COUNCIL CALENDAR

CITY OF CINCINNATI                                                JAN 09, 2019
ROLL CALL
PRAYER
PLEDGE OF ALLEGIANCE
FILING OF THE JOURNAL 2:00 P.M.

MAYOR CRANLEