



# City of Cincinnati

801 Plum Street  
Cincinnati, Ohio 45202

## CALENDAR

### Cincinnati City Council

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Thursday, November 12, 2020

2:00 PM

Council Chambers, Room 300

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#### ROLL CALL

#### PRAYER AND PLEDGE OF ALLEGIANCE

#### FILING OF THE JOURNAL

**MAYOR CRANLEY**

**MR. SMITHERMAN**

**MR. MANN**

**MRS. KEARNEY**

**MR. SEELBACH**

1. [202002137](#) **MOTION**, submitted by Mayor John Cranley, Vice-Mayor Smitherman, Councilmember Mann, Seelbach, and Kearney, **WE MOVE** that the City of Cincinnati cancel the Council Session scheduled for November 25, 2020.

**Recommendation** ADOPT

**Sponsors:** Kearney, Mann, Mayor, Seelbach and Smitherman

#### CITY MANAGER

2. [202002092](#) **REPORT**, dated 11/12/2020 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 SHAH & SON INC, DBA REDS DELI, 2801-2803 Price Avenue, Cincinnati, Ohio 45204. (#80190220001, C1, C2, D6, TRANSFER) [Objections: NONE]

**Recommendation** FILE

**Sponsors:** City Manager

3. [202002093](#) **REPORT**, dated 11/12/2020 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 SHAH & SON INC, DBA REDS DELI, 2801-2803 Price Avenue, Cincinnati, Ohio 45204. (#80190220001, LIQUOR AGENCY CONTRACT) [Objections: NONE]

**Recommendation** FILE

**Sponsors:** City Manager

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4. [202001742](#) **REPORT**, dated 11/12/2020 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 UP CINCINNATI LLC, 2038 MADISON ROAD, CINCINNATI, OHIO 45208. (#91332300011, D5, D6, TRANSFER) [Objections: NONE]
- Recommendation** FILE
- Sponsors:** City Manager
5. [202001978](#) **REPORT**, dated 11/12/2020 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 WOODS HARDWARE CINCINNATI LLC, 125 E. 9th Street, Cincinnati, Ohio 45202. (#9281212, C1, NEW) [Objections: NONE]
- Recommendation** FILE
- Sponsors:** City Manager
6. [202001979](#) **REPORT**, dated 11/12/2020 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 SAI ADRISTA LLC, DBA CLIFTON MINI MART, 2450 Highland Avenue, 1st Fl, Cincinnati, Ohio 45219. (#7674587, C1, C2, TRANSFER) [Objections: NONE]
- Recommendation** FILE
- Sponsors:** City Manager
7. [202001980](#) **REPORT**, dated 11/12/2020 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 HUBBUB GROUP LLC, DBA TAQUERIA 251, 1st FLOOR & PATIO, 4110 HAMILTON AVENUE, CINCINNATI, OHIO 45223. (#4044534, D5J, NEW) [Objections: NONE]
- Recommendation** FILE
- Sponsors:** City Manager
8. [202002080](#) **REPORT**, dated 11/12/2020 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 COSMIC COFFEE LLC, DBA UPSIDE COFFEE, 329 Ludlow Avenue, Cincinnati, Ohio 45220. (#1765893, D5J, D6, NEW) [Objections: NONE]
- Recommendation** FILE
- Sponsors:** City Manager
9. [202002081](#) **REPORT**, dated 11/12/2020 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 WASHINGTON PARK MANAGEMENT GROUP, 1230 ELM STREET, CINCINNATI, OHIO 45202. (#9416563, F8, TEMPORARY) [Objections: NONE]
- Recommendation** FILE
- Sponsors:** City Manager
10. [202002090](#) **REPORT**, dated 11/12/2020 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 HORRORHOUND HOLDINGS LLC, 1706 Republic, Cincinnati, Ohio 45202. (#39848050005, D5J, NEW) [Objections: Law Department, Cincinnati Police Department, Department of Buildings & Inspections, OTR North Collaborative, St. Francis Seraph Church and Franciscan Friars]

**Recommendation** FILE

**Sponsors:** City Manager

11. [202002064](#) **REPORT**, dated 11/12/2020, submitted by Paula Boggs Muething, City Manager, regarding a Motion to establish a task force aimed at solving issues around Livingston Avenue. (SEE REFERENCE DOC #202001432)

