



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, November 10, 2021

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MS. KEARNEY

1. [202103082](#) **MOTION**, submitted by Councilmember Kearney, **WE MOVE** for City Council to allocate \$6,000 from a source identified by the City Administration to the Whitney Strong Foundation to provide "Save a Life" training to local community organizations.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: Kearney

CITY MANAGER

2. [202103062](#) **REPORT**, dated 11/10/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for LIGHT UP THE SQUARE.

Recommendation FILE

Sponsors: City Manager

3. [202103064](#) **REPORT**, dated 11/10/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for USA VS MEXICO BLOCK WATCH PARTY.

Recommendation FILE

Sponsors: City Manager

4. [202103067](#) **REPORT**, dated 11/10/2021 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 DEME KITCHEN LLC, DBA DEME KITCHEN, 627 Main Street 1st fl, Cincinnati, Ohio 45202. (#20696270005, D5J, D6, TRANSFER) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

5. [202103068](#) **REPORT**, dated 11/10/2021 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 GOODFELLA OTR LLC, DBA GOODFELLAS PIZZARIA, 1211 Main Street 1st & 2nd fl, Cincinnati, Ohio 45202. (#3276200, D5, D6, TRANSFER) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

6. [202103069](#) **REPORT**, dated 11/10/2021 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 SPEEDWAY LLC, DBA SPEEDWAY1026, 3 E. North Bend Road, Cincinnati Ohio 45216. (#84189942080, C1, C2, TRANSFER) [Objections: NONE]

Recommendation FILE

Sponsors: City Manager

7. [202103072](#) **APPOINTMENT**, dated 11/10/2021, submitted by Paula Boggs Muething, City Manager, regarding the appointment of Joshua McMullen to the Board of Examiners of Plumbers.

Recommendation HOLD ONE WEEK PURSUANT TO THE RULES OF COUNCIL

Sponsors: City Manager

8. [202103074](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/10/2021, **AUTHORIZING** the City Manager to execute a *Grant of Easement* in favor of Textile Partners, LLC, pursuant to which the City of Cincinnati will grant an aerial encroachment easement above portions of Elm, West Fourth, and McFarland Streets in the Central Business District.

Recommendation ECONOMIC GROWTH & ZONING COMMITTEE

Sponsors: City Manager

CLERK OF COUNCIL

9. [202103079](#) **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. (QUEEN CITY HILLS DEVELOPMENT GROUP)

Recommendation FILE

Sponsors: Clerk of Council

10. [202103080](#) **COMMUNICATION**, submitted by the Clerk of Council, from Pat Keefe, regarding a petition from Jeremy Seebohm, Assistant City Attorney, to petition the Cincinnati City Council to bury the utility lines on Baum Street.

Recommendation FILE

Sponsors: Clerk of Council

11. [202103083](#) **REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Anna Sesler, Senior Advisor, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (TERMINATION)

Recommendation FILE

Sponsors: Clerk of Council

NEIGHBORHOODS COMMITTEE

12. [202103059](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 11/3/2021, **RENAMING** the portion of Missouri Avenue located north of Newell Place and south of Rushton Road in the Columbia Tusculum neighborhood as “Flinn Avenue.”
- Recommendation** PASS EMERGENCY
- Sponsors:** City Manager
13. [202103065](#) **ORDINANCE (EMERGENCY) (B VERSION)**, dated 11/2/2021, submitted by Vice Mayor Smitherman, **DECLARING** that Vine Street at Liberty Street hereby receives the honorary, secondary name of Clifford William George Way and that Liberty Street at Vine hereby receives the honorary, secondary named of Canine Bandit Way in memory of Cincinnati Police Officer Clifford William George and Canine Bandit, and in recognition of their service to the City of Cincinnati.
- Recommendation** PASS EMERGENCY
- Sponsors:** Smitherman

