



City of Cincinnati

Cincinnati City Council

Meeting Minutes - Final

801 Plum Street
Cincinnati, Ohio 45202

Wednesday, September 1, 2021 2:00 PM Council Chambers, Room 300

Council convened at 2:01 P.M., Mayor John Cranley, Presiding.

ROLL CALL

Present: Vice Mayor Christopher Smitherman, Councilmember Steve Goodin, Councilmember Jan-Michele Kearney, Councilmember Liz Keating, Councilmember Greg Landsman, Councilmember David Mann, President Pro Tem Chris Seelbach, Councilmember Betsy Sundermann, and Councilmember Wendell Young

In attendance were City Manager Paula Boggs-Muething, City Solicitor Andrew Garth and Clerk of Council Melissa Autry

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

There being no objection, Minutes of the previous session of Council were ordered Approved and Filed.

MAYOR CRANLEY

Economic Inclusion Advocacy and Accountability Board (EIAAB): 17 members: 12 Male/ 5 Female; 8 White/8 AA/ 1 Other

1. REAPPOINTMENT, submitted by Mayor John Cranley, I [202102568](#) hereby reappoint Cathy Lindemann to the Economic Inclusion Advocacy and Accountability Board (EIAAB) for a term of three years. This reappointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/White).

A motion was made that this Reappointment be Confirmed. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

2. REAPPOINTMENT, submitted by Mayor John Cranley, I hereby reappoint Barbara Smith to the Economic Inclusion Advocacy and Accountability Board (EIAAB) for a term of three years. This reappointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/AA).

[202102569](#)

A motion was made that this Reappointment be Confirmed. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

3. APPOINTMENT, submitted by Mayor John Cranley, I hereby appoint Jilson Daniels to the Economic Inclusion Advocacy and Accountability Board (EIAAB) for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/AA).

[202102570](#)

A motion was made that this Appointment be Confirmed. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

4. REAPPOINTMENT, submitted by Mayor John Cranley, I hereby reappoint Matt Jones to the Economic Inclusion Advocacy and Accountability Board (EIAAB) for a term of three years. This reappointment is submitted to City Council for its advice and consent pursuant to its Rules. (Male/White).

[202102571](#)

A motion was made that this Reappointment be Confirmed. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

SWORWIB - 52 Members: 27 Female/25 Male; 24 Minority/28 White

5. APPOINTMENT, submitted by Mayor John Cranley, I hereby appoint Alicia Reece the Southwest Ohio Region Workforce Investment Board (SWORWIB) to fill the unexpired term of Stephanie Summerow-Dumas. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. (Female/AA).

[202102572](#)

A motion was made that this Appointment be Confirmed. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

MR. GOODIN

6. ORDINANCE, dated 8/26/2021, submitted by Councilmember Goodin, from Andrew W. Garth, City Solicitor, MODIFYING Title I, "Council and Corporation Miscellany," by enacting new Chapter 119, "Prohibition on the Solicitation or Acceptance of Campaign Contributions from Persons with a Financial Interest in City Business," of the Cincinnati Municipal Code to restore public trust in elected officials by prohibiting the solicitation or acceptance of campaign contributions from persons having a financial interest in City business while it is pending before Council; and MODIFYING Section 1501-8, "Class C-1 Civil Offenses," of Title XV, "Code Compliance and Hearings," of the Cincinnati Municipal Code to establish penalties for certain violations of Chapter 119.

[202102643](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

MS. KEARNEY

7. ORDINANCE, dated 8/24/2021, submitted by [202102642](#)
Councilmember Kearney, from Andrew Garth, City Solicitor,
REQUESTING that the City Manager, with input and
participation from citizen, community councils, community
groups, and City partners, develop an additional community
engagement plan, which includes a timeline and details the
resources required in order for the plan to be implemented
by the City of Cincinnati, including the Mayor, City
administration, City boards, commissions and Council
committees, in order to achieve the policy goals described
in Attachment A attached hereto.

This Ordinance was Referred to Neighborhoods Committee to the
Neighborhoods Committee

MS. KEATING

8. MOTION, submitted by Councilmember Keating, WE MOVE [202102628](#)
that all agenda and calendar items that deal with an LLC of
any kind include a list of all members of the LLC in the
summary portion of the item. Inclusion of this information
would provide more transparency for the public and allow
for more diligent conflict checks by Councilmembers.

