



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, April 28, 2021

2:00 PM

Council Chambers, Room 300

REVISED

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MR. GOODIN

1. [202101530](#) **MOTION**, submitted by Councilmember Goodin, Flywheel Social Enterprise is requesting up to \$300,000 to be used to expand current programs focused on racial and gender equity and on entrepreneurial ventures that advance systemic change. It is expected these funds would equip a minimum of 20 diverse startup founders and engage 50 “angel investors” to invest a minimum of \$3 million in at least 15 startups, increasing employment opportunities in the Greater Cincinnati region. These funds would be matched by donations from foundations, sponsors and individuals. **WE MOVE** that funds from the American Rescue Plan Act be allocated to Flywheel Social Enterprise.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Goodin

MS. KEARNEY

MS. KEATING

2. [202101553](#) **RESOLUTION**, submitted by Councilmembers Kearney and Keating from Andrew Garth, City Solicitor, **EXPRESSING** the support of the Mayor and Cincinnati City Council for the passage of both the COVID-19 Hate Crimes Act and the Jabara-Heyer NO HATE Act of 2021 currently in Congress, including their support of the City Administration proceeding without delay to undertake any and all efforts on behalf of the City of Cincinnati and its residents to support the passage of both bills.

Recommendation PASS

Sponsors: Kearney and Keating

MS. KEATING

MR. SMITHERMAN

MS. KEARNEY

3. [202101577](#) **MOTION**, submitted by Councilmember Keating, Vice Mayor Smitherman and Councilmember Kearney, **WE MOVE** that City Council allocates \$2.8 million of the American Rescue Plan Act to UC Health to ensure that they can complete their Emergency Medical Services Canopy: Goodman Street.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Keating, Smitherman and Kearney

MR. LANDSMAN

4. [202101549](#) **ORDINANCE**, submitted by Councilmember Landsman from Andrew W. Garth, City Solicitor, **MODIFYING** Chapter 117, "Campaign Finance - Disclosures," of the Cincinnati Municipal Code by AMENDING Section 117-3, "Reporting Requirements when Campaign has no Activity; Publication of Campaign Reports," to require timely reporting by elected officials and their associated campaign committees or political action committees of certain campaign contributions; AUTHORIZING the City Manager to take all actions necessary to design and implement a public-facing website through which such reports will be available; and AUTHORIZING the City Manager to develop such requirements, rules, and guidance, in consultation with the Cincinnati Elections Commission, as are necessary to carry out the purposes described herein, contingent upon funding being budgeted for such purposes in the Fiscal Year 2022 budget.

Recommendation LAW & PUBLIC SAFETY COMMITTEE

Sponsors: Landsman

MR. MANN**MS. KEARNEY**

5. [202101567](#) **MOTION**, submitted by Councilmember Mann and Kearney, **I MOVE** that the City Administration move expeditiously with payment/reimbursement of the Human Services agencies under contract with the City.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Mann and Kearney

MR. SMITHERMAN

6. [202101548](#) **MOTION**, dated 04/23/2021, submitted by Vice Mayor Smitherman, **WE MOVE** that \$450,000 from the American Rescue Plan Act (ARPA) be allocated to create accessible and inclusive bathroom facilities at the Cincinnati Contemporary Arts Center (CAC).

Recommendation
BUDGET & FINANCE COMMITTEE

Sponsors: Smitherman

CITY MANAGER

7. [202001056](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding 2019 DOTE Infrastructure Reports.
Recommendation MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE
Sponsors: City Manager
8. [202100679](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding City Paid-Leave Program for Live Organ and Bone Marrow Donors. (SEE REFERENCE DOCUMENT #202000807)
Recommendation BUDGET AND FINANCE COMMITTEE
Sponsors: City Manager
9. [202100934](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/10/2021, **AMENDING** Sections 7, 8, and 11 of Article II, "City Manager," of the Administrative Code of the City of Cincinnati to identify the necessary areas of responsibilities for Assistant City Managers and assistants to the City Manager to facilitate the operation of the Office of the City Manager.
Recommendation EDUCATION, INNOVATION & GROWTH COMMITTEE
Sponsors: City Manager
10. [202101177](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding Outdoor Dining in Neighborhoods. (SEE REFERENCE DOC# 202100636)
Recommendation NEIGHBORHOODS COMMITTEE
Sponsors: City Manager
11. [202101218](#) **REPORT**, dated 4/28/2021 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 SHORT VINE SPIRITS INC, 2902 Short Vine Street, 1st FL & BSMT, Cincinnati, Ohio 45219. (#8105509, C2, C2X, D6, TRANSFER) [Objections: NO]
Recommendation FILE
Sponsors: City Manager
12. [202101413](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for THE KNOW THEATRE SUMMER PROGRAM.
Recommendation FILE
Sponsors: City Manager
13. [202101485](#) **REPORT**, dated 4/28/2021 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 JAPG RESTAURANT GROUP LLC, DBA GOOD PLATES EATERY, 235 W. McMillan Street, Cincinnati, Ohio 45219. (#4224788, D2, NEW) [Objections: NONE]
Recommendation FILE
Sponsors: City Manager
14. [202101486](#) **REPORT**, dated 4/28/2021 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 2347 MANAGEMENT LLC, 2347 Reading Road, Cincinnati, Ohio 45202. (#9088285, D5A, NEW) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