BUDGET AND FINANCE COMMITTEE

14. [202103020](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 10/27/2021, **AUTHORIZING** the Greater Cincinnati Water Works to accept the donation of certain water quality measurement equipment, namely a YSI MultiLab 4010-2W, IDS ProOBOD, and IDS 4130 pH electrode with pH buffer, for use by the Greater Cincinnati Water Works with an estimated value of \$3,000.
- Recommendation** PASS
- Sponsors:** City Manager
15. [202103021](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/27/2021, **AUTHORIZING** the payment of \$68,189.04 as a moral obligation to Western Nursing Services for temporary services provided to the Cincinnati Health Department for the positions of Customer Relations Representative, Community Health Worker, and Epidemiologist; and **AUTHORIZING** the Finance Director to make a payment of \$68,189.04 to Western Nursing Services from the Cincinnati Health Department’s operating budget account nos. 395x265x2110x7297, 395x265x3110x7297, 395x265x5110x7297, 395x265x6110x7297, 395x265x7110x7297, 350x263x6110x7297, and 395x265x1110x7297
- Recommendation** PASS EMERGENCY
- Sponsors:** City Manager
16. [202103023](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/27/2021, **AUTHORIZING** the City Manager to accept and appropriate a cash donation in the amount of \$15,000 from St. Rose Catholic Church for the purpose of providing resources for the construction of a shared parking lot located near 2501 Riverside Drive in the East End; and **AUTHORIZING** the Finance Director to deposit the donated funds into capital improvement program project account no. 980x199x211900, “Outdoor Facilities Renovation.”

Recommendation

PASS EMERGENCY

Sponsors:

City Manager

17. [202103024](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 10/27/2021, **AUTHORIZING** the establishment of new capital improvement program project account no. 980x261x222609, "Health Center Infrastructure Support Grant," for the purpose of accepting resources to expand and renovate Cincinnati Health Department ("CHD") infrastructure; **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in an amount of up to \$1,000,000 from the United States Department of Health and Human Services, Health Resources and Services Administration, assistance listing 93.526, to newly established capital improvement program project account no. 980x261x222609, "Health Center Infrastructure Support Grant," for the purpose of expanding and renovating CHD infrastructure.

Recommendation PASSSponsors:

City Manager

18. [202103026](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/27/2021, **Authorizing** the City Manager to accept and appropriate a donation totaling \$4,980 from the Cincinnati Board of Park Commissioners' Fund; **AUTHORIZING** the Finance Director to deposit the resources into Parks Private Endowments and Donations Fund 430; and **AUTHORIZING** the payment of \$4,980 from Parks Private Endowment and Donations Fund 430 non-personnel operating budget account no. 430x203x2059x7288 as a moral obligation to WebFEAT for payment of outstanding charges for services received by the Cincinnati Park Board for website hosting.

Recommendation PASS EMERGENCYSponsors:

City Manager

19. [202103043](#) **MOTION, (AMENDED)**, submitted by Councilmember Kearney, **WE MOVE** for the City Administration to prepare a report on acquiring funding for an infrastructure project on Westwood Northern Blvd from Baltimore Ave to McHenry Ave, in order to increase the pedestrian safety of Roll Hill School students. Funding sources in the report should include but not be limited to the Ohio Department of Transportation's and the Ohio-Kentucky-Indiana Regional Council of Governments' Safe Routes to School programs. **WE MOVE** that Item 1 (202103043) be amended to also include a meeting of all relevant parties including by not limited to: Cincinnati Public Schools, Cincinnati Police Department, Department of Transportation and Engineering, and the relevant Community Councils. (STATEMENT ATTACHED)

Recommendation ADOPTSponsors:

Kearney

20. [202103053](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/3/2021, **ACCEPTING AND CONFIRMING** the grant of permanent public utility easements in favor of the City of Cincinnati for stormwater sewers, appurtenances, fixtures, and equipment in and upon certain real property located north of River Road in Riverside.