This Motion was Referred to Law & Public Safety Committee to the Law &
Public Safety Committee

MR. MANN

9. MOTION, dated 08/24/2021, submitted by Councilmember [202102641](#)
Mann, WE MOVE that the City Administration prepare a
report to lay out a roadmap to implement the
recommendations of the Economic Development Reform
Panel. Report Attached. (STATEMENT ATTACHED)

This Motion was Referred to Budget & Finance Committee to the Budget
and Finance Committee

MR. SEELBACH

MS. KEATING

10. MOTION, dated 08/30/2021, submitted by Councilmembers Seelbach and Keating, WE MOVE that the Administration leave the Clifton Ave Bikeway Pilot Project in place while a community hearing is scheduled with the goal of discovering what is working, what adjustments are need in the short & long term, and any other key takeaways learned by the City, institutional partners, & the community from this ongoing pilot project. WE FURTHER MOVE that the University of Cincinnati, Clifton Town Meeting, CUFNA, Tri-State Trails and other groups, neighbors, and individuals be invited to the hearing for a diverse & broad discussion, which will include the review of any specific safety and crash datapoints, with the ultimate goal of improving safety, making needed adjustments, and creating an open dialogue between all parties involved. [202102663](#)

This Motion was Referred to Neighborhoods Committee to the Neighborhoods Committee

11. MOTION, dated 08/30/2021, submitted by Councilmembers Seelbach and Keating, WE MOVE that the Administration review the Downtown late-night flash operations of traffic signals, particularly along Court Street, and reconsider the currently existing one-way stop, one-way yield signals to be all-way stop signals, for the purpose of reducing potential T-bone collisions and providing safer crossings for pedestrians. As downtown has increased its late-night activates over the last decade, reconsideration of one-way yield signals may improve safety along growing corridors. WE FURTHER MOVE that the report return in 45 to 60 days. [202102664](#)

This Motion was Referred to Neighborhoods Committee to the Neighborhoods Committee

MR. SMITHERMAN

- 12.** RESOLUTION, dated 8/26/2021, submitted by Vice Mayor [202102647](#)
Smitherman, from Andrew Garth, City Solicitor,
ENCOURAGING Governor Mike DeWine and the Ohio
General Assembly to immediately amend Ohio Revised
Code Section 121.22 to enable members of public bodies of
the State of Ohio to hold and attend meetings and conduct
hearings by means of teleconference, video conference, or
any other similar electronic technology, until December 31,
2021.

This Resolution was Referred to Major Projects & Smart Government
Committee to the Major Projects & Smart Government

MS. SUNDERMANN

- 13.** MOTION, dated 8/4/2021, submitted by Councilmember [202102593](#)
Sundermann, WE MOVE that City Council make no law
restricting access to public or private establishments based
on the requirement of “vaccine passports” or other proof of
vaccination against COVID-19. (STATEMENT ATTACHED)

This Motion was Referred to Budget & Finance Committee to the Budget
and Finance Committee

- 14. MOTION**, submitted by Councilmember Sundermann, WE [202102614](#)
MOVE the Administration prepare a report detailing the current policies and practices for inspecting high rise buildings. WE FURTHER MOVE that the report include requirements for buildings in hillside overlay zoning and flood zones. On June 24, 2021, a twelve-story condominium partially collapsed in Surfside, Florida. Ninety-eight people were confirmed to have died in this tragedy. Citizens of Cincinnati must be ensured that building standards are adequate and regularly enforced to prevent these types of massive collapses. It is especially important for high-risk buildings and high-risk terrain areas to receive proper attention in inspection practices. The report should outline any current susceptibilities in inspection standards that could put City of Cincinnati buildings at risk to catastrophic collapses like the Champlain Towers South condominium in Surfside, Florida or hillside slippage resulting in damage to housing foundations. The report should also include recommendations from the Department of Buildings and Inspections to improve building safety from massive collapse.

