



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, March 3, 2021

2:00 PM

Council Chambers, Room 300

REVISED

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR CRANLEY

OTR South Special Improvement District (SID) Board

1. [202100812](#) **APPOINTMENT**, submitted by Mayor John Cranley, I hereby appoint Christian Gill to the OTR South Special Improvement District (SID) Board for a team of four years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/AA)

Recommendation CONFIRM

Sponsors: Mayor

2. [202100820](#) **APPOINTMENT**, submitted by Mayor John Cranley, I hereby appoint Tammie Scott to the OTR South Special Improvement District (SID) Board for a team of four years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/AA)

Recommendation CONFIRM

Sponsors: Mayor

MS. KEARNEY

MS. SUNDERMANN

MS. KEATING

3. [202100860](#) **RESOLUTION**, submitted by Councilmember Kearney, Sundermann and Keating, **RECOGNIZING** March 8, 2021 as International Women's Day in the City of Cincinnati and the entirety of the month of March 2021 as Women's History Month.

Recommendation PASS

Sponsors: Kearney, Sundermann and Keating

MR. MANN

4. [202100906](#) **MOTION**, submitted by Councilmember Mann, **WE MOVE** that the City make a secondary name change to Hatch Street, between Loudon and Wareham Streets to Pat Berry Way. (STATEMENT ATTACHED).

Recommendation NEIGHBORHOODS COMMITTEE

Sponsors: Mann

MR. SMITHERMAN

MS. KEARNEY

MR. GOODIN

MS. SUNDERMANN

MS. KEATING

5. [202100887](#) **MOTION**, submitted by Vice Mayor Smitherman, Councilmember Kearney, Keating, Goodin and Sundermann, **WE MOVE** that Councilmember Jan-Michele Kearney be appointed as a member of the Economic Growth and Zoning Committee.

Recommendation MAJOR PROJECTS AND SMART GOVERNMENT COMMITTEE

Sponsors: Smitherman, Kearney, Keating, Sundermann and Goodin

MS. SUNDERMANN

6. [202100898](#) **RESOLUTION**, submitted by Councilmember Sundermann, from Andrew W. Garth, City Solicitor, **RECOGNIZING** David M. DeVillers for his distinguished public career in law enforcement in the U.S. Attorney's Office for the Southern District of Ohio, culminating in his appointment as the U.S. Attorney for the Southern District of Ohio.

Recommendation PASS

Sponsors: Sundermann

MS. SUNDERMANN

MS. KEARNEY

MR. GOODIN

MR. SMITHERMAN

MS. KEATING

7. [202100867](#) **MOTION**, submitted by Councilmember Sundermann, Kearney, Goodin, Keating and Vice Mayor Smitherman, **WE MOVE** that the Administration provide a report on funding options for an Urban League of Greater Southwestern Ohio pilot youth mentoring program - HOPE, OPPORTUNITY, CHOICES AND CONSEQUENCES (H.O.C.C.) ACADEMY - for the upcoming summer to be part of the currently city-funded Community Police Partnering

Center. (STATEMENT ATTACHED)

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Sundermann, Goodin, Smitherman, Kearney and Keating

CITY MANAGER

8. [202100828](#) **REPORT**, dated 3/3/2021 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 CIRCLE HOSPITALITY GROUP II, DBA COMFORT STATION, 793 E. McMillan Street, Cincinnati, Ohio 45206. (#1514055, D5J, D6, TRANSFER) [Objections: NONE]
- Recommendation** FILE
- Sponsors:** City Manager
9. [202100829](#) **REPORT**, dated 3/3/2021 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 CHRISTY KNUTSON, 3092 Colerain Avenue, Cincinnati, Ohio 45225. (#4741625, D5J, NEW) [Objections: YES]
- Recommendation** FILE
- Sponsors:** City Manager
10. [202100830](#) **REPORT**, dated 3/3/2021 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 FOUR SEASONS MARINA INC, DBA FOUR SEASONS FUEL DOCK, 4609 Kellogg Avenue, Bldg 2 & Gas Dock, Cincinnati, Ohio 45226. (#28462790015, C1, C2, D6, TRANSFER) [Objections: NONE]
- Recommendation** FILE
- Sponsors:** City Manager
11. [202100831](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 3/3/2021, **AUTHORIZING** the City Manager to execute a *Second Amendment to Water Service Agreement* and a *First Amendment to Interlocal Cooperative Agreement*, each among the City of Cincinnati, Boone-Florence Water Commission, the Boone County Water District, and the City of Florence, Kentucky, to extend the terms of the existing agreements by five years to 2033.
- Recommendation**
BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager
12. [202100832](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/3/2021, **AUTHORIZING** the City Manager to accept and appropriate State of Ohio Capital Budget in the amount of \$80,000 as authorized by Senate Bill 310, Ohio Department of Natural Resources, Parks and Recreation Improvement Fund 7035, Appropriation Item C725E2, "Local Parks, Recreation, and Conservation Projects" into existing capital improvement program project account no. 980x203x182019, "Stanbery Park Pavilion - State of Ohio Capital"; and further **AUTHORIZING** the Finance Director to deposit the State of Ohio Capital Budget funding into existing

