive Director *VA*

City of Cincinnati

CHM

EESW

An Ordinance No. _____

- 2022

AUTHORIZING the City Manager to execute a plat entitled *Easement Vacation Plat E-1047Q2/ WSL-3611* to release and quitclaim a portion of a public utility easement held by the City of Cincinnati for the use and benefit of Greater Cincinnati Water Works for a water main and associated appurtenances located in and upon certain real property located in the J. Eggleston Military Survey No. 609, Anderson Township, Hamilton County, Ohio, being part of Parcel 4 of the Original Plat of Anderson Towne Center as shown on a plat recorded in Plat Book 373, Page 56-57, Hamilton County, Ohio Recorder's Office.

WHEREAS, pursuant to a plat recorded in Plat Book 283, Page 31, Hamilton County, Ohio Recorder's Office, the City of Cincinnati is the holder of a public utility easement for a water main and associated appurtenances (the "Water Main Easement") in and upon certain real property more particularly identified as Hamilton County, Ohio Auditor's Parcel ID No. 500-0202-0218-00, being a part of Parcel 4 of the Original Plat of Anderson Towne Center as shown on a plat recorded in Plat Book 373, Page 56-57, Hamilton County, Ohio Recorder's Office (the "Property"); and

WHEREAS, the owner of the Property, Vantage Anderson, LLC, an Ohio limited liability company ("Petitioner"), has petitioned for the City to release and quitclaim its rights and interests in a portion of the Water Main Easement, as depicted on a plat entitled *Easement Vacation Plat E-1047Q2/ WSL-3611* attached to this ordinance as Attachment A and incorporated herein by reference (the "Vacation Plat"); and

WHEREAS, the City Manager, upon consultation with Greater Cincinnati Water Works, has determined that the portion of the Water Main Easement requested by Petitioner to be released is not needed for any municipal purposes and therefore recommends the release of same; and

WHEREAS, the Vacation Plat has been examined and approved as to its technical features by the Greater Cincinnati Water Works Chief Engineer, who has found it to be correct; now, therefore,

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

Section 1. That the City Manager is hereby authorized to execute a plat entitled *Easement Vacation Plat E-1047Q2/ WSL-3611* to release and quitclaim a portion of a public utility easement granted to the City of Cincinnati pursuant to a plat recorded in Plat Book 283, Page 31, Hamilton County, Ohio Recorder's Office, for the use and benefit of Greater Cincinnati Water Works for a water main and associated appurtenances (the "Water Main Easement") located in and upon certain

real property more particularly identified as Hamilton County, Ohio Auditor's Parcel ID No. 500-0202-0218-00, being a part of Parcel 4 of the Original Plat of Anderson Towne Center as shown on a plat recorded in Plat Book 373, Page 56-57, Hamilton County, Ohio Recorder's Office (the "Property").

Section 2. That the Water Main Easement is not needed for any municipal purpose.

Section 3. That the City Manager and other City officials are authorized to take all necessary and proper actions to carry out the provisions of this ordinance including, without limitation, executing any and all ancillary agreements, plats, and other documents.

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

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

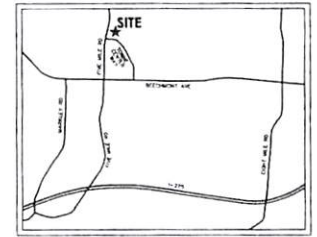
ATTACHMENT A

F.A. RING ROAD
A PUBLIC STREET DEDICATED AND
ACCEPTED ON SURVEY RECORD FOR
HAMILTON CO. PAR. 500-0202-0188

FIVE MILE ROAD (R/W VARIES)

TOWNE CENTER WAY (R/W VARIES)

500-0202-0218
VANTAGE ANDERSON, LLC
O.R. 14541, P. 1961
3.8713 AC.



VICINITY MAP
N.T.S.

