



# City of Cincinnati

## Cincinnati City Council

### Meeting Minutes

801 Plum Street  
Cincinnati, Ohio 45202

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**Wednesday, October 21, 2020      2:00 PM      Council Chambers, Room 300**

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Council convened at 2:01 P.M., Vice-Mayor Smitherman, Presiding.

#### **ROLL CALL**

**Present:** Vice Mayor Christopher Smitherman, Councilmember Jan-Michele Kearney, Councilmember Greg Landsman, Councilmember David Mann, Councilmember Jeff Pastor, President Pro Tem Chris Seelbach, Councilmember P.G. Sittenfeld, Councilmember Betsy Sundermann, and Councilmember Wendell Young

**The following council member participated remotely: Councilmember Pastor, Councilmember Seelbach and Councilmember Sundermann**

**Also in attendance were Interim City Solicitor Andrew Garth, Interim City Manager Paula Boggs-Muething and Clerk of Council Melissa Autry**

**Council observed a moment of silence prayer and recited the Pledge of Allegiance to the Flag.**

**Without objection the Minutes of the previous session of Council were ordered Approved and Filed.**

#### **MAYOR CRANLEY**

- 1. RESOLUTION**, submitted by Mayor Cranley, **EXPRESSING** the support of the Mayor and Cincinnati City Council for the City Administration to proceed without delay to establish a program to provide financial relief to qualified low-income residential customers experiencing COVID-19-related economic hardship by forgiving delinquent water service and City of Cincinnati stormwater charges accumulated during the COVID-19 crisis between March 1 to September 30, 2020.

[202002020](#)

Referred to Major Projects & Smart Government Committee  
Enactment No: 0053-2020

#### **MR. LANDSMAN**

- 2. ORDINANCE (EMERGENCY)**, dated 09/25/2020, submitted by Councilmember Landsman, from Andrew W. Garth, Interim City Solicitor, **AUTHORIZING** the return of the sum of \$339,245 from the Cincinnati

[202001880](#)

Health Department's Cincinnati Health District Fund non-personnel operating budget account no. 416x263x7200 to the unappropriated surplus of Cincinnati Health District Fund 416; AUTHORIZING the transfer of the sum of \$339,245 from the unappropriated surplus of Cincinnati Health District Fund 416 to the unappropriated surplus of General Fund 050 for the purpose of returning funds to source; AUTHORIZING the return of the sum of \$95,000 from the Department of Recreation's General Fund 050 non-personnel operating budget account no. 050x199x7200 to the unappropriated surplus of General Fund 050 to the Department of Community and Economic Development's General Fund non-personnel operating budget account no. 050x164x7200 for the purpose of providing leveraged support funding to The Dragonfly Foundation to provide support for families affected by pediatric cancer; AUTHORIZING the appropriation of the sum of \$184,245 from the unappropriated surplus of General Fund 0-50 to the Department of Community and Economic Development's General Fund non-personnel operating budget account no. 050x164x7200 for the purpose of providing leveraged support funding to Rosemary's Babies Company for adolescent parent and family support.

Referred to Budget & Finance Committee  
Enactment No: 0354-2020

**MR. LANDSMAN**

**MRS. KEARNEY**

**MR. YOUNG**

**MR. SEELBACH**

**MR. SITTENFELD**

3. **MOTION**, submitted by Councilmember Landsman, Kearney, Young, Seelbach and Sittenfeld, **WE MOVE** that the Administration work with Kingsley and Co. and the Mt. Auburn community to ensure that project - and community-based commitments are ultimately met, including an attempt by the developer to resolve remaining tenant issues.

[202001991](#)

Referred to Budget & Finance Committee

**MR. MANN**

4. **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).

[202002010](#)

Referred to Neighborhoods Committee

**MR. SMITHERMAN**

5. **COMMUNICATION**, submitted by Vice Mayor Smitherman, from Andy

[202001974](#)

Wilson, Senior Advisor for Criminal Justice Policy, Office of Ohio Governor Mike DeWine, regarding the Ohio Revised Code Section that governs law enforcement's ability to obtain a "no knock" warrant.

Referred to Law & Public Safety Committee

### CITY MANAGER

6. **REPORT**, dated 10/21/2020 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 TTV CINCI INC, DBA VIV MARKET, 2505 Fairview Avenue, Cincinnati, OH 45219. (#9078272, C1, C2, Transfer) [Objections: None] [202001872](#)

Filed

7. **REPORT**, dated 10/21/2020 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 HSLV INC, DBA BANA MARKET, 220 W. McMillan Street, Cincinnati, Ohio 45219. (#3469780, C1, C2, D6, Transfer) [Objections: NONE] [202001973](#)

Filed

8. **MEMO**, submitted by Andrew Garth, Interim City Solicitor and Kate Burroughs, Sr. Assistant City Solicitor, from Paula Boggs Muething, City Manager, on October 12, 2020, regarding Solicitor's opinion concerning No Knock Warrants. [202002015](#)