**Recommendation** LAW AND PUBLIC SAFETY COMMITTEE

**Sponsors:** City Manager

12. [202002105](#) **RESOLUTION (LEGISLATIVE) (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/12/2020, **AUTHORIZING** the Administration to do all that is necessary to cooperate with the Director of the Ohio Department of Transportation to repair and rehabilitate two bridges on Martin Drive that are located along and over Columbia Parkway (U.S. Route 50) in the Mt. Adams neighborhood within the corporate limits of the City of Cincinnati; and **REQUESTING** the Director of the Ohio Department of Transportation proceed with the project as required under Ohio Revised Code Section 5521.05.

**Recommendation** MAJOR PROJECTS AND SMART GOVERNMENT COMMITTEE

**Sponsors:** City Manager

13. [202002107](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/12/2020, **AUTHORIZING** the City Manager to execute a *Grant of Easement* in favor of the Board of Trustees of the University of Cincinnati, granting a utility easement across a portion of City-owned right-of-way commonly known as Clifton Avenue in the CUF neighborhood of Cincinnati.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager and City Solicitor Boggs Muething

14. [202002110](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/12/2020, **AUTHORIZING** the City Manager to accept and deposit a donation from the Cincinnati Fire Foundation in the amount of up to \$32,500 into the General Fund revenue account no. 050x8571; **AUTHORIZING** the transfer and appropriation of up to \$32,500 from the unappropriated surplus of General Fund 050 to the Fire Department's General Fund non-personnel operating budget account no. 050x271x7300 for the purpose of purchasing advanced life support equipment for the Cincinnati Fire Department's EMS Mountain Bike Unit.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

15. [202002111](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/12/2020, **ESTABLISHING** new capital improvement program project account no. 980x199x211916, "LeBlond Walking Trail Grant" for the purpose of providing resources for the engineering, design, and construction of a 0.25 mile long trail connecting the LeBlond

Playground to the St. Rose Soccer Field; and AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in an amount up to \$70,000 from the Land and Water Conservation Fund awarded by the State of Ohio, Ohio Department of Natural Resources to newly established capital improvement program project account no. 980x199x211916, "LeBlond Walking Trail Grant," for the purpose of assisting the Cincinnati Recreation Commission with the construction of a walking trail at the LeBlond Recreation Center.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

16. [202002119](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/12/2020, **AUTHORIZING** the City Manager to execute a Grant of Easement in favor of Duke Energy Ohio, Inc., granting a utility easement over a portion of City-owned property generally located at 7215 Bridgetown Road in Miami Township, Hamilton County, Ohio.

**Recommendation** BUDGET AND FINANCE COMMITTEE

**Sponsors:** City Manager

### BUDGET AND FINANCE COMMITTEE

17. [202002089](#) **REPORT**, dated 11/9/2020, submitted by Paula Boggs Muething, City Manager, regarding Saving our Brothers and Sisters Project. (SEE REFERENCE DOC#202001902)

**Recommendation** APPROVE & FILE

**Sponsors:** City Manager

18. [202002056](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/28/2020, **AUTHORIZING** the establishment of new capital improvement program project account no. 980x164x211642, "Oakley Pedestrian Tunnel," for the purpose of providing resources to facilitate the design and construction of a pedestrian tunnel in the Oakley neighborhood; **AUTHORIZING** the transfer and appropriation of \$265,000 from the unappropriated surplus of Oakley District Equivalent Fund 499 to the newly established capital improvement program project account no. 980x164x211642, "Oakley Pedestrian Tunnel," to provide resources for the design of a pedestrian tunnel under the railroad that separates the former Kenner Factory site and the Castfab/Oakley Station site; and **DECLARING** that expenditures from capital improvement program project account no. 980x164x211642, "Oakley Pedestrian Tunnel," are for a public purpose because the project will foster local improvements and investment and increase neighborhood vitality.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