GENERAL NOTES
NORTH BACE BEARINGS BASED ON DEED FOR SUBJECT PROPERTY AS RECORDED IN O.R. 14541, P. 1961, HAMILTON COUNTY, OHIO RECORDER'S OFFICE.
SUBJECT PROPERTY BEING PART OF THE SAME REAL ESTATE AS CONVEYED TO VANTAGE ANDERSON, LLC, AN OHIO LIMITED LIABILITY COMPANY BY DEED RECORDED IN OFFICIAL RECORD 14541, PAGE 1961, RECORDS OF THE HAMILTON COUNTY, OHIO RECORDER'S OFFICE.

OWNER
VANTAGE ANDERSON, LLC
4901 HUNTER RD STE 300
CINCINNATI OH 45242



- LEGEND**
MONUMENTS
(SQUARE WITH DIMENSIONS)
○ EX SURV MON PIN
□ EX SPW
⊕ EX WOTCH
⊗ EX NAL
△ EX STONE
⊠ EX CONC MON
- - - EX FENCE LINE
⊙ 3/4" MON PIN SET
⊙ 1" MON PIN SET
⊕ SPW SET
⊕ WOTCH SET
⊕ NAL SET
⊕ CONC MON SET

QUIT-CLAIM OF EXISTING WATERLINE EASEMENT

THE CITY OF CINCINNATI HEREBY RELEASES AND QUIT-CLAIMS ALL ITS RIGHTS AND INTERESTS IN THE EXISTING WATERLINE EASEMENT SHOWN ON THIS PLOT.

AUTHORIZED BY ORDINANCE NO. _____ 2022

CITY OF CINCINNATI

BY: _____

PRINTED NAME: _____

TITLE: _____

COUNTY OF HAMILTON, SS
STATE OF OHIO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____ 2022, BY _____ (PRINTED NAME), THE _____ (TITLE) OF THE CITY OF CINCINNATI, AN OHIO MUNICIPAL CORPORATION, OR BEHALF OF THE MUNICIPAL CORPORATION. THIS IS AN ACKNOWLEDGMENT. NO OATH OR AFFIRMATION WAS ADMINISTERED TO THE SIGNER WITH REGARD TO THE NOTARIAL ACT CERTIFIED HEREBY.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

APPROVED AS TO FORM: _____

SR. ASSISTANT CITY SOLICITOR

Richard D. Nichols
GREATER CINCINNATI WATER WORKS CHIEF ENGINEER

6/3/22
DATE

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THIS EASEMENT AND VERIFIED ALL DIMENSIONS.

Richard D. Nichols
RICHARD D. NICHOLS, P.E.
OHIO REGISTERED PROFESSIONAL SURVEYOR
05/26/2022
DATE



EASEMENT VACATION PLAT
E-1047Q2 / WSL-3611

SITUATE IN J. EGGLESTON M.S. NO. 609
ANDERSON TOWNSHIP, HAMILTON COUNTY, OHIO
BEING PART OF PARCEL 4 OF THE ORIGINAL PLAT OF
ANDERSON TOWNE CENTER RECORDED IN P.B. 373, PP. 56-57
AS REVISED BY 2ND REV. TO PLAT IN P.B. 382, P. 14
AS REVISED BY 3RD REV. TO PLAT IN P.B. 385, P. 19

Date	23 MAY 2022
Scale	1" = 30'
Drawn By	CMB
Checked By	RSN
Survey Date	N/A
OWS	18611009-VAC-2022-05-26
Revision	No. Date
NO. CHG. COMMENTS	CHK 06/04/22 Project Number 186111.00
	File No. 15468 Sheet No. 1 / 1