This Motion was Referred to Economic, Growth & Zoning Committee to the Economic Growth & Zoning Committee

CITY MANAGER

- 15. REPORT**, dated 9/1/2021 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 SOUL SECRETS LLC, 1434 Vine Street, Cincinnati, Ohio 45202. (#8381434, D5J, NEW) [Objections: NONE] [202102583](#)

This Report was Filed

- 16. REPORT**, dated 9/1/2021 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 TROL LLC, DBA TAPROOM ON LUDLOW, 360 Ludlow Avenue, Cincinnati, Ohio 45220. (#9063360, D5J, NEW) [Objections: NONE] [202102585](#)

This Report was Filed

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- 17.** REPORT, dated 9/1/2021 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 BULLDOG DUO INC, DBA BULLDOG, 3057-59 Madison Road, 1st floor & basement & patios, Cincinnati, Ohio 45209. (#1095818, D5, D6, TRANSFER) [Objections: NONE] [202102586](#)
- This Report was Filed
- 18.** REPORT, dated 9/1/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for DINER EN BLANC. [202102594](#)
- This Report was Filed
- 19.** REPORT, dated 9/1/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for MADISONVILLE BBQ FESTIVAL AND 5K. [202102597](#)
- This Report was Filed
- 20.** REPORT, dated 9/1/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for HYDE PARK ART SHOW. [202102599](#)
- This Report was Filed
- 21.** REPORT, dated 9/1/2021, submitted by Paula Boggs Muething, City Manager, regarding Hyde Park Lumber Company-Tax Forgiveness. (SEE REFERENCE DOC#202102292) [202102602](#)
- This Report was Filed
- 22.** REPORT, dated 9/1/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for FLYING PIG MARATHON AND QUEEN BEE. [202102604](#)
- This Report was Filed
- 23.** REPORT, dated 9/1/2021, submitted by Paula Boggs Muething, City Manager, regarding Special Event Permit Application for LIGHT THE NIGHT WALK. [202102607](#)
- This Report was Filed
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- 24. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, AUTHORIZING the City Manager to execute any and all agreements and take such other steps as may be necessary in order to lease City-owned real property at 2010 Auburn Avenue in the Mount Auburn neighborhood of Cincinnati to Sunnyside Child Development Center, Inc., or other affiliated organization acceptable to the City Manager. [202102648](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 25. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/2/2021, APPROVING AND AUTHORIZING the execution of a Job Creation Tax Credit Agreement with Starstone US Intermediaries, Inc., pursuant to which the company agrees to create 55 new jobs at 201 E. Fifth Street in downtown Cincinnati and, for a period of 4 years, the City agrees to provide an income tax credit equal to 35% of City income tax revenue from such new jobs. [202102649](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 26. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Hyde Park Hotel Partners, LLC, thereby authorizing a 13-year tax exemption for 100% of the value of improvements made to real property located at 2654 Madison Road in the Hyde Park neighborhood of Cincinnati, in connection with the construction of a 103-room hotel, 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 \$11,771,503. [202102650](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 27. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, AMENDING the official zoning map of the City of Cincinnati to rezone the real property located at 4325-4329 Red Bank Road in the Madisonville neighborhood from the MG, "Manufacturing General," zoning district to the CG-A, "Commercial General Auto-Oriented," zoning district to provide for the establishment of new commercial uses, including retail sales and daycare uses. [202102651](#)

This Ordinance was Referred to Economic, Growth & Zoning Committee to the Economic Growth & Zoning Committee

- 28. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, LEVYING assessments for unpaid costs for necessary sidewalk, sidewalk area, curb and gutter construction, reconstruction and emergency repairs conducted at miscellaneous locations by the City of Cincinnati through its Sidewalk Safety Program, made in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169. [202102652](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 29. ORDINANCE (B VERSION) (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, LEVYING assessments for unpaid costs for necessary sidewalk, sidewalk area, curb and gutter construction, reconstruction and emergency repairs conducted at miscellaneous locations by the City of Cincinnati through its Sidewalk Safety Program, made in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169. [202102656](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 30. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, AMENDING Ordinance 265-2020 to correct a clerical error in Exhibit 1 to the ordinance so that the list of properties to be assessed the unpaid costs of the private lead service line replacement is complete. [202102653](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 31. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, MODIFYING Title XIV, "Zoning Code of the City of Cincinnati," of the Cincinnati Municipal Code by AMENDING the provisions of Chapter 1411, "Downtown Development Districts," to modify the Downtown Use Subdistrict Overlay Map to include certain additional real property within the DD-A, "Downtown Core," Subdistrict. [202102654](#)

