



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, March 31, 2021

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR CRANLEY

1. [202101249](#) **ORDINANCE**, submitted by Mayor John Cranley, from Andrew W. Garth, City Solicitor, **MODIFYING** Title VII, "General Regulations," of the Cincinnati Municipal Code by amending Section 723-42, "Mobile Food Vending; Definitions," and Section 723-44, "Mobile Food Vending; Operating Restrictions," of Chapter 723, "Streets and Sidewalk, Use Regulations," to establish a new designated zone for mobile food vending on Harrison Avenue in the Westwood neighborhood.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Mayor

MR. GOODIN

2. [202101223](#) **MOTION**, submitted by Councilmember Goodin, In 1911, a 6.4 acre property was purchased by the City of Cincinnati to establish a park in the suburb of Evanston. As the neighborhood grew, a pool, tennis and basketball courts, a baseball diamond and bleachers were added to Evanston Park, making it a fun-filled gathering place for the generations of families who lived in the area. In 1917, the Evanston Field House was built, which contained boys/girls restrooms and locker rooms, lifeguard quarters and an equipment room, and was also used for picnics and parties. Evanston Park is part of the Cincinnati Recreation Commission and, unfortunately, over the past 20 years, the Field House has fallen into disrepair. It is estimated a complete renovation of the Field House would cost between \$275,000-\$396,000. **WE MOVE** that funds from the American Rescue Plan Act be allocated to pay for renovation of the Evanston Field House.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Goodin

MS. KEARNEY

3. [202101225](#) **MOTION**, submitted by Councilmember Kearney, **WE MOVE** to appoint Anthony Johnson to the Salary History Working Group.

Recommendation EQUITY, INCLUSION, YOUTH & THE ARTS COMMITTEE

Sponsors: Kearney

MR. LANDSMAN

MS. KEATING

4. [202101248](#) **RESOLUTION**, submitted by Councilmember Landsman and Keating, **RECOGNIZING** April 4-10, 2021 as National Library Week in the City of Cincinnati, and **ENCOURAGING** all residents to visit a Cincinnati and Hamilton County Public Library branch in person or online during this week.

Recommendation PASS

Sponsors: Landsman and Keating

MR. SMITHERMAN

MR. GOODIN

5. [202101247](#) **MOTION**, submitted by Vice Mayor Smitherman and Councilmember Goodin, **WE MOVE** that funds from the American Rescue Plan Act be allocated to construct a new Cincinnati Police Department (CPD) District 5 headquarters. This cost is estimated to be between \$20 - \$25 million dollars.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Smitherman and Goodin

CITY MANAGER

6. [202100985](#) **REPORT**, dated 3/31/2021 submitted by Paula Boggs Muething, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for WARD EMPIRE LLC, DBA ALABAMA QUE, 2733 Short Vine Street, Cincinnati, Ohio 45219. (#9398120, D5J, NEW) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

7. [202101216](#) **REPORT**, dated 3/31/2021, submitted by Paula Boggs Muething, City Manager, regarding MARIJUANA-ONLY WARNINGS/CITATIONS/ARRESTS MONTHLY REPORT, FEBRUARY 2021.

Recommendation FILE

Sponsors: City Manager

8. [202101227](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 3/31/2021, **AUTHORIZING** the City Manager to apply for a grant in an amount up to \$150,000,000 from the Transportation Review Advisory Council (CFDA 20.205), awarded by and through the Ohio Department of Transportation, to provide resources for the construction associated with replacement of the Western Hills Viaduct; and **AUTHORIZING** the City Manager to enter into the necessary agreements with Hamilton County to jointly apply for these grant resources.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

9. [202101228](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/31/2021, **AUTHORIZING** the City Manager to accept with gratitude a donation of artwork by artists Ellen Kochansky and Jamie Davis from the commercial real estate firm CBRE.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

10. [202101229](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/31/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in an amount of \$10,000 from Cincinnati Children's Hospital Medical Center for the purpose of supporting COVID-19 vaccinations and health equity in vulnerable Cincinnati communities; and **AUTHORIZING** the Finance Director to deposit the grant funds into Public Health Research Fund 350.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