1870 Park 42 Drive
Cincinnati, OH 45240
Phone 513.798.8000
www.mspdesign.com

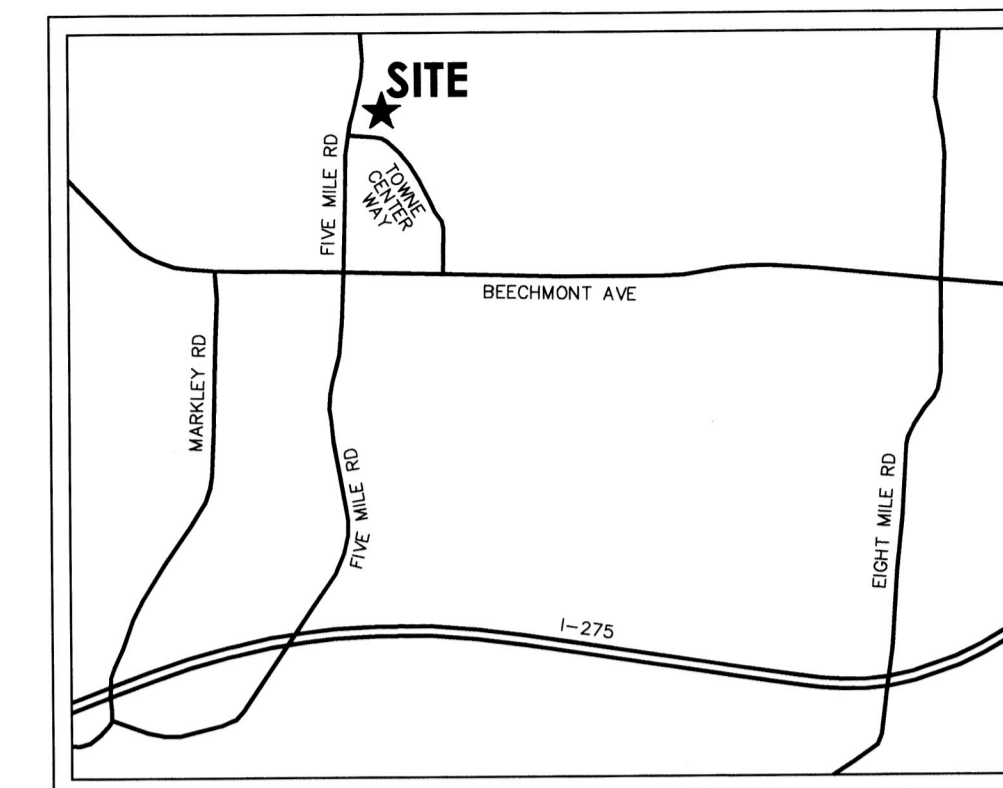
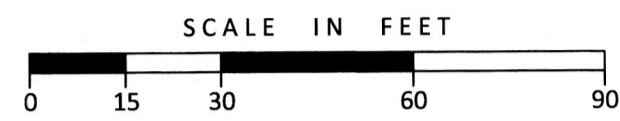
F.K.A. ANDERSON TOWNSHIP CONNECTOR ROAD No. 604-B
A PUBLIC STREET DEDICATED IN P.B. 152, PP. 38-39

FIVE MILE ROAD (R/W VARIES)

F.K.A. RING ROAD
A PUBLIC STREET DEDICATED AND
ACCEPTED ON SURVEY RECORD FOR
HAMILTON CO. PAR. 500-0202-0188

TOWNE CENTER WAY (R/W VARIES)

500-0202-0218
VANTAGE ANDERSON, LLC
O.R. 14541, P. 1961
3.8713 AC.



VICINITY MAP
N.T.S.

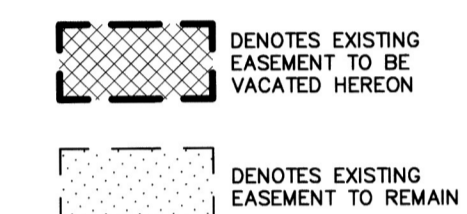
GENERAL NOTES

NORTH BASIS- BEARINGS BASED ON DEED FOR SUBJECT PROPERTY AS RECORDED IN O.R. 14541, P. 1961, HAMILTON COUNTY, OHIO RECORDER'S OFFICE.

SUBJECT PROPERTY BEING PART OF THE SAME REAL ESTATE AS CONVEYED TO VANTAGE ANDERSON, LLC, AN OHIO LIMITED LIABILITY COMPANY BY DEED RECORDED IN OFFICIAL RECORD 14541, PAGE 1961, RECORDS OF THE HAMILTON COUNTY, OHIO RECORDER'S OFFICE.