15. [202101487](#) **REPORT**, dated 4/28/2021 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 AUSIBELLE HOLDINGS LLC, DBA URBAN AIR ADVENTURE PARK, 3321 Alamo Avenue, Cincinnati, Ohio 45209. (#0335491, D1, D2, NEW) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

16. [202101489](#) **REPORT**, dated 4/28/2021 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 EVT MANAGEMENT SERVICES LLC, 24 Race Street, Lot 27, Lot 23, Cincinnati, Ohio 45202. (#2594845, D5J, NEW) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

17. [202101490](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding a Residential Parking Permit Area on Livingston Street in the West End. (SEE REFERENCE DOCUMENT #202100950)

Recommendation LAW & PUBLIC SAFETY COMMITTEE

Sponsors: City Manager

18. [202101512](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for AULT PARK 2021 4TH OF JULY FIREWORKS.

Recommendation FILE

Sponsors: City Manager

19. [202101521](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding Department of Finance Report for the Month Ended March 31, 2021

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

20. [202101531](#) **REPORT**, dated 4/28/2021, submitted by Paula Boggs Muething, City Manager, regarding cost and timeline of the audit of Council activities (See Doc. #202100210).

Recommendation LAW & PUBLIC SAFETY COMMITTEE

Sponsors: City Manager

21. [202101536](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/28/2021, **AUTHORIZING** the City Manager to execute a *Grant of Encroachment Easement* in favor of Vision Cincinnati, LLC, pursuant to which the City of Cincinnati will grant an encroachment easement to permit existing

basement space to encroach upon the Seventh and Race Streets public rights-of-way in the Central Business District.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

22. [202101539](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/28/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant up to the amount of \$4,010 from the American Association for Retired Persons (“AARP”) and FitLot, Inc. for the purpose of funding and promoting AARP-sponsored outdoor fitness park programming; and **AUTHORIZING** the Finance Director to deposit the grant funds into Recreation Special Activities Fund 323, Revenue Account No. 323x8571.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

BUDGET AND FINANCE COMMITTEE

23. [202101449](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant of up to \$95,035 from the Department of Homeland Security, Federal Emergency Management Agency FY 2020 Assistance to Firefighters Grant Program (CFDA No. 97.044) to Fire Grants Fund 472 for the purpose of funding the purchase of a gear washer and extractor and six gear drying cabinets for the Cincinnati Fire Department.

Recommendation PASS

Sponsors: City Manager

24. [202101475](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge)* with Melrose IHNGC Limited Partnership, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 835-849 Oak Street in the Walnut Hills neighborhood of Cincinnati, in connection with the construction of a new building comprised of approximately 595 square feet of office space and approximately 26,204 square feet of residential space, consisting of 26 affordable residential rental units, which construction shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards, at a total construction cost of approximately \$3,592,000.

Recommendation PASS EMERGENCY

Sponsors: City Manager

25. [202101476](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with MKRB 1 LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 1646 Vine Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling

of the existing building into approximately 1,200 square feet of commercial retail space and approximately 5,250 square feet of residential space, consisting of 8 apartments, at a total remodeling cost of approximately \$138,480.

Recommendation PASS EMERGENCY

Sponsors: City Manager

26. [202101477](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **AUTHORIZING** the City Manager to execute a *Lease Agreement* with UC Health, LLC, pursuant to which the City will lease for up to sixty-two years a portion of Goodman Street located west of Burnet Avenue, a portion of Highland Avenue located north of Piedmont Avenue, and certain other real property used for transportation purposed in the Corryville neighborhood.