19. [202002116](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/9/2020, **APPROVING AND AUTHORIZING** the City Manager to execute a *Community Reinvestment Area Tax Exemption Agreement* with BH New Arts, LP, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to

real property located at 845 Ezzard Charles Drive in the West End neighborhood of Cincinnati, in connection with the remodeling of 21 buildings into approximately 170,300 square feet of residential space, consisting of 248 affordable units which will be rented to individuals earning at or below 60% of the Area Median Income, at a total remodeling cost of approximately \$11,118,302.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

20. [202002058](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/28/2020, **ACCEPTING** and confirming the grant of a permanent sidewalk easement by BRE Retail Residual Owner 1 LLC in favor of the City of Cincinnati, on behalf of the general pedestrian public, across certain real property located in proximity to Werk Road in the Westwood neighborhood.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

21. [202002065](#) **REPORT**, dated 10/28/2020, submitted by Paula Boggs Muething, City Manager, regarding W 8th Street and Glenway Avenue - Removal of Parking Restrictions. (SEE REFERENCE DOCUMENT #202001571)

**Recommendation** APPROVE & FILE

**Sponsors:** City Manager

22. [202002108](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/9/2020, **AUTHORIZING** City Manager to accept and appropriate a grant of up to \$500,000 from the Ohio Transit Partnership Program awarded by the Ohio Department of Transportation to the Streetcar Operations Fund non-personnel operating budget account no. 455x236x7200 for the purpose of providing resources for operating assistance to the streetcar system; and **AUTHORIZING** the Director of Finance to deposit the funds in Fund 455, "Streetcar Operations."

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

23. [202002109](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/9/2020, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$250,000 from the Hamilton County CARES Expanding Free Wi-Fi Program for the purpose of assisting the Cincinnati Recreation Commission (CRC) in the upgrading and new installation of public Wi-Fi offerings in the CRC community recreation centers; and **AUTHORIZING** the Finance Director to deposit the grant funds into Recreation Federal Grant Projects Fund 324.

**Recommendation** PASS EMERGENCY

**Sponsors:** City Manager

24. [202002113](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/9/2020, **ESTABLISHING** new capital improvement program project account no. 980x233x212348, "Street Rehabilitation Grants," for the purpose of providing grant resources for the repair and resurfacing of

streets under the Street Rehabilitation Program, including repairs to curbs, pavements, and resurfacing the roadway; AUTHORIZING the City Manager to accept and appropriate resources in the amount of up to \$1,031,232.70 from Federal Highway Administration funding (CFDA 20.205), administered by the Ohio Department of Transportation, to newly created capital improvement program project account no. 980x233x212348, "Street Rehabilitation Grants," for the purpose of providing grant resources for the Columbia Parkway Rehabilitation (HAM-50-24.39 PID 107128) project, which will rehabilitate Columbia Parkway from William H. Taft Road to Delta Avenue; and further AUTHORIZING the City Manager to do all things necessary to cooperate with the Director of the Ohio Department of Transportation in order to complete the HAM-50-24.39 PID 107128 Project.

**Recommendation**

PASS

**Sponsors:**

City Manager

25. [202002094](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/9/2020, **AUTHORIZING** the transfer and appropriation of the sum of \$93,750 from the unappropriated surplus of Fund 151, "Bond Retirement," to Bond Retirement debt service account no. 151x134x7700 for the purpose of providing resources for the payment of debt service related to the installation of the historic Union Terminal murals at the Duke Energy Convention Center pursuant to an agreement between the City of Cincinnati and Hamilton County, by which the City and Hamilton County each agreed to bear one-half of the costs of the historic mural preservation and installation project, as provided in the Seventh and Eighth Supplements to the Cooperative Agreement between the City, the County, and the Convention Facilities Authority regarding the Duke Energy Convention Center.

**Recommendation** PASS EMERGENCY

**Sponsors:**

City Manager

26. [202002106](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/9/2020, **AUTHORIZING** the City Manager to vacate and sell certain portions of an unnamed alley and the public right-of-way known as Bigelow Street in the Mt. Auburn neighborhood to Bigelow Land LLC to facilitate its construction of a multi-family development.