OWNER

VANTAGE ANDERSON, LLC
4901 HUNT RD STE 300
CINCINNATI OH 45242



- LEGEND**
MONUMENTS
(UNLESS NOTED OTHERWISE)
- EX. 5/8" IRON PIN
 - ♂ EX. SPIKE
 - ✦ EX. NOTCH
 - ★ EX. NAIL
 - △ EX. STONE
 - EX. CONC. MON.
 - x- EX. FENCE LINE
 - 5/8" IRON PIN SET
 - ⊙ 1" IRON PIN SET
 - ✦ SPIKE SET
 - ✦ NOTCH SET
 - ★ NAIL SET
 - CONC. MON. SET

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AUTHORIZED BY ORDINANCE NO. _____ - 2022

CITY OF CINCINNATI

BY: _____

PRINTED NAME: _____

TITLE: _____

COUNTY OF HAMILTON, SS:
STATE OF OHIO

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS _____ DAY OF _____, 2022, BY _____ (PRINTED NAME), THE _____ (TITLE) OF THE CITY OF CINCINNATI, AN OHIO MUNICIPAL CORPORATION, ON BEHALF OF THE MUNICIPAL CORPORATION. THIS IS AN ACKNOWLEDGMENT. NO OATH OR AFFIRMATION WAS ADMINISTERED TO THE SIGNER WITH REGARD TO THE NOTARIAL ACT CERTIFIED HEREBY.

NOTARY PUBLIC: _____

MY COMMISSION EXPIRES: _____

APPROVED AS TO FORM:

SR. ASSISTANT CITY SOLICITOR

Richard D. Nichols
GREATER CINCINNATI WATER WORKS CHIEF ENGINEER

6/3/22
DATE

CERTIFICATION

I HEREBY CERTIFY THAT I HAVE MADE A SURVEY OF THIS EASEMENT AND VERIFIED ALL DIMENSIONS.

Richard D. Nichols
RICHARD D. NICHOLS, P.S.
OHIO REGISTRATION No. 7929
RNichols@McGillSmithPunshon.com

05/26/2022
DATE



EASEMENT VACATION PLAT
E-1047Q2 / WSL-3611

SITUATE IN J. EGGLESTON M.S. NO. 609
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Date	23 MAY 2022
Scale	1" = 30'
Drawn By	CMB Proj. Mgr. RDN
Survey Database	N/A
DWG	18611003-VAC-2022_05-26
X-Ref(s)	
Project Number	18611.00
File No.	15349 Sheet No. 1 / 1

MSP
DESIGN
McGill Smith Punshon

Architecture 3700 Park 42 Drive Suite 190B Cincinnati OH 45241
Engineering
Landscape Architecture Phone 513.759.0004
Planning
Surveying www.mspdesign.com

November 2, 2022

To: Mayor and Members of City Council

From: Sheryl M.M. Long, City Manager

202202029

Subject: Emergency Ordinance: Salary Schedule increase for employees in salary division 0 and certain classifications in salary divisions 7 (LAW) and 9

Attached is an Emergency Ordinance captioned:

MODIFYING the salary range schedules for all non-represented middle management employment classifications by amending all sections of Division 0 and certain sections of Division 7 (LAW) and Division 9 of Chapter 307 of the Cincinnati Municipal Code to provide for pay parity between non-represented employees and represented employees in those salary divisions.

The Human Resources Director has approved the classifications included in the recommended adjustment for equity with represented employees and to avoid staggered salary schedules for like classifications.

The Administration recommends passage of this Emergency Ordinance.

cc: Edward G. Ramsey, Human Resources Director

EMERGENCY

IMD

-2022

MODIFYING the salary range schedules for all non-represented middle management employment classifications by amending all sections of Division 0 and certain sections of Division 7 (LAW) and Division 9 of Chapter 307 of the Cincinnati Municipal Code to provide for pay parity between non-represented employees and represented employees in those salary divisions.