This Ordinance was Referred to Economic, Growth & Zoning Committee to the Economic Growth & Zoning Committee

- 32. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, APPROVING the revised Public Transportation Agency Safety Plan for the Cincinnati Bell Connector as recommended by the streetcar's Accountable Executive and Chief Safety Officer. [202102655](#)

This Ordinance was Referred to Major Projects & Smart Government Committee to the Major Projects & Smart Government

- 33. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, AUTHORIZING the City Manager to accept an in-kind donation from Fifth Third Bank of 27 new Munchkin Arm & Hammer diaper pails valued at up to \$810, for use by the Cincinnati Health Department's Tobacco Free Living Program, for the purpose of providing incentives to pregnant Cincinnati citizens and educating them on the harmful effects of tobacco use before, during and post pregnancy. [202102658](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 34. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, AUTHORIZING the City Manager to accept an in-kind donation from Marathon Petroleum of equipment valued at up to \$4,100 for use by Cincinnati Fire Department Fire Boat 3 and Heavy Rescue companies. [202102659](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 35. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, AUTHORIZING the City Manager to accept and appropriate a donation totaling \$500,000 from the Cincinnati Park Board Commissioner's Fund for the purpose of purchasing horticultural supplies, executing maintenance contracts, providing staff reimbursements, acquiring Krohn gift shop inventory, and providing resources for other vital costs associated with running the City's parks; and AUTHORIZING the Finance Director to deposit the funds into Parks Private Endowment and Donations Fund 430. [202102660](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 36. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, LEVYING assessments for the unpaid costs of private lead service line replacements installed at various locations by the City of Cincinnati's Greater Cincinnati Water Works through its Lead Service Line Replacement Program in accordance with Cincinnati Municipal Code Sections 401-127 through 401-135 and as set forth in the attached Exhibit 1. [202102661](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

- 37. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in the amount of up to \$125,000 in FY 2020 Project Safe Neighborhoods funds from the United States Attorney's Office, Southern District of Ohio administered by the Office of Criminal Justice Services (Assistance Listing Number 16.609), for analysis software to be installed at the Crime Gun Intelligence Center to assist crime and data analysts to produce intelligence-led operations; and AUTHORIZING the Finance Director to deposit the grant funds into Law Enforcement Grant Fund 368, Project Account No. 20PSN.

[202102662](#)

This Ordinance was Referred to Budget & Finance Committee to the Building Appeals Board

- 38. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 9/1/2021, AUTHORIZING the payment in an amount not to exceed \$190,000 as a moral obligation to Level 3 Communications LLC for unpaid services rendered in relation to work on the City's primary internet circuit, expansion of the County Law Enforcement Applied Regionally bandwidth to meet increased needs, work on one of the Greater Cincinnati Water Works internet circuits in Lebanon, Ohio, and an emergency increase to the remote work circuit to support the work-from-home initiative put in place at the beginning of the COVID-19 pandemic.

[202102667](#)

This Ordinance was Referred to Budget & Finance Committee to the Budget and Finance Committee

CLERK OF COUNCIL

- 39. COMMUNICATION**, submitted by the Clerk of Council to Sherry L. Poland, Director of Elections, Hamilton County, Ohio regarding the received petitions from Tom Brinkman for a Charter of the City of Cincinnati amendment to be placed on the November 2, 2021, ballot to; 1.) Require approval of council to commence litigation, 2.) Establish and adjust council salaries on annual basis to the median household income for the City, 3.) Require a one-year residency within the city to run or serve as mayor or member of council, 4.) Eliminate filling a vacancy on council by a designee for the former member of council, 5.) Provide that a vacancy on council is filled by the person who is not serving or has not served on council but who received the next highest total numbers of votes at the most recent municipal election, 6.) End the “so-called” pocket veto by the mayor, 7.) Provide individual liability for certain violations of open meeting or public record laws, 8.) Provide for the recall of the Mayor.