11. [202101230](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 3/31/2021, **AUTHORIZING** the City Manager to execute a *Grant of Encroachment Easements* in favor of 2445 Gilbert, LLC, pursuant to which the City of Cincinnati will grant encroachment easements for existing projections encroaching upon the Gilbert Avenue public right-of-way in the Walnut Hills neighborhood of Cincinnati.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

12. [202101231](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 3/31/2021, **AUTHORIZING** the City Manager to vacate and sell to Uptown Transportation Authority, LLC approximately 0.1749 acres of the public right-of-way known as Bartle Avenue in the Avondale neighborhood of Cincinnati.

Recommendation

BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

13. [202101232](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/31/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with 17E-Fifteen LLC, thereby authorizing an 8-year tax exemption for 100% of the value of improvements made to real property located at 17 E. 15th Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 3,576 square feet of residential space, consisting of 6 residential rental units, at a total construction cost of approximately \$300,000.

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

14. [202101233](#) **RESOLUTION (LEGISLATIVE)** submitted by Paula Boggs Muething, City Manager, on 3/31/2021, **DECLARING** the necessity of assessing properties in Lighting Group 1 that benefit from special street lighting within the City of Cincinnati for the cost of such lighting for the three-year period beginning August 1, 2020.

Recommendation BUDGET AND FINANCE COMMITTEE**Sponsors:** City Manager**CLERK OF COUNCIL**

15. [202101224](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Betsy Sundermann/Councilmember. (ETHICS)

Recommendation FILE**Sponsors:** Clerk of Council

16. [202101250](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Vice President, Development Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (CINCINNATI USA CONVENTION & VISITORS BUREAU)

Recommendation FILE**Sponsors:** Clerk of Council

17. [202101251](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, President & CEO, Development Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, OH 45202. (CINCINNATI USA CONVENTION & VISITORS BUREAU)

Recommendation FILE**Sponsors:** Clerk of Council

18. [202101252](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Cathy Bernardino Bailey/Greater Cincinnati Water Works/Director.

Recommendation FILE**Sponsors:** Clerk of Council

19. [202101253](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Robert Bertsch/Community and Economic Development/Division Manager.

Recommendation FILE**Sponsors:** Clerk of Council

20. [202101254](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Pamela S. Chandler/Deputy Director Chief Financial Officer/Greater Cincinnati Water Works.

Recommendation FILE

- Sponsors:** Clerk of Council
21. [202101255](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Jarrod Keythe Bolden/Public Services/Superintendent.
- Recommendation** FILE
- Sponsors:** Clerk of Council
22. [202101256](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Steven Paul Goodin/City Councilmember. (CITY)
- Recommendation** FILE
- Sponsors:** Clerk of Council
23. [202101257](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Roy Jeffrey Hackworth/Community and Economic Development.
- Recommendation** FILE
- Sponsors:** Clerk of Council
24. [202101258](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Curtis Allen Hines/DOTE/Interim Division Manager.
- Recommendation** FILE
- Sponsors:** Clerk of Council
25. [202101259](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Alice Marie Hctor/Police/Division Manager.
- Recommendation** FILE
- Sponsors:** Clerk of Council
26. [202101260](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for James J McCord/ETS Deputy Director
- Recommendation** FILE
- Sponsors:** Clerk of Council
27. [202101261](#) **STATEMENT**, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Christopher Edward Charles Smitherman/City Council/Vice Mayor of Cincinnati. (CITY)
- Recommendation** FILE
- Sponsors:** Clerk of Council

BUDGET AND FINANCE COMMITTEE

28. [202101138](#) **MOTION**, submitted by Vice Mayor Smitherman and Councilmember Keating and Goodin, **WE MOVE** that a subcommittee of Economic Growth and Zoning be established to address matters related to small business in the City of Cincinnati.
- Recommendation** ADOPT
- Sponsors:** Smitherman, Keating and Goodin

