



City of Cincinnati

801 Plum Street
Cincinnati, Ohio 45202

CALENDAR

Cincinnati City Council

Wednesday, September 14, 2022

2:00 PM

Council Chambers, Room 300

ROLL CALL

PRAYER AND PLEDGE OF ALLEGIANCE

FILING OF THE JOURNAL

MAYOR AFTAB

Citizen Complaint Authority

1. [202201698](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Ashley Harp to the Citizen Complaint Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American).

Recommendation CONFIRM

Sponsors: Mayor

2. [202201753](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Tracey Johnson to the Citizen Complaint Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American).

Recommendation CONFIRM

Sponsors: Mayor

3. [202201754](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Wanda Spivey to the Citizen Complaint Authority for a term of two years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American).

Recommendation CONFIRM

Sponsors: Mayor

Cincinnati Board of Health

4. [202201699](#) **REAPPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby reappoint Edward Herzig, MD to the Cincinnati Board of Health for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/White).

Recommendation CONFIRM

Sponsors: Mayor

FC Cincinnati Community Coalition

5. [202201707](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Mark Alexander to the FC Cincinnati Community Coalition, having been submitted to my office by the West End Community Council as one of their two allotted representatives, for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/African American).

Recommendation CONFIRM

Sponsors: Mayor

6. [202201708](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Patricia Charlton to the FC Cincinnati Community Coalition, having been submitted to my office by the City West Neighborhood Association, Inc. as their allotted representative, for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American).

Recommendation CONFIRM

Sponsors: Mayor

7. [202201756](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Meeka Owens to the FC Cincinnati Community Coalition for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/African American).

Recommendation CONFIRM

Sponsors: Mayor

Cincinnati Retirement System Board of Trustees

8. [202201755](#) **APPOINTMENT**, submitted by Mayor Aftab Pureval, I hereby appoint Tom West to the Board of Trustees for the Cincinnati Retirement System to fill the unexpired term of Erica Winstead, expiring on September 23, 2024. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/White).

Recommendation CONFIRM

Sponsors: Mayor

CITY MANAGER

9. [202201660](#) **REPORT**, dated 9/14/2022, submitted by Sheryl M. M. Long, City Manager, regarding **Report - Tax Incentive Review Council Status of Property Tax Agreements for Year End 2021**

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

10. [202201745](#) **REPORT**, dated 9/14/2022, submitted by Sheryl M. M. Long, City Manager, regarding Special Event Permit Application for Go Big Day Celebrating the Beechmont Connector.
- Recommendation** FILE
- Sponsors:** City Manager
11. [202201760](#) **REPORT**, dated 9/14/2022 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for KWS Ventures LLC, 3410 Telford Street. (#4948907, D1, New) [Objections: None]
- Recommendation** FILE
- Sponsors:** City Manager
12. [202201761](#) **REPORT**, dated 9/14/2022 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for KWS Ventures LLC, 3410 Telford Street. (#4948907, D2 D3 D3A, New) [Objections: None]
- Recommendation** FILE
- Sponsors:** City Manager
13. [202201762](#) **REPORT**, dated 9/14/2022 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for KOL Group LLC, DBA Tulu Nightclub and Cocktail Bar, 920 Race Street. (47674070001, D1 D2 D3 D3A D6, Transfer) [Objections: None]
- Recommendation** FILE
- Sponsors:** City Manager
14. [202201763](#) **REPORT**, dated 9/14/2022 submitted by Sheryl M. M. Long, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for El Valle Verde Supermarket LLC, DBA El Valle Verde, 7047 Vine Street. (24666450001, C1 C2, Transfer) [Objections: None]
- Recommendation** FILE
- Sponsors:** City Manager
15. [202201767](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **ACCEPTING AND CONFIRMING** the grant of a public utility easement in favor of the City of Cincinnati for water mains and related fixtures, equipment, and appurtenances through certain real property being a private street known as Colonial Ridge Court located on and across Lot 3 of Plat of Partition of the Estate of John Agnew (Deceased), in Pleasant Ridge in accordance with the plat entitled Permanent Easement Plat for Water Main and Appurtenances along Colonial Ridge Court, as recorded in Plat Book 493, Page 15, Hamilton County, Ohio Recorder's Office.
- Recommendation** BUDGET AND FINANCE COMMITTEE
- Sponsors:** City Manager