capital improvement program project account no. 980x203x182019, "Stanbery Park Pavilion - State of Ohio Capital."

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

13. [202100834](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 3/3/2021, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in an amount not to exceed \$5,000 from the Murray & Agnes Seasingood Good Government Foundation for the purpose of administering an Employee Recognition Program; and **AUTHORIZING** the Finance Director to deposit the grant funds into Department of Human Resources Employee Relations Fund 310.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

14. [202100842](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 3/3/2021, **AUTHORIZING** the appropriation of the sum of \$9,072,946 to the COVID-19 Fund 473 City Manager's Office non-personnel operating budget account no. 473x101x7400 for the purpose of providing reimbursement of or resources for an Emergency Rental Assistance program as part of the City's COVID-19 response; and **AUTHORIZING** the City Manager to contract with third-parties and take other actions to quickly implement an Emergency Rental Assistance program.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

15. [202100743](#) **REPORT**, dated 3/3/2021 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 STUTZ BEARCAT LTD, DBA CUTAWAY, 3715 Madison Road, Cincinnati, Ohio 45209. (#8669855, D1, D2, D3, D3A, TRANSFER) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

16. [202100845](#) **REPORT**, dated 3/3/2021 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 1414 MAIN ST LLC, 1414 Main Street, Cincinnati, Ohio 45202. (#2850250, D1, D2, TRANSFER) [Objections: YES]

Recommendation FILE

Sponsors: City Manager

17. [202100848](#) **REPORT**, dated 3/3/2021 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 1414 MAIN ST LLC, 1414 Main Street, Cincinnati, Ohio 45202. (#2850250, D3, NEW) [Objections: YES]

Recommendation FILE

Sponsors: City Manager

CLERK OF COUNCIL

18. [202100795](#) **COMMUNICATION**, submitted by the Clerk of Council from Sherry L. Poland, Director of Elections, Hamilton County, Ohio verifying 5,209 valid signatures on a Petition for Submission of Proposed Amendment to Charter, Article XVII, an amendment to the charter of the City of Cincinnati to establish the City of Cincinnati Affordable Trust Fund.
- Recommendation** FILE
- Sponsors:** Clerk of Council
19. [202100869](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Lou Gentile, Principal, Vorys Advisors, 52 E. Gay Street, Columbus, Ohio 43215. (BP)
- Recommendation** FILE
- Sponsors:** Clerk of Council
20. [202100870](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Thomas E. Niehaus, Lobbyist, 301 East Fourth Street, Suite 3500, Cincinnati, Ohio 45202.
- Recommendation** FILE
- Sponsors:** Clerk of Council
21. [202100871](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Lou Gentile, Lobbyist, Principal, Vorys Advisors, 52 E. Gay Street, Columbus, Ohio 43215. (VISTRA)
- Recommendation** FILE
- Sponsors:** Clerk of Council
22. [202100872](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Thomas E. Niehaus, Lobbyist, Principal, Vorys Advisors, 301 E. Fourth Street, Suite 3500, Cincinnati, Ohio 45202. (BP)
- Recommendation** FILE
- Sponsors:** Clerk of Council

BUDGET AND FINANCE COMMITTEE

23. [202100746](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 2/24/2021, **AUTHORIZING** the City Manager to apply for financial assistance from the Ohio Department of Transportation for transit purposes under the Ohio Transit Partnership Program for state fiscal year 2022.
- Recommendation** PASS EMERGENCY
- Sponsors:** City Manager
24. [202100749](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 2/24/2021, **AUTHORIZING** a total payment of \$302,191.90 as a moral obligation to the Urban Minority Alcoholism Drug Abuse Outreach Program ("UMADAOP") and Talbert House for services provided to the City as part of the State of Ohio Opioid Response Continuum Grant, with \$190,167 payable to UMADAOP, and the remaining \$112,024.90 payable to Talbert