29. [202101183](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **AUTHORIZING** the City Manager to apply for, accept and appropriate a grant in the amount of \$303,230 from the Get Vaccinated OHIO Public Health Initiative, funded by the Ohio Department of Health, to support activities that will increase immunization rates in children under two years of age, school aged children and adolescents; and **AUTHORIZING** the Director of Finance to deposit the grant funds into Public Health Research Fund 350.
- Recommendation** PASS
- Sponsors:** City Manager
30. [202101184](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **AUTHORIZING** the City Manager to accept and appropriate grant resources in the amount of \$20,000 from the Delta Dental Foundation's COVID-19 Dental Equipment Fund, to provide funds for the Cincinnati Health Department's purchase of COVID-19 related dental supplies and equipment, including personal protective equipment ("PPE"), air purifiers, teledentistry equipment, and other necessary resources; and **AUTHORIZING** the Director of Finance to receive and deposit the grant funds into Public Health Research Fund 350.
- Recommendation** PASS
- Sponsors:** City Manager
31. [202101188](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **AUTHORIZING** the transfer of the sum of \$60,850 within the General Fund from and to various operating budget accounts for the purpose of providing funds for the ongoing needs of City departments in accordance with the attached Schedule of Transfer; **AUTHORIZING** the transfer of the sum of \$1,744,743 within the Restricted Funds from and to various operating accounts for the purpose of providing funds for the ongoing needs of City departments in accordance with the attached Schedule of Transfer; and **AUTHORIZING** the appropriation of \$300,000 from the unappropriated surplus of 9-1-1 Cell Phone Fees Fund 364 for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedule of Transfer.
- Recommendation** PASS EMERGENCY
- Sponsors:** City Manager
32. [202101189](#) **MOTION**, dated 03/18/2021, submitted by Councilmember Mann, **Budget Policy Direction to City Administration for Recommended FY 2022 General Fund Operating Budget**. WE MOVE that the City administration prepare a Fiscal Year 2022 Recommended General Fund Operating Budget which respects the following policy guidelines and priorities: 1. The Fiscal Year 2022 General Fund Operating Budget must be balanced. While continuing to strive to have a structurally balanced budget, the fiscal impacts of the pandemic may necessitate the use of one-time sources to balance in Fiscal Year 2022. 2. Given the projected \$30.0 million gap between General Fund revenues and expenditures, federal stimulus funds should be used to offset the projected FY 2022 operating budget deficit based on the eligible uses of funds for pandemic related expenditures and/or loss of revenue. (BALANCE OF MOTION ON FILE IN CLERKS OFFICE)

Recommendation

ADOPT

Sponsors:

Mann

33. [202101190](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **ESTABLISHING** new capital improvement program project no. 980x199x211921, "Riverside Boat Ramp Improvements"; and **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in an amount of up to \$200,000 from the Ohio Department of Natural Resources Waterways Safety Fund for the purpose of providing funding for the design and construction of the improved boat ramp, boat dock, and restrooms at the Riverside boat ramp.

Recommendation PASS EMERGENCY**Sponsors:**

City Manager

34. [202101191](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **DETERMINING** to proceed with improving Walworth Avenue in the East End neighborhood of Cincinnati by constructing an extension thereto, together with curbs, street lighting, streetscaping, sidewalks, water mains, and storm and sanitary sewer; necessary remediation of soil in the related right-of-way; installing retaining walls; acquiring land necessary to construct and install the foregoing; and acquiring, constructing, and installing other related improvements, and of assessing certain lots adjacent to Walworth Avenue, as extended, for costs of those improvements, in accordance with Chapter 727 of the Ohio Revised Code. (COUNCILMEMBER KEATING IS EXCUSED FROM VOTING ON THIS ITEM)

Recommendation PASS EMERGENCY**Sponsors:**

City Manager

35. [202101192](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with 64 E McMicken LLC, an affiliate of Northcrown Property LLC thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 64 E. McMicken Avenue in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of the existing building into approximately 1,370 square feet of commercial space and approximately 4,003 square feet of residential space, consisting of 6 apartments, at a total construction cost of approximately \$919,178. (COUNCILMEMBER KEATING IS EXCUSED FROM VOTING ON THIS ITEM)