16. [202201768](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **ACCEPTING AND CONFIRMING** the grant of a public utility easement in favor of the City of Cincinnati for water mains and related fixtures, equipment, and appurtenances through certain real property being part of Lot 6 of the Cast Fab Subdivision in Oakley in accordance with the plat entitled Easement Plat for Greater Cincinnati Water Works Water Main Graphite Oakley, LLC CIN 315-WW003815\MF16668 E-1083, as recorded in Plat Book 487, Page 32, Hamilton County, Ohio Recorder's Office.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

17. [202201769](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **AUTHORIZING** the City Manager to apply for a grant in the amount of up to \$5,000,000 from the Highway Safety Improvement Program Formal Safety Application process, administered by the Ohio Department of Transportation, for the purpose of providing financial assistance for the Harrison Avenue Safety Improvement Project to right-size Harrison Avenue from Queen City Avenue to Kling Avenue by reducing vehicle lanes to three and implementing other various safety improvements along the corridor.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

18. [202201770](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **AUTHORIZING** the City Manager to accept a monetary donation of up to \$62,500 from the Cincinnati Blue Line Foundation for the purpose of meeting the City's local match requirement under the FY 2022 Port Security Grant Program for the Cincinnati Police Department's (CPD) Patrol Boat Program; and **AUTHORIZING** the Finance Director to deposit the donated funds into Public Safety Special Projects Fund revenue account no. 456x8571.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

19. [202201771](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **AUTHORIZING** the City Manager to apply for and accept a Climate Communities Technical Assistance Program Grant from the U.S. Department of Housing and Urban Development ("HUD") for the purpose of providing technical assistance for entitlement communities as part of HUD's Climate Action Plan Climate Communities Initiative.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

20. [202201772](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$5,000 from the Cincinnati Recreation Foundation to the Cincinnati Recreation Commission (“CRC”) for the purpose of providing resources for CRC’s Miracle League Baseball Program; **AUTHORIZING** the City Manager to accept and appropriate a donation in the amount of \$800 from Elder High School to the Cincinnati Recreation Commission for the purpose of providing resources to support sponsorship fees for a Miracle League Baseball team; and **AUTHORIZING** the Finance Director to deposit \$5,800 in donated resources into Contributions for Recreation Purposes Fund 319 revenue account no. 319x8571.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

21. [202201773](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **ESTABLISHING** capital improvement program project account no. 980x255x232543, “Salt Domes Repairs and Replacements,” for the purpose of providing resources for the repair and replacement of the Dunbar, Crookshank, and North Central salt domes; and **AUTHORIZING** the transfer and appropriation of \$450,000 from the unappropriated surplus of Income Tax-Infrastructure Fund 302 to the newly established capital improvement program project account no. 980x255x232543, “Salt Domes Repairs and Replacements.”

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

22. [202201774](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **AUTHORIZING** the expenditure of funds up to the amount of \$20,000 from Water Works non-personnel operating budget account no. 101x306x2000x7289 and up to the amount of \$20,000 from Water Works non-personnel operating budget account no. 101x304x4000x7299 for a total combined expenditure of up to \$40,000 to reconfigure private plumbing and water service lines to connect certain residents to the water main in Central Parkway so that the Stier Alley water main may be abandoned; and **DECLARING** such expenditure to serve a public purpose.

Recommendation BUDGET AND FINANCE COMMITTEE

Sponsors: City Manager

23. [202201775](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **MODIFYING** Chapter 311 of the Cincinnati Municipal Code, "City of Cincinnati Income Tax," by ENACTING new Sections 311-9-L2, "Lottery Sports Gaming," 311-9-S7, "Sports Gaming," 311-9-S8, "Sports Gaming Facility," 311-9-T9, "Type B Sports Gaming Proprietor," and by AMENDING Section 311-31, "Collection at Source; Casino and VLT," for the purpose of requiring Type B sports gaming proprietors and lottery sales agents to withhold and remit municipal income tax to satisfy requirements made necessary by the legalization of sports betting in Ohio as of January 1, 2023.

Recommendation PUBLIC SAFETY & GOVERNANCE COMMITTEE

Sponsors: City Manager

24. [202201776](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/14/2022, **MODIFYING** Title XVI, "Neighborhood Quality of Life Uniform Code," of the Cincinnati Municipal Code by REPEALING Section 1601-46, "Prohibited Sign Types and Locations," as it is a duplicate section of the Cincinnati Municipal Code and to better align the City's Neighborhood Quality of Life Uniform Code with best practices for protecting the health, safety, and welfare of the citizens of Cincinnati.