WHEREAS, pursuant to Ordinance No. 188-2022, all non-represented employees in salary Divisions 0, 7 (LAW), and 9 received a three percent cost-of-living adjustment at the beginning of Fiscal Year 2023; and

WHEREAS, all represented employees in the Police, Fire, Building Trades, and AFSCME bargaining units and all employees represented by the Cincinnati Organized and Dedicated Employees, Inc. (“CODE”) received a five percent across-the-board wage increase in the first year of their current contracts; and

WHEREAS, CODE was formed out of certain positions included in Division 0; and

WHEREAS, CODE represents some employees who have the same position titles or equivalent positions as some non-represented employees included in Division 0 who are excluded from the collective bargaining unit, but who at one time shared the same salary range; and

WHEREAS, certain CODE classifications perform administrative work and certain classifications in Divisions 0, 7 (LAW), and 9 also perform a high quantity and level of administrative work, but those classifications are excluded from the CODE collective bargaining unit; and

WHEREAS, modifying the salary range schedules for those non-represented employees who have the same position titles as or job responsibilities equivalent to employees represented by CODE to accord with the five percent wage increase provided to CODE employees ensures internal parity, and that salary range modification is consistent with the services and responsibilities of such non-represented employees; now, therefore,

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

Section 1. That, in accordance with Appendix A, the salary ranges of the non-represented middle management employment classifications in all sections of Division 0 and certain sections of Division 7 (LAW) and Division 9 of Chapter 307 of the Cincinnati Municipal Code are hereby increased by 1.94175%, effective as of November 13, 2022.

Section 2. That the existing sections of Divisions 0, 7 (LAW), and 9 listed in Appendix A are hereby repealed.

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

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 adjust the salary range of the said classifications to ensure internal parity for employees with the same job titles or equivalent job responsibilities.