House. (MS. KEATING IS EXCUSED FROM VOTING ON THIS ITEM)

Recommendation PASS EMERGENCY

Sponsors: City Manager

25. [202100750](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 2/24/2021, **AUTHORIZING** the transfer and appropriation of an amount up to \$33,333, representing a donation from School Outfitters, from Fund No. 437, "Wasson Way Trail Donations," to existing capital improvement program project account no. 980x232x212371, "Wasson Way Trail," for the purpose of providing resources for planning, design, and construction of work in future phases of the Wasson Way Trail Network, a shared-use path for bicycles and pedestrians.

Recommendation PASS

Sponsors: City Manager

26. [202100766](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 2/24/2021, **ACCEPTING AND CONFIRMING** the annexation of approximately 10.786 acres of land owned by The Seven Hills School, in Columbia Township, Hamilton County, Ohio, to the City of Cincinnati pursuant to an Expedited Type II Annexation petition approved by the Board of County Commissioners of Hamilton County, Ohio.

Recommendation PASS EMERGENCY

Sponsors: City Manager

NEIGHBORHOODS COMMITTEE

27. [202100636](#) **MOTION**, submitted by Councilmember Landsman and Mann, **WE MOVE** that the Administration conduct a report into the possibilities of expanding outdoor dining to other neighborhoods in Cincinnati; we ask that in recognition of the urgency of the pandemic, the report be done in the next 30 days. (BALANCE ON FILE IN THE CLERK'S OFFICE)

Recommendation ADOPT

Sponsors: Landsman and Mann

28. [202100745](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 2/24/2021, **DEDICATING, ACCEPTING, AND CONFIRMING** the dedication of certain real property as public right-of-way for street purposes, as portions of the public streets known as Colerain Avenue, Blue Rock Street, and Elmore Street located in the Northside neighborhood of Cincinnati.

Recommendation PASS EMERGENCY

Sponsors: City Manager

29. [202100757](#) **MOTION**, submitted by Councilmember Kearney, **WE MOVE** for the city administration to prepare a report and recommendations for reducing traffic speed on Paddock Rd., starting from the top of Reading Rd. down to Tennessee Ave., so as to increase safety for pedestrians, golf cart users, and drivers in this area. **WE MOVE** further for a list of all traffic calming measures available in Cincinnati, as well as approximate costs for each, whether or not they currently are being used.

Recommendation ADOPT

Sponsors: Kearney

SUPPLEMENTAL ITEMS

LAW & PUBLIC SAFETY COMMITTEE

30. [202100850](#) **MOTION**, submitted by Councilmember Goodin, Vice Mayor Smitherman and Councilmembers Kearney, Sundermann, Landsman and Mann, On December 24, 2020, a BP gas station situated at the corner of West Eighth Street and Pedretti Avenue leaked an estimated 360 gallons of gasoline from one of its aging tanks. The gasoline penetrated sewer lines, affecting residents on Carnation Avenue, Cappel Drive and Hermosa Avenue. Dozens were forced to leave their homes or endure serious restrictions on their indoor activities due to the presence of gasoline fumes. We believe other aging gas stations- many in lower-income neighborhoods- may also have aging tanks which could put our citizens at risk. Accordingly, **WE MOVE** that the Administration provide a full report regarding the leak and all efforts to remediate it. This report should provide concise information for the affected residents regarding claims they may make to the Metropolitan Sewer District for compensation related to the leak, as well as an outline of the various state and local agencies with jurisdiction over the matter and all efforts (civil, criminal and administrative) which are being undertaken to address the negligence which led to this incident. Moreover, **WE MOVE** that the Administration work with all applicable state, local and federal agencies to compile a list of other aging gas stations within the City limits which may reasonably present a similar risk to City residents.