[202102665](#)

This Communication was Filed

BUDGET AND FINANCE COMMITTEE

- 40. MOTION**, submitted by Councilmember Keating, Recently Cincinnati City Council passed a water rate increase to fund infrastructure improvements around the city. WE MOVE that the city administration provide a report detailing the following: Tracking the status of ongoing projects (i.e., is the project on track/keeping a timeline), The spending designated to each project, Which vendors are being contracted to complete these projects, Breakdown of contracted businesses by WBE, MBE, and locality, Any other relevant information relating to the projects. WE FURTHER MOVE that this report is produced and published quarterly to increase transparency and clarify to our residents who are funding these improvements made by Greater Cincinnati Water Works.

[202102508](#)

A motion was made that this Motion be Adopted. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 41.** ORDINANCE submitted by Paula Boggs Muething, City Manager, on 1/27/2021, AUTHORIZING the City Manager to execute a Grant of Encroachment Easements in favor of Ingalls Hotel, LLC, pursuant to which the City of Cincinnati will grant encroachment easements to permit a subsurface air intake system, two out-swinging doors, a cornice projection, and basement/subbasement space to encroach upon portions of the Vine Street East Fourth Street public rights-of-way in the Central Business District.

[202100276](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 42.** REPORT, dated 8/4/2021, submitted by Paula Boggs Muething, City Manager, regarding Department of Finance Report for the Month Ended May 31, 2021.

[202102504](#)

This Report was Approved & Filed

- 43.** ORDINANCE submitted by Paula Boggs Muething, City Manager, on 8/4/2021, AUTHORIZING the City Manager to apply for a grant in the amount of up to \$100,000 from the Ohio State Transportation Innovation Council for the purpose of constructing a precast raised crosswalk, curb extensions, and pedestrian amenities at the intersection of Harrison Avenue and Montclair Avenue.

[202102522](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 44.** ORDINANCE submitted by Paula Boggs Muething, City Manager, on 8/4/2021, MODIFYING Title V, "Traffic," of the Cincinnati Municipal Code by AMENDING Section 515-9, "Impoundment and Immobilization," of Chapter 515, "Parking Infractions; Collection Procedures," to remove obsolete language.

[202102524](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 45. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 8/4/2021, AUTHORIZING the City Manager to accept and deposit a donation in an amount up to \$69,530.63 from the Cincinnati Parks Foundation into Parks Private Endowment Fund 430; and AUTHORIZING the transfer and appropriation of \$69,530.63 from the unappropriated surplus of Parks Private Endowment Fund 430 to existing capital improvement program project account no. 980x203x192009, "Tom Jones Commons," for the purpose of providing additional resources for the construction of the public recreation area, Tom Jones Commons, in Eden Park.

[202102527](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Emergency clause to remain as part of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 46. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 8/4/2021, AUTHORIZING the City Manager to execute two deeds in favor of the State of Ohio, Department of Transportation, to convey land adjacent to Interstate 75 in the Carthage and Bond Hill neighborhoods in connection with transportation improvement project HAM 75 - 7.85.

[202102560](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Emergency clause to remain as part of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 47. ORDINANCE** submitted by Paula Boggs Muething, City Manager, on 8/4/2021, AUTHORIZING the City Manager to execute a Property Sale Agreement with Mark A. Rosenzweig and Shirley F. Rosenzweig for the sale of City-owned real property located at the southwest corner of the intersection of Frank Street and Artist Alley in the Pendleton neighborhood.

[202102562](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 48.** ORDINANCE submitted by Paula Boggs Muething, City Manager, on 8/4/2021, AUTHORIZING the City Manager to accept and appropriate a grant in the amount of \$25,000 from the Ohio Association of Community Health Centers' Community Oral Health Transformation Initiative by DentaQuest for the purpose of providing resources to improve the delivery of quality oral health care; and AUTHORIZING the Director of Finance to deposit the grant funds into Public Health Research Fund 350.

[202102564](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 49. ORDINANCE (EMERGENCY)** submitted by Paula Boggs Muething, City Manager, on 8/4/2021, AUTHORIZING the City Manager to accept and appropriate a donation of \$400,000 from the Cincinnati Park Board Commissioner's Fund for the purpose of purchasing horticultural supplies, and Krohn Conservatory gift shop inventory, and paying for maintenance contracts, salary reimbursements, and other vital costs associated with running City parks; and AUTHORIZING the Finance Director to deposit the donated funds into Parks Private Endowment and Donations Fund 430.