Passed: _____, 2022

Aftab Pureval, Mayor

Attest: _____
Clerk

Appendix A: Salary Schedule with 1.94175% Wage Increase

CMC Section	Division	Grade	Title	Existing Minimum	Existing Maximum	New Minimum	New Maximum
				Hourly Rate	Hourly Rate	Hourly Rate	Hourly Rate
307-001	D0	001	Administrative Specialist	26.082746	39.653999	26.589208	40.423981
307-008	D0	008	Administrative Technician	19.754884	30.033654	20.138474	30.616832
307-009	D0	009	Investigator	31.060159	47.041021	31.663270	47.954440
307-013	D0	013	Senior Administrative Spclst	30.941161	47.041021	31.541961	47.954440
307-042	D0	042	Computer Programmer/Analyst	20.528448	28.267675	20.927059	28.816563
307-043	D0	043	Senior Comptr Programmer/Anly	30.941161	47.041021	31.541961	47.954440
307-058	D0	058	Community Dvlpmnt & Plan Anal-EXM	26.082746	39.653999	26.589208	40.423981
307-066	D0	066	Development Officer	26.082746	35.915931	26.589208	36.613329
307-080	D0	080	Graphic Designer	26.082746	39.653999	26.589208	40.423981
307-089	D0	089	Human Resources Analyst	26.082746	39.653999	26.589208	40.423981
307-092	D0	092	Internal Auditor	26.082746	39.653999	26.589208	40.423981
307-094	D0	094	Management Analyst	26.082746	39.653999	26.589208	40.423981
307-146	D0	146	Comm Econ Development Analyst	20.461058	39.653999	20.858361	40.423981
307-148	D0	148	Comm Econ Develop Sr Analyst	25.321584	47.041021	25.813266	47.954440
307-149	D0	149	Senior Human Resources Analyst	30.941617	47.041021	31.542426	47.954440
307-150	D0	150	Senior Internal Auditor	30.941617	47.041021	31.542426	47.954440
307-151	D0	151	Supvr of Prk/Rec Maint & Const	30.941617	47.041021	31.542426	47.954440
307-152	D0	152	Senior City Planner	30.941617	47.041021	31.542426	47.954440
307-154	D0	154	Senior CommDev & Plan Anl-EXM	30.941617	47.041021	31.542426	47.954440
307-156	D0	156	Senior Development Officer	30.941617	47.041021	31.542426	47.954440
307-162	D0	162	Human Resources Info Sys Anal	30.937438	47.043767	31.538166	47.957239
307-177	D0	177	Senior Management Analyst	30.941617	47.041020	31.542426	47.954439
307-190	D0	190	Zoning Hearing Examiner	45.916903	61.987825	46.808494	63.191474
307-200	D0	200	Dietitian	23.231980	31.990436	23.683087	32.611610
307-219	D0	219	PEAP Coordinator	44.769579	62.295146	45.638892	63.504762
307-220	D0	220	Psychologist	31.347085	43.164940	31.955767	44.003095
307-222	D0	222	Intelligence Analyst	23.762100	32.342000	24.223501	32.970001
307-228	D0	228	Assistant Dental Director	30.941617	42.606600	31.542426	43.433914
307-232	D0	232	Intelligence Analyst Supervisor	26.079600	36.038908	26.586001	36.738693
307-247	D0	247	PEAP Counselor	28.191100	45.659900	28.738501	46.546501
307-248	D0	248	Physician Assistant	32.751633	44.015446	33.387588	44.870116
307-258	D0	258	Accountant	26.082746	39.653999	26.589208	40.423981
307-265	D0	265	City Planner	26.082746	39.653999	26.589208	40.423981
307-271	D0	271	Physical Therapist	24.452921	33.671677	24.927736	34.325497
307-299	D0	299	Asst Health Laboratory Mgr	30.941617	42.606600	31.542426	43.433914
307-322	D0	322	Recycling Operations Tech	18.616632	24.825678	18.978120	25.307731
307-323	D0	323	Training Coordinator	30.941617	47.041021	31.542426	47.954440
307-336	D0	336	Housing Services Coordinator	21.440321	22.188874	21.856638	22.619726
307-438	D0	438	Supervisor of Building Permits	25.675004	35.354477	26.173548	36.040973
307-443	D0	443	Zoning Supervisor	29.321984	40.376375	29.891344	41.160383
307-575	D0	575	Development Officer 4	33.367655	47.041021	34.015571	47.954440
307-761	D0	761	Water Security Supervisor	28.278002	41.423487	28.827090	42.227828
307-763	D0	763	Security Supervisor	19.754884	27.202475	20.138474	27.730679
307-824	D0	824	Information Technology Coor	20.528448	28.267675	20.927059	28.816563
307-826	D0	826	Emergency Comm Asst Mgr	30.941160	47.041021	31.541960	47.954440
307-864	D0	864	Landscape Architect	26.489345	36.475829	27.003702	37.184098
307-963	D0	963	Park Planner	33.367655	45.947255	34.015571	46.839436
307-035	D9	035	Deputy Clerk	20.332200	30.457846	20.727000	31.049261
307-036	D9	036	Assistant Chief Deputy Clerk	26.656861	36.853341	27.174471	37.568941
307-186	LAW	186	Support Services Manager	30.941159	42.606597	31.541959	43.433911
307-191	LAW	191	Asst to the City Solicitor	30.33447	47.113975	30.923490	48.028811
307-193	LAW	193	Support Services Specialist	19.367530	39.654001	19.743599	40.423983
307-217	LAW	217	Legal Assistant	19.367530	39.654001	19.743599	40.423983
307-224	LAW	224	Real Estate Specialist	26.082748	35.915928	26.589210	36.613326
307-225	LAW	225	Senior Real Estate Specialist	33.367656	47.113975	34.015572	48.028811
307-930	LAW	930	Law Clerk	11.875900	19.788897	12.106500	20.173148



202202061

Jeff Cramerding
Councilmember

November 4, 2022

MOTION

WE MOVE that the Cincinnati Recreation Commission work with Cincinnati Public Schools to identify and provide a report of mutually beneficial recreation projects that would benefit students and all residents. This includes creating better access to existing facilities, fixing failing infrastructure, opening and restoring facilities that are currently closed, and exploring opportunities for new projects. This collaborative approach should focus on underserved neighborhoods where children, seniors, and all residents do not have equitable access to exercise and recreation opportunities.

STATEMENT

As we tackle the problem of equitable access to recreation facilities and exercise for people in our city, we believe there are several opportunities for the Cincinnati Recreation Commission and Cincinnati Public Schools to collaborate. It is our intention that these two organizations will be able to identify the greatest need for their constituents by working together.

JEFF CRAMERDING

Melba D. Davis

Scotty Phillips

Jamilete Kearney

Robert Hamilton

Healthy Neighborhoods



NOV 10 2011

4 NOV 22 PM 12:52

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