Recommendation PASS EMERGENCY**Sponsors:**

City Manager

36. [202101193](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **LEVYING** special assessments to pay for the costs of improving Walworth Avenue in the East End neighborhood of Cincinnati by constructing an extension thereto, together with curbs, street lighting, streetscaping, sidewalks, water mains, and storm and sanitary sewer; necessary remediation of soil in the related right-of-way; installing retaining walls; acquiring land necessary to construct and install the foregoing; and

acquiring, constructing, and installing other related improvements, and any financing and administrative expenses in connection therewith.
(COUNCILMEMBER KEATING IS EXCUSED FROM VOTING ON THIS ITEM)

Recommendation PASS EMERGENCY

Sponsors: City Manager

37. [202101194](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with 116 E McMicken LLC, an affiliate of Northcrown Property LLC thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 116 E. McMicken Avenue in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of the existing building into approximately 549 square feet of commercial space and approximately 5,183 square feet of residential space, consisting of 10 residential rental units, at a total construction cost of approximately \$869,325. (COUNCILMEMBER KEATING IS EXCUSED FROM VOTING ON THIS ITEM)

Recommendation PASS EMERGENCY

Sponsors: City Manager

38. [202101195](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **APPROVING AND AUTHORIZING** the execution of a Job Creation Tax Credit Agreement with Luma Financial Technologies, LLC, pursuant to which the company agrees to create 58 new jobs at 425 Walnut Street, Suite 2410 in the Central Business District of Cincinnati and, for a period of 4 years, the City agrees to provide an income tax credit equal to 35% of City income tax revenue from such new jobs.

Recommendation PASS EMERGENCY

Sponsors: City Manager

39. [202101196](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge)* with Robel 1 LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 18 W. Elder Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 500 square feet of commercial space and approximately 3,300 square feet of residential space, consisting of 7 residential rental units, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total remodeling cost of approximately \$300,000.

Recommendation PASS EMERGENCY

Sponsors: City Manager

40. [202101197](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/24/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with Northcrown 56 McMicken LLC, an affiliate of Northcrown Property LLC thereby

authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 56 E. McMicken Avenue in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of the existing building into approximately 1,081 square feet of commercial space and approximately 6,829 square feet of residential space, consisting of 13 apartments, at a total remodeling cost of approximately \$1,501,184. (COUNCILMEMBER KEATING IS EXCUSED FROM VOTING ON THIS ITEM)

Recommendation PASS EMERGENCY

Sponsors: City Manager

41. [202101220](#) **RESOLUTION (LEGISLATIVE) (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/29/2021, **AUTHORIZING** tax levies for the calendar year beginning January 1, 2022, certifying them to the Hamilton County Auditor pursuant to O.R.C. § 5705.34, and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this calendar year to the City Treasurer pursuant to O.R.C. § 321.34.

Recommendation PASS EMERGENCY

Sponsors: City Manager

SUPPLEMENTAL ITEMS

LAW & PUBLIC SAFETY COMMITTEE

42. [202101104](#) **MOTION**, submitted by Councilmember Landsman, **WE HEREBY MOVE** that the Administration provide a brief, high-level report on what it would take in terms of additional crews and funding to achieve *optimum level of public services functioning* as it relates to sanitation, road treatment, snow removal, and street paving and maintenance. (STATEMENT ATTACHED).

Recommendation ADOPT

Sponsors: Landsman

ECONOMIC GROWTH & ZONING COMMITTEE

43. [202101209](#) **MOTION**, submitted by Councilmember Goodin, While Cincinnati continues to grapple with long-term, systemic fixes to its affordable housing shortage, it has become apparent that the location of such units remains an issue for many homeowners. A concentration of subsidized units in one neighborhood can artificially lower property values and deter market-rate and commercial development. Accordingly, **WE MOVE** that the Administration advise as to whether Council may limit the development of new subsidized housing units in neighborhoods which already contain 50 percent or more of such units in their existing housing stock.

Recommendation ADOPT

Sponsors: Goodin

ANNOUNCEMENTS

Adjournment