Referred to Law & Public Safety Committee

9. **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to execute a Quitclaim Deed in favor of the State of Ohio, Department of Transportation, to convey land adjacent to Interstate 75 in the Queensgate neighborhood of Cincinnati in connection with transportation improvement project HAM 75-00.22. [202001887](#)

Referred to Major Projects & Smart Government Committee  
Enactment No: 0368-2020

10. **ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **ACCEPTING** and **CONFIRMING** the dedication of permanent easements to public use for the construction, maintenance, repair, and replacement of storm sewers and appurtenances over and across the property owned by Children's Hospital Medical Center, an Ohio non-profit corporation, located at 5642 Hamilton Avenue in College Hill neighborhood of Cincinnati, in accordance with the plat entitled "Easement for storm sewer-Kings Run Watershed." [202001992](#)

Referred to Major Projects & Smart Government Committee  
Enactment No: 0369-2020

11. **ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a COVID-19 (Coronavirus) Care Resource Coordination Support Grant (RC 21) in the amount of \$275,583 from the [202001993](#)

Ohio Department of Health, to support vulnerable populations facing social and economic instability related to COVID-19 testing and diagnosis that results in isolation and quarantine.

Referred to Budget & Finance Committee

Enactment No: 0360-2020

- 12. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to accept and deposit a donation in an amount up to \$110,000 from the Cincinnati Parks Foundation in Fund No. 430, "Parks Private Endowment," for the purpose of providing resources to reimburse capital improvement program project accounts for the implementation of a landscaping renovation plan completed at Hyde Park Square; **ESTABLISHING** new capital improvement program project account no. 980x203x212003, "Hyde Park Square Renovation," for the purpose of providing resources for the implementation of a landscaping renovation plan at Hyde Park Square; and further **AUTHORIZING** the transfer and appropriation of up to \$110,000 from the unappropriated surplus of Fund No. 430, "Parks Private Endowment," to newly established capital improvement program project account no. 980x203x212003, "Hyde Park Square Renovation."

[202001994](#)

Referred to Budget & Finance Committee

Enactment No: 0361-2020

- 13. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to execute a Release of Easement to release public pedestrian ingress and egress easements across certain real property located at 525 Vine Street in the Central Business District of Cincinnati to facilitate the redevelopment of Fountain Square West.

[202001996](#)

Referred to Budget & Finance Committee

Enactment No: 0362-2020

- 14. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **DECLARING**, pursuant to Ohio Revised Code Section 5709.40(B), improvements to certain parcels of real property at the former Cast-Fab site, located west of Disney Street in the Oakley neighborhood of Cincinnati to be a public purpose and exempt from real property taxation for a period of 30 years.

[202001998](#)

Referred to Budget & Finance Committee

Enactment No: 0363-2020

- 15. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **APPROVING AND AUTHORIZING** the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Graphite Oakley, LLC, thereby authorizing a 12-year tax exemption for 100% of the value of improvements made to real property located at 2980 Disney Street in the Oakley neighborhood of Cincinnati, in connection with the

[202001999](#)

construction of five new building into enclosed parking on the first floor, consisting of approximately 564 parking spaces, and approximately 360,828 square feet of residential rental space on the upper floors, consisting of approximately 316 apartments, 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 \$35.569.369.

Referred to Budget & Finance Committee

Enactment No: 0364-2020

- 16. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **AUTHORIZING** the City Manager to apply for, accept, and appropriate a grant in the amount of \$56,000 from the Oregon Community Health Information Network COVID-19 Telehealth Funding Program to support telehealth innovation for underserved communities.

[202002000](#)

Referred to Budget & Finance Committee

Enactment No: 0365-2020

### **CLERK OF COUNCIL**

- 17. REGISTRATION**, submitted by the Clerk of Council from Legislative Agent Rachael Mains, Associate, Bricker and Eckler, LLP., 100 S. Third Street, Columbus, Ohio 43215-4214 (TWENTY LABS, LLC. ALSO KNOWN AS HEALTHY TOGETHER)

[202001997](#)

Filed

### **SUPPLEMENTAL ITEMS**

#### **EDUCATION, INNOVATION & GROWTH COMMITTEE**

#### **Racial Equity in Policy Task Force - 13 members; 5 F/8 M; 12 AA / 1 W**

- 18. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Edith Thrower, representing the Southern Christian Leadership Conference, be appointed to the Racial Equity in Policy Task Force for a term of two years. (Female/AA)

[202001907](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 19. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Denisa Porter, representing the All In Coalition, be appointed to the Racial Equity in Policy Task Force for a term of two years. (Female/AA)

[202001915](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 20. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Renee Mahaffey Harris, representing the Center for Closing the Health Gap, be appointed to the Racial Equity in Policy Task Force for a term of two years. **WE FURTHER MOVE** that Renee Mahaffey Harris shall serve as Co-Chair of the Racial Equity in Policy Task Force during her term. (Female/AA)