Recommendation PUBLIC SAFETY & GOVERNANCE COMMITTEE

Sponsors: City Manager

25. [202201781](#) **REPORT**, dated 9/14/2022, submitted Sheryl M. M. Long, City Manager, regarding South Fairmont Traffic Calming.

Recommendation CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

Sponsors: City Manager

BUDGET AND FINANCE COMMITTEE

26. [202201702](#) **REPORT**, dated 9/8/2022, submitted by John P. Curp, Interim City Manager, regarding PACE Financing and Government Efficiencies. (SEE REFERENCE DOCUMENT #202200791)

Recommendation APPROVE & FILE

Sponsors: City Manager

27. [202201737](#) **ORDINANCE (EMERGENCY)** submitted by Sheryl M. M. Long, City Manager, on 9/8/2022, **AMENDING** Ordinance No. 0341-2021 to correct the designated fund in which the Director of Finance is authorized to deposit proceeds received in connection with the sale of real property authorized by said ordinance.

Recommendation PASS EMERGENCY

Sponsors: City Manager

28. [202201738](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/8/2022, **AUTHORIZING** the City Manager to execute a *Grant of Easements* in favor of OTR Holdings, Inc., pursuant to which the City of Cincinnati will grant easements for step encroachments upon portions of Green and Race Streets in Over-the-Rhine.
- Recommendation** PASS
- Sponsors:** City Manager
29. [202201739](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/8/2022, **AUTHORIZING** the City Manager to execute a *Grant of Easement* in favor of Robert B. Hinton, Jr., pursuant to which the City of Cincinnati will grant an easement for retaining walls and pavement that encroach upon portions of Handasyde Court and Menlo Avenue in Hyde Park.
- Recommendation** PASS
- Sponsors:** City Manager
30. [202201741](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/8/2022, **AUTHORIZING** the City Manager to execute a *Property Sale Agreement* with Cinfed Federal Credit Union, pursuant to which the City will sell certain real property located at 4700 Ridge Avenue in Oakley, acquire a portion of real property located at 4704 Ridge Avenue in fee simple for public right-of-way purposes, and acquire a public utility easement on, under, and across a portion of said real property located at 4704 Ridge Avenue.
- Recommendation** PASS
- Sponsors:** City Manager
31. [202201742](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/8/2022, **AUTHORIZING** the City Manager to execute a *Property Sale Agreement* with Marshall at Central, LLC, pursuant to which the City will vacate and convey certain real property designated as public right-of-way known as Hallmar Avenue in the CUF neighborhood of Cincinnati.
- Recommendation** PASS
- Sponsors:** City Manager

REVISED

SUPPLEMENTAL ITEMS

CLIMATE, ENVIRONMENT & INFRASTRUCTURE COMMITTEE

32. [202201574](#) **REPORT**, dated 8/3/2022, submitted by John P. Curp, Interim City Manager, regarding Department of Transportation and Engineering - 2021 Infrastructure Condition Reports.
- Recommendation** APPROVE & FILE
- Sponsors:** City Manager

33. [202201575](#) **REPORT**, dated 8/3/2022, submitted by John P. Curp, Interim City Manager, regarding the WEST SIDE BIKE TRAIL (REFERENCE DOCUMENT #202201292).
- Recommendation** APPROVE & FILE
- Sponsors:** City Manager
34. [202201747](#) **MOTION**, submitted by Councilmembers Cramerding and Owens, **WE MOVE** that the Administration provide a report to outlining the parameters, processes, and constraints of the current yard waste disposal program. It should outline what the Ohio Revised Code and the Ohio Environmental Protection Agency require for yard waste disposal and identify better or best practices for yard waste removal and separation. (STATEMENT ATTACHED).
- Recommendation** ADOPT
- Sponsors:** Cramerding and Owens
35. [202201673](#) **MOTION**, submitted by Councilmembers Cramerding, Owens and Vice Mayor Kearney, **WE MOVE** the Administration to produce a report within 60 days on the legality and options for increased flexibility on how the Urban Forestry frontage assessment funds are utilized, including identifying other Ohio cities that have more flexibility in their programs. The current program is limited to planting, maintenance and management of trees that are within and/or pose a risk to the right of way. If the funds could be used to plant and maintain trees on other public property, including other city property or Cincinnati Public Schools property, it could be a tool in reducing heat islands in vulnerable low canopy neighborhoods, such as Bond Hill, Avondale, Millvale, Winton Hills and others. This motion and the subsequent report should not raise the assessment, just create flexibility on how existing funds could be spent.
- Recommendation** ADOPT
- Sponsors:** Cramerding, Owens and Kearney
36. [202201740](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/8/2022, **AUTHORIZING** the City Manager to take all necessary and proper actions to cooperate with the Director of the Ohio Department of Transportation to facilitate the performance of bridge maintenance activities for the bridges located on State Route 32 over the Little Miami River, 9th Street over Interstate 75, and E. McMillan Street over Interstate 71 in connection with the Ohio Department of Transportation's district-wide bridge maintenance project in the City of Cincinnati.
- Recommendation** PASS
- Sponsors:** City Manager