Recommendation ADOPT

Sponsors: Goodin

ECONOMIC GROWTH & ZONING COMMITTEE

31. [202100874](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, from Andrew W. Garth, City Solicitor, **TO SUBMIT** to the electors of the City of Cincinnati an amendment to the Charter of the City which requires a permanent, annual contribution beginning July 1, 2021 of fifty million dollars (\$50,000,000) of City funds to a new restricted fund to pay for housing for persons with low incomes using funding sources otherwise dedicated to providing for essential City services and public infrastructure needs to be paid from (1) the City's general operating or capital funds; (2) revenue from the lease or sale of the Cincinnati Southern Railway; (3) a proposed fee on developers of all commercial and some residential projects; or (4) a personal income tax on the award of stock options in publicly traded companies; where the newly-created fund is restricted to the purpose of creating and preserving housing that is affordable for households earning 60% of Hamilton County's median household income, with half of the fund restricted to housing that is affordable for households earning 30% of Hamilton County's median household income; where the fund can be allocated to new construction, renovation of vacant property, renovation of existing affordable units, operation costs of affordable housing, and direct services, provided that housing supported by the fund, with the exception of owner-occupied single-family housing, must be permanently dedicated as affordable by deed restriction;

where the fund will be administered by an unelected volunteer board that will consist of eleven private citizens, nine of whom are selected by affordable housing and low income service organizations and two of whom are selected by the City Council President Pro Tem; who will serve staggered four-year terms; and who will create the rules, regulations, and standards that govern the board by enacting new Article XVII of the Charter.

Recommendation PASS EMERGENCY

Sponsors: City Manager

32. [202100907](#) **ORDINANCE (EMERGENCY) (B VERSION)** submitted by Paula Boggs Muething, City Manager, from Andrew W. Garth, City Solicitor, **TO SUBMIT** to the electors of the City of Cincinnati an amendment to the Charter of the City which requires a permanent, annual contribution beginning July 1, 2021 of fifty million dollars (\$50,000,000) of City funds to a new restricted fund to pay for housing for persons with low incomes using funding sources otherwise dedicated to providing for essential City services and public infrastructure needs to be paid from (1) the City's general operating or capital funds; (2) revenue from the lease or sale of the Cincinnati Southern Railway; (3) a proposed fee on developers of all commercial and some residential projects; or (4) a personal income tax on the award of stock options in publicly traded companies; where the newly-created fund is restricted to the purpose of creating and preserving housing that is affordable for households earning 60% of Hamilton County's median household income, with half of the fund restricted to housing that is affordable for households earning 30% of Hamilton County's median household income; where the fund can be allocated to new construction, renovation of vacant property, renovation of existing affordable units, operation costs of affordable housing, and direct services, provided that housing supported by the fund, with the exception of owner-occupied single-family housing, must be permanently dedicated as affordable by deed restriction; where the fund will be administered by an unelected volunteer board that will consist of eleven private citizens, nine of whom are selected by affordable housing and low income service organizations and two of whom are selected by the City Council President Pro Tem; who will serve staggered four-year terms; and who will create the rules, regulations, and standards that govern the board by enacting new Article XVII of the Charter.

Recommendation PASS EMERGENCY

Sponsors: City Manager

MAJOR PROJECTS & SMART GOVERNMENT COMMITTEE

33. [202100668](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 2/18/2021, **MODIFYING** the salary schedules for the classifications of Permit Technician 1, 2, and 3, by amending existing Section 122, 123, and 124 of Division 1, Chapter 307 of the Cincinnati Municipal Code, in order to correct and establish a new salary schedule for the said classification, consistent with the organizational changes described herein.

Recommendation PASS EMERGENCY

Sponsors: City Manager

34. [202100671](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 2/18/2021, **MODIFYING** the salary range schedule for the

classification of Wastewater Collection Inspector by repealing existing Section 474, Division 1, of Chapter 307 of the Cincinnati Municipal Code in order to ensure that the new salary range is consistent with the level of responsibility and competitive with similar positions across internal and external job markets.

Recommendation PASS EMERGENCY

Sponsors: City Manager

35. [202100675](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 2/18/2021, **AUTHORIZING** the City Manager to execute a Permanent Aerial Easement and Temporary Easement pursuant to which the City of Cincinnati will grant easements to the State of Ohio, Department of Transportation, for the construction and maintenance of elevated highway structures on and over the City-owned Crossett parking lots located between West Third Street and West Pete Rose Way in downtown Cincinnati.

Recommendation PASS EMERGENCY

Sponsors: City Manager

36. [202100793](#) **MOTION**, submitted by Councilmember Sundermann, **WE MOVE** that the Education, Innovation and Growth Committee meeting permanently be moved to Mondays at 11:00 am, Week B.

Recommendation ADOPT

Sponsors: Sundermann

ANNOUNCEMENTS

NEW BUSINESS

Adjournment