Recommendation PASS EMERGENCY

Sponsors: City Manager

27. [202101480](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with 1923 Elm, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 1923-1927 Elm Street and 205-207 Henry Street in the Over-the-Rhine neighborhood of Cincinnati, in connection with the remodeling of an existing building into approximately 13,398 square feet of commercial space, consisting of a 20-room boutique hotel, which remodeling shall be completed in compliance with Leadership in Energy Environmental Design Silver, Gold, or Platinum standards or Living Building Challenge standards, a total construction cost of approximately \$4,147,682.

Recommendation PASS EMERGENCY

Sponsors: City Manager

28. [202101481](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **MODIFYING** the provisions of Chapter 730, "Commercial Waste Franchises," of the Cincinnati Municipal Code by AMENDING Section 730-1-A, "Applicant," Section 730-1-C2, "Clean Hard Fill," Section 730-1-C3, "Commercial Waste," Section 730-1-C6, "Construction and Demolition Debris," Section 730-1-R, "Recyclable Materials," Section 730-3, "Applicability; Requirement for Franchise; Term of Franchise," Section 730-5, "General Provisions," Section 730-7, "Award of Franchises," Section 730-9, "Basis for Award of Franchise," Section 730-19, "Bond Requirements," Section 730-21, "Insurance Requirements," and Section 730-25, "Methods of Solid Waste Collection"; ORDAINING new Sections 730-1-C2, "Clean Hard Fill," 730-1-L, "Legitimate Recycling Facility," 730-1-R2, "Recycling," and 730-27, "Program Rules and Regulations,"; and REPEALING Section 730-1-D, "Department," to clarify the definition of "commercial waste" and the application process for franchisees.

Recommendation PASS

Sponsors: City Manager

29. [202101482](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/21/2021, **AUTHORIZING** the City Manager to extend the term of existing commercial waste collection service franchise agreements between the City and commercial waste collection service franchisees for two additional one-year periods, notwithstanding the provisions of Chapter 730 of the Cincinnati Municipal Code, in order to align the terms of existing franchise agreements with those of prospective franchise agreements to be executed in 2021.

Recommendation PASS

Sponsors: City Manager

30. [202101166](#) **MOTION**, submitted by Councilmember Mann, Kearney, Sundermann, Goodin and Keating, **WE MOVE** that the City Administration identify resources sufficient to ensure that Bethany House can complete its new shelter for clients. (STATEMENT ATTACHED)

Recommendation ON PURSUANT TO RULE 10.8

Sponsors: Goodin, Kearney, Mann, Sundermann and Keating

SUPPLEMENTAL ITEMS

LAW & PUBLIC SAFETY COMMITTEE

31. [202101540](#) **ORDINANCE (EMERGENCY) (B VERSION)**, submitted by Councilmember Greg Landsman from Andrew W. Garth, City Solicitor, **PROHIBITING** the initiation or ongoing prosecution of actions for forcible detainer and entry ("eviction") brought under Ohio Revised Code Chapter 1923, "Forcible Entry and Detainer," for so long as the State of Emergency declared by the Governor of the State of Ohio on March 9, 2020 exists, where the sole basis for filing such eviction action is the nonpayment of rent.

Recommendation PASS EMERGENCY

Sponsors: Landsman

32. [202101538](#) **ORDINANCE, (B VERSION)**, submitted by Councilmember Greg Landsman from Andrew W. Garth, City Solicitor, **MODIFYING** the provisions of Chapter 871, "Landlord-Tenant Relationships," of Title VIII, "Business Regulations," of the Cincinnati Municipal Code, by **AMENDING** Section 871-9, "Obligations of Landlords and Tenants," to ensure that tenants in residential rental properties are afforded the right to assert payment of rent as a defense in any forcible entry and detainer ("eviction") action filed on the basis of nonpayment of rent.

Recommendation ON PURSUANT TO RULE 10.8

Sponsors: Landsman

ECONOMIC GROWTH & ZONING COMMITTEE

33. [202101294](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 4/7/2021, **AMENDING** the official zoning map of the City of Cincinnati to rezone the real property located at 975 Adams Xing in the East End neighborhood from Planned Development District No. 17 to the DD-B, "Downtown Development-Downtown Residential" zoning district.

Recommendation PASS

Sponsors: City Manager

ANNOUNCEMENTS

Adjournment