**Recommendation** PASS

**Sponsors:**

City Manager

27. [202002115](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/9/2020, **APPROVING AND AUTHORIZING** the execution of a *Job Creation Tax Credit Agreement* with Team Industrial Services, Inc., pursuant to which the company agrees to create 150 new jobs at 2249 E. Seymour Avenue in Cincinnati's Bond Hill neighborhood and, for a period of 6 years, the City agrees to provide an income tax credit equal to 40% of City income tax revenue from such new jobs.

**Recommendation** PASS EMERGENCY

**Sponsors:**

City Manager

28. [202001815](#) **RESOLUTION (LEGISLATIVE)** submitted by Paula Boggs Muething, Interim City Manager, on 10/14/2020, **DECLARING** the intent to appropriate to public use property required for the construction of stormwater sewer pipes and associated appurtenances, equipment, and facilities as part of the Delta Avenue - Widman Place Drainage Improvement Project.
- Recommendation** PASS
- Sponsors:** City Manager
29. [202002117](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/9/2020, **MODIFYING** the provisions of Chapter 313, "Outdoor Advertising Sign Excise Tax," of Title III, "Financial, Personnel, Procurement and Real Property Procedures," of the Cincinnati Municipal Code by **AMENDING** Section 313-1-O, "Outdoor Advertising Sign," and Section 313-5, "Exemptions," and by **REPEALING** Section 313-7, "Tax Not to be Separately Stated or Charged"; and further **MODIFYING** the provisions of Chapter 895, "Outdoor Advertising Signs," of Title VIII, "Business Regulations," of the Cincinnati Municipal Code by **AMENDING** Section 895-1-O, "Outdoor Advertising Sign," and Section 895-2, "Applicability," by **REPEALING** Section 895-10, "Additional Permitted Uses of Outdoor Advertising Signs," and by **ORDAINING** new Section 895-29, "Severability," to provide additional clarity regarding the applicability of the City's outdoor advertising excise tax to the owners and operators of outdoor advertising signs.
- Recommendation** PASS EMERGENCY
- Sponsors:** City Manager
30. [202002127](#) **MOTION**, dated 10/27/2020, submitted by Councilmember Landsman, Sittenfeld and Kearney, **WE MOVE** that the Administration conduct a zoning study on the high-frequency and 24-hour transit corridors proposed by Reinventing Metro and provide a report to Council within 60 days. The study should focus on updating zoning rules along these corridors to provide flexibility on density and parking minimum requirements to increase neighborhood investments. By conducting a zoning study, we can determine how to best attract new residents and help existing Cincinnatians live closer to those express routes. Attachments: 24-hour route map and letter from partners.
- Recommendation** ADOPT
- Sponsors:** Landsman, Sittenfeld and Kearney
- NEIGHBORHOODS COMMITTEE**
31. [202001901](#) **MOTION**, submitted by Councilmember Kearney, **WE MOVE** for the Department of Transportation and Engineering (DOTE) to provide a report in response to Community Budget Requests from East Price Hill Improvement Association (EPHIA) pertaining to Purcell Street improvements, Mt. Hope Hill sidewalk, and enhanced crosswalks for the Warsaw Avenue business corridor.
- Recommendation** ADOPT
- Sponsors:** Kearney

32. [202002010](#) **MOTION**, submitted by Councilmember Mann, **WE MOVE** that the City administration, in light of a recent fatality on Langdon Farm Road, immediately work with Pleasant Ridge Neighborhood representatives to develop a plan to remedy the documented safety issues along this heavily travelled road. (STATEMENT ATTACHED).

**Recommendation** ADOPT

**Sponsors:** Mann

## SUPPLEMENTAL ITEMS

### ECONOMIC GROWTH & ZONING COMMITTEE

33. [202002114](#) **ORDINANCE**, submitted by Vice Mayor Smitherman, from Andrew W. Garth, Interim City Solicitor, **AMENDING** Ordinance Nos. 274-2017, 275-2017, and 276-2017 to reflect certain real property tax abatement policies as proposed by members of the Property Tax Working Group, including creating additional caps on residential real property tax abatements and expanding the definition of residential properties to include structures containing four dwelling units.

**Recommendation** PURSUANT TO RULE 10.8

**Sponsors:** Smitherman

## ANNOUNCEMENTS

### NEW BUSINESS

Adjournment