37. [202201743](#) **ORDINANCE** submitted by Sheryl M. M. Long, City Manager, on 9/8/2022, **MODIFYING** Chapter 1117, "Housing Code," of the Cincinnati Municipal Code by amending Section 1117-15, "Fire-Protective Features," and Section 1117-45, "General Maintenance and Repair"; and **MODIFYING** the provisions of Chapter 1219, "Miscellaneous Regulations," by enacting new Section 1219-73, "Self-Closing Doors," all to implement enhanced fire safety measures that promote the containment and suppression of flame and smoke in multi-family residential structures.

Recommendation PASS

Sponsors: City Manager

EQUITABLE GROWTH & HOUSINGS COMMITTEE

38. [202201706](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 9/13/2022, **AMENDING** the official zoning map of the City of Cincinnati to rezone certain real property in the Pleasant Ridge neighborhood located at 6010, 6018, 6024, and 6026 Montgomery Road and 5984 and 5988 Lester Road from the CC-P, "Commercial Community-Pedestrian," and RMX, "Residential Mixed," zoning districts to Planned Development District No. 93, "Montgomery and Lester Development." (Subject to the [Temporary Prohibition List <https://www.cincinnati-oh.gov/law/ethics/city-business>](https://www.cincinnati-oh.gov/law/ethics/city-business))

Recommendation PASS

Sponsors: City Manager

39. [202201674](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 9/13/2022, **ESTABLISHING** Urban Parking Overlay District #3, "West End," in the West End neighborhood as an urban parking overlay district to eliminate minimum off-street parking requirements in the area.

Recommendation PASS

Sponsors: City Manager

40. [202201683](#) **ORDINANCE (EMERGENCY)** submitted by John P. Curp, Interim City Manager, on 9/13/2022, **AUTHORIZING** the installation of certain signage on the stadium located at 1 Paul Brown Stadium in the Central Business District NOTWITHSTANDING the provisions of Section 1411-39, "Signs" of Chapter 1411, "Downtown Development Districts," of the Cincinnati Municipal Code. (Subject to the [Temporary Prohibition List <https://www.cincinnati-oh.gov/law/ethics/city-business>](https://www.cincinnati-oh.gov/law/ethics/city-business))

Recommendation PASS EMERGENCY

Sponsors: City Manager

41. [202201710](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 9/13/2022, **APPROVING** a major amendment to the concept plan and development program statement governing a portion of Planned Development No. 64 - Phase 2B located south of Vandercar Way in the Oakley neighborhood to eliminate a proposed office building and to permit the development of an entertainment complex consisting of eating and drinking uses and recreation and entertainment uses. (Subject to the [Temporary Prohibition List](#) <<https://www.cincinnati-oh.gov/law/ethics/city-business>>)
- Recommendation** PASS
- Sponsors:** City Manager
42. [202201709](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 9/13/2022, **APPROVING** a major amendment to the concept plan and development program statement governing a portion of Planned Development No. 64 - Phase 2B located north of Vandercar Way in the Oakley neighborhood to eliminate a proposed parking garage, to reposition and reduce the square footage of a proposed office building, and to permit the development of a hotel. (Subject to the [Temporary Prohibition List](#) <<https://www.cincinnati-oh.gov/law/ethics/city-business>>)
- Recommendation** PASS
- Sponsors:** City Manager
43. [202201658](#) **ORDINANCE** submitted by John P. Curp, Interim City Manager, on 9/13/2022, **AMENDING** the official zoning map of the City of Cincinnati to rezone the real property located at 3002-3026 Woodburn Avenue in the Evanston neighborhood from the RMX, "Residential Mixed," zoning district to the RM-0.7, "Residential Multi-Family," zoning district to facilitate the construction of a 29-home single-family development. (Subject to the [Temporary Prohibition List](#) <<https://www.cincinnati-oh.gov/law/ethics/city-business>>)
- Recommendation** PASS
- Sponsors:** City Manager

ANNOUNCEMENTS

Adjournment