Recommendation PASS

Sponsors: City Manager

21. [202103056](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/3/2021, **AUTHORIZING** the City Manager to execute a Grant of Easement in favor of Almira Alim Darden, pursuant to which the City of Cincinnati will grant an encroachment easement upon a portion of Storrs Street in Lower Price Hill.

Recommendation PASS

Sponsors: City Manager

22. [202103061](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 11/3/2021, **MODIFYING** Section 324-7, "Scope and Effective Period of Chapter," of Chapter 324, "Minority and Women Business Enterprise Programs," of the Cincinnati Municipal Code to extend the effective period of Chapter 324 to allow time for a new disparity study to be completed.

Recommendation PASS

Sponsors: City Manager

23. [202103081](#) **ORDINANCE (EMERGENCY), (B VERSION)**, submitted by Paula Boggs Muething, City Manager, on 11/3/2021, **AUTHORIZING** the City Manager to execute and implement the labor management agreement between the City of Cincinnati and the American Federation of State, County and Municipal Employees, Locals 190, 223, 240, 250, 1543, and 3119, the updated terms of which are reflected in the summary attached hereto.

Recommendation PASS EMERGENCY

Sponsors: Budget and Finance Committee

SUPPLEMENTAL ITEMS

LAW & PUBLIC SAFETY COMMITTEE

24. [202103048](#) **MOTION**, submitted by Councilmembers Landsman and Kearney, In an effort to further protect citizens and acknowledge constituent concerns, **WE MOVE** that the Administration looks into the placement of additional stop signs at the following locations: *Middleton and Lafayette (Clifton)*, *Hanfield and Gordon (Northside)*, *Pitts and Chase (Downtown Business District)*, *Teakwood and Devonwood (College Hill)*, and *Mad Anthony and Knowlton (Northside)*. (STATEMENT ATTACHED)

Recommendation ADOPT

Sponsors: Landsman

25. [202103054](#) **ORDINANCE**, dated 10/28/2021, submitted by Councilmember Landsman, from Andrew 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 recognize the right of tenants living in residential rental properties to assert payment of past due rent as a defense in any forcible entry and detainer (eviction) action filed on the basis of nonpayment of rent.

Recommendation PASS

Sponsors: Landsman

ECONOMIC GROWTH & ZONING COMMITTEE

26. [202102920](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/13/2021, **MODIFYING** Title XIV, "Zoning Code of the City of Cincinnati," and Title XVII, "Land Development Code," of the Cincinnati Municipal Code, by AMENDING the provisions of Sections 1401-01-A8, "Animal Keeping," 1403-05, "Land Use Regulations," 1409-07, "Land Use Regulations," 1411-05, "Land Use Regulations," 1413-05, "Land Use Regulations," 1422-05, "Development Regulations," 1422-07, "Maintenance and Storage," 1425-19, "Off-Street Parking and Loading Requirements," 1437-05, "Establishment of UD Overlay Districts," 1437-07, "Applications Subject to Review," 1437-09, "Development Standards in UD Overlay Districts," 1437-11, "Approval," 1437-13, "Appeal," 1439-07, "Zoning Hearing Examiner," 1439-11, "Zoning Board of Appeals," 1703-2.40, "T3 Estate," 1703-2.50, "T3 Neighborhood," 1703-2.60, "T4 Neighborhood Medium Footprint," 1703-2.70, "T4 Neighborhood Small Footprint," 1703-2.80, "T5 Main Street," 1703-2.90, "T5 Neighborhood Large Setback," 1703-2.100, "T5 Neighborhood Small Setback," 1703-2.110, "T5 Flex," 1703-2.120, "T6 Core," 1703-5.50(D), "Parking," 1703-5.80(E), "Permanent Signs," 1703-5.80(L), "Directory Sign," 1703-5.80(O), "Pole/Monument Sign," 1703-5.80(S), "Wall Sign," 1703-5.80(T), "Wall Mural Sign," 1703-5.100, "Additional Standards for Specific Uses," 1703-8.50, "Administration and Procedures," 1703-9.10(E), "Definitions," 1703-9.10(F), "Definitions," 1703-9.10(H), "Definitions," 1703-9.10(N), "Definitions," 1703-9.10(O), "Definitions," and 1703-9.10(P), "Definitions," and by REPEALING Sections 1401-01-C14, "Community Gardens," 1419-41, "Community Gardens," 1703-5.110, "Accessory Uses," and 1703-5.120, "Temporary Uses," to provide greater clarity and to correct scrivener's errors in the City's zoning codes, and to promote efficient and complementary development throughout the City.