[202102565](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Emergency clause to remain as part of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 50.** ORDINANCE submitted by Paula Boggs Muething, City Manager, on 8/4/2021, AUTHORIZING the City Manager to apply for and accept a grant of up to \$148,000 from the United States Department of Transportation and the Federal Aviation Administration through the American Rescue Plan Act (ARPA) (Assistance Listing Number 20.106) for the purpose of offsetting costs related to operations, personnel, cleaning, and sanitization services for combatting the spread of COVID-19 at Lunken Airport; and authorizing the Finance Director to deposit the grant funds into the General Aviation Fund revenue account no. 104x8554.

[202102566](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

- 51.** MOTION, dated 08/25/2021, submitted by Councilmember Mann, WE MOVE that the City Administration report back to Council on a quarterly basis about how the ARPA funding is being spent. (STATEMENT ATTACHED) [202102638](#)

A motion was made that this Motion be Adopted. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

NEIGHBORHOODS COMMITTEE

- 52.** MOTION, submitted by Councilmembers Mann, Sundermann, Kearney and Vice Mayor Smitherman, I MOVE that the Administration develop a long-term plan for addressing the reality that hundred-year floods are now a regular challenge for our community and that is no longer acceptable that businesses and residents may at any time find livelihoods and households severely damaged or destroyed by predictable events. (STATEMENT ATTACHED). [202102460](#)

A motion was made that this Motion be Adopted. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

SUPPLEMENTAL ITEMS

ECONOMIC GROWTH & ZONING COMMITTEE

- 53.** ORDINANCE (EMERGENCY) submitted by Paula Boggs Muething, City Manager, on 8/4/2021, AMENDING the official zoning map of the City of Cincinnati to rezone certain real property located at 3201, 3215, 3223, and 3229 Woodburn Avenue in the Evanston neighborhood from the CN-P, "Commercial Neighborhood-Pedestrian," zoning district to the RM-0.7, "Residential Multi-Family," zoning district in furtherance of the Evanston Fire-Point Urban Renewal Plan (2003).

[202102503](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Emergency clause to remain as part of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

EQUITY, INCLUSION, YOUTH, & THE ARTS COMMITTEE

- 54.** ORDINANCE, dated 7/29/2021, submitted by Councilmember Kearney, from Andrew Garth, City Solicitor, ESTABLISHING new Chapter 886, "Equitable Restrooms," of Title VIII, "Business Regulations," of the Cincinnati Municipal Code, and AMENDING Section 1501-9, "Class C1 Civil Offenses," of Title XV, "Code Compliance and Hearings," of the Cincinnati Municipal Code to require equal access to single-occupancy toilet facilities in public buildings and places of public accommodation for all persons regardless of their sex, gender identity, physical or mental capacity, or familial status.

[202102521](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

EDUCATION, INNOVATION & GROWTH COMMITTEE

- 55.** ORDINANCE (EMERGENCY), dated 7/29/2021, submitted [202102530](#)
by Councilmember Keating, from Andrew Garth, City
Solicitor, TO SUBMIT to the electors of the City of Cincinnati
an amendment to the Charter of the City to require council
members to resign upon offering themselves for nomination
or election to a salaried non-City office during their current
term on council, to require the mayor to resign upon offering
himself or herself for nomination or election to a salaried
non-City office during his or her term in office, and that
would remove obsolete language from the Charter by
amending Article II, Section 4 and Article III, Section 1.