[202001923](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 21. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Commissioner Melba Moore, representing the Cincinnati Health Department, with the consent of the Board of Health, be appointed to the Racial Equity in Policy Task Force for a term of two years. **WE FURTHER MOVE** that Commissioner Melba Moore shall serve as Co-Chair of the Racial Equity in Policy Task Force during her term. (Female/AA)

[202001930](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 22. APPOINTMENT**, submitted by Councilmember Sittenfeld, **WE MOVE** that Eric Kearney, representing the African American Chamber of Commerce, be appointed to the Racial Equity in Policy Task Force for a term of two years. (Male/AA)

[202001938](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

**Excused:** Councilmember Kearney

- 23. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Reverend Damon Lynch, III, representing the Community Economic Advancement Initiative, be appointed to the Racial Equity in Policy Task Force for a term of two years. (Male/AA)

[202001945](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 24. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that William West, representing the Cincinnati African American Firefighters Association, be appointed to the Racial Equity in Policy Task Force for a term of one year. (Male/AA)

[202001953](#)



Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 25. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Eddie Koen, representing the Urban League of Greater Southwestern Ohio, be appointed to the Racial Equity in Policy Task Force for a term of one year. (Male/AA)

[202001961](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 26. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Joe Mallory, representing the Cincinnati NAACP, be appointed to the Racial Equity in Policy Task Force for a term of one year. (Male/AA)

[202001962](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 27. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Louis Arnold, representing the Sentinel Police Association, be appointed to the Racial Equity in Policy Task Force for a

[202001963](#)



term of one year. (Male/AA)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 28. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Dr. Roosevelt Walker, representing the Cincinnati Medical Association, be appointed to the Racial Equity in Policy Task Force for a term of one year. (Male/AA)

[202001964](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 29. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Bishop Bobby Hilton, representing the National Action Network, be appointed to the Racial Equity in Policy Task Force for a term of two years. (Male/AA)

[202001965](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 30. APPOINTMENT**, submitted by Councilmember Sittenfeld, **WE MOVE** that Ali Kathman, representing Hamilton County Public Health, be appointed

[202001966](#)

to the Racial Equity in Policy Task Force for a term of one year.  
(Female/White)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 31. APPOINTMENT**, submitted by Councilmember Sittenfeld, **WE MOVE** that Rev. Mark Bomar, representing the Baptist Ministers Conference, be appointed to the Racial Equity in Policy Task Force for a term of one year.  
(Male/AA)

[202002016](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

- 32. APPOINTMENT**, submitted by Councilmember Sittenfeld and Kearney, **WE MOVE** that Dr. Lisa Wilson, representing the Black Nurses Association, be appointed to the Racial Equity in Policy Task Force for a term of one year. (Female/AA)

[202002021](#)

Confirmed

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Sundermann  
Councilmember Young

**EQUITY, INCLUSION, YOUTH, & THE ARTS COMMITTEE**

- 33. MOTION**, submitted by Councilmember Seelbach, Landsman, Mann, Kearney, Pastor, Sittenfeld and Mayor Cranley, **WE MOVE** that the Administration coordinate with the Hamilton County Clerk of Courts and the Hamilton County Board of County Commissioners to create a searchable database of individuals convicted of animal abuse to be provided to animal shelters, adoption agencies, and foster agencies.

[202001852](#)

Adopted

**Yes:** Vice Mayor Smitherman  
Councilmember Kearney  
Councilmember Landsman  
Councilmember Mann  
Councilmember Pastor  
President Pro Tem Seelbach  
Councilmember Sittenfeld  
Councilmember Young

**No:** Councilmember Sundermann

### **NEW BUSINESS**

- 34.** RESOLUTION submitted by Paula Boggs Muething, City Manager, on 10/21/2020, **DECLARING** by legislative resolution the necessity of improving Walworth Avenue by constructing an extension thereto, together with curbs, street lighting, streetscaping, sidewalks, water mains, and storm and sanitary sewer; necessary remediation of soil in the related right-of-way; installing retaining walls; acquiring land necessary to construct and install the foregoing; and acquiring, constructing, and installing other related improvements, and of assessing certain lots adjacent to Walworth Avenue, as extended, for costs of those improvements, in accordance with Chapter 727 of the Ohio Revised Code.

[202002026](#)

Referred to Budget & Finance Committee

- 35.** FYI MEMO, dated 10/20/2020, submitted by Councilmember Mann from Paula Boggs Muething, City Manager, "Update on Coronavirus Relief Fund Allocation", The purpose of this memorandum is to provide the Mayor and the City Council with an update on funding received by the City from the State of Ohio and Hamilton County under the Coronavirus Relief Fund (CRF), established by the United States Department of the Treasury pursuant to the Coronavirus Aid, Relief, and Economic Security Act (CARES Act).

[202002027](#)

Referred to Budget & Finance Committee

**No announcements at this time**

Council adjourned at 2:34 P.M.