Recommendation PASS EMERGENCY

Sponsors: City Manager

27. [202102926](#) **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/13/2021, **AMENDING** the official zoning map of the City of Cincinnati to align the boundaries of certain portions of the CG-A, "Commercial General Auto-Oriented," zoning district and Planned Development District No. 64, "Oakley Station," in the Oakley neighborhood with the curvature of Disney Street and its intersection with Jared Ellis Drive.

Recommendation PASS EMERGENCY

Sponsors: City Manager

28. [202102999](#) **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 10/20/2021, **AUTHORIZING** the real property located at 4870 Winton Road in the Spring Grove Village neighborhood to be developed and used as a day care center NOTWITHSTANDING the use limitations contained chapter 1403, "Single-Family," and Section 1405, "Residential Multi-Family," of the Cincinnati Municipal Code and any other applicable zoning regulations that would restrict the property's development and use as a day care center.

Recommendation PASS

Sponsors: City Manager

EQUITY, INCLUSION, YOUTH, & THE ARTS COMMITTEE

29. [202103055](#) **ORDINANCE**, dated 10/28/2021, submitted by Councilmember Seelbach, from Andrew Garth, City Solicitor, **MODIFYING** the provisions of Chapter 407, "Public Vehicles," Chapter 408, "Drivers' Licenses for Public Vehicles," Chapter 510, "Assemblages and Parades," Chapter 765, "Special Events," and Chapter 850, "Advertising of Tobacco Products" of the Cincinnati Municipal Code by AMENDING Section 407-1-P1, "Public Vehicle," Section 407-3, "License Fees for Public Vehicles," Section 407-5, "Application for License," Section 407-30, "Uninsured and Underinsured Motorist Coverage Insurance," Section 407-35, "Insignia," Section 407-55, "Rates of Fare for Limousines, Pedicabs, Tour Vehicles, Low Speed Vehicles, and Animal-Drawn Carriages," Section 407-69, "Rates To Be Filed With Director," Section 407-71, "Rate Card or Rate Information to be Reviewable by Passengers," Section 407-83, "Illegal Use of Hotel or Bus Zones," Section 407-107, "Equipment Requirements," Section 407-117-A, "Animal-Drawn Carriage and Pedicab Stands," Section 407-125, "Rules and Regulations," Section 408, "Driver's License for Public Vehicles," Section 408-1, "Application and Digital Identification Permit," Section 408-3, "Driver's License Fee," Section 408-5, "Examination of Applicant," Section 408-7, "Issuance or Denial of License," Section 408-25, "Smoking Prohibited," Section 408-45, "Rules and Regulations," Section 510-3, "Special Parades Requiring Permits," Section 765-11, "Required Terms and Conditions," and Section 850-1-P3, "Public Vehicle"; ORDAINING new Section 407-12, "Animal-Drawn Carriages,"; and REPEALING in their entirety Section 407-137, "Litter Control for Animal-Drawn Carriages," Section 407-139, "Dimensions for Animal-Drawn Carriages," and Section 407-143, "Veterinarian's Certificate Required," to prohibit the use of animal-drawn carriages for commercial purposes.

Recommendation PASS

Sponsors: Seelbach

ANNOUNCEMENTS

Adjournment