A motion was made that this Ordinance be Failed of Adoption. The motion failed by the following vote:

Yes: Councilmember Keating
Councilmember Mann
Councilmember Sundermann

No: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Landsman
President Pro Tem Seelbach
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Keating
Councilmember Landsman
Councilmember Mann
Councilmember Sundermann
Councilmember Young

No: Councilmember Kearney
President Pro Tem Seelbach

56. ORDINANCE (EMERGENCY), dated 9/1/2021, submitted by Andrew Garth, City Solicitor, TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City of Cincinnati that would require approval by Council to commence litigation on behalf of the City of Cincinnati or any of its officials; limit the compensation for members of Council to the amount equal to the median family income for the City of Cincinnati; require candidates for Mayor and Council to be residents of the City of Cincinnati for at least one year prior to assuming office; provide that the successor to a member of Council who dies, resigns, or is removed shall be the candidate who received the highest number of votes but was not declared elected to Council; require the Mayor to assign legislative proposals to the appropriate committee no later than thirty days after being filed with the Clerk; provide that the Mayor and members of Council are personally liable for violations of state law regarding open meetings or public records where the violation was purposeful, knowing, in bad faith, or in a wanton or reckless manner; and provide for the removal of the Mayor as provided by state law and other processes, by amending existing Sections 3, 4, 4a and 4b of Article II, "Legislative Power," and amending Section 2 of Article III, "Mayor," and enacting new Section 11 of Article IV, "Executive and Administrative Service," and Section 2c of Article IX, "Nominations and Elections."

[202102680](#)

The votes on the Passage of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Emergency clause to remain as part of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

The votes for the Suspension of the three readings of the Ordinance is as follows:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

NEW BUSINESS

- 57.** REPORT, dated 9/1/2021 submitted by Paula Boggs **202102576**
Muething, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for JULIANS LOUNGE LLC, DBA JULIANS LOUNGE, 7532 Reading Road, Cincinnati, Ohio 45237. (#6353350, D3, D3A, NEW) [Objections: YES]

This Report was Filed

- 58.** REPORT, dated 9/1/2021 submitted by Paula Boggs **202102605**
Muething, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for RHINED LLC, DBA BLOOM ROOM, 1735 Elm 1st FL, Cincinnati, Ohio 45202. (#73555050010, D5, D6, TRANSFER). [Objections: YES]

This Report was Filed

- 59.** APPOINTMENT, submitted by Mayor John Cranley, I [202102682](#)
hereby appoint Luke Blocher to the Civil Service
Commission for a term of six years. This appointment is
submitted to City Council for its advice and consent
pursuant to its Rules. (Male/White).

This Appointment was Held one week pursuant to rule of council

- 60.** MOTION, dated 8/31/2021, submitted by Councilmember [202102676](#)
Keating, WE MOVE that the City Administration provide a
REPORT regarding the feasibility and cost of staffing
Crossing Guards at the locations outlined by CPS, adding
crosswalks to the locations outlined by CPS, installing
School Zone Flashers at the locations outlined by CPS, and
providing additional Traffic Control at the schools outlined
by CPS. WE FURTHER MOVE that the administration also
include alternative methods of addressing these issues, if
relevant. The requests outlined by CPS will be attached to
the document and have been discussed and compiled by
the crossing guard coordinator and city planners. WE
FURTHER MOVE that this report addresses any other
requests by the community that were brought to light during
the Budget and Finance Committee Meeting on Monday,
August 30th during the conversation around the
METRO/CPS decision. WE FURTHER MOVE that this
report be completed to give Council enough time to
consider these changes in the discussion and votes on
"Carry Over Funds."

This Motion was Referred to Budget & Finance Committee to the Budget
and Finance Committee

- 61. MOTION**, submitted by Councilmember Seelbach, WE
MOVE that the Administration began all necessary steps to designate 6th Street between Main Street & Walnut Street with the honorary name of “Jean-Robert Way,” honoring Cincinnati’s celebrity chef for his decades of influence on Greater Cincinnati’s restaurant scene, and for his decade at The Maissonette on 6th Street, which was the highest rated restaurant in North America during Mr. Jean-Robert de Cavel’s tenure. This motion has been supplemented with an application already submitted to the City Manager, and will be followed by an ordinance finalizing the process.

[202102689](#)

A motion was made that this Motion be Adopted. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

A motion was made that this Motion be Immediate Consideration. The motion carried by the following vote:

Yes: Vice Mayor Smitherman
Councilmember Goodin
Councilmember Kearney
Councilmember Keating
Councilmember Landsman
Councilmember Mann
President Pro Tem Seelbach
Councilmember Sundermann
Councilmember Young

No announcements at this time

Council adjourned at 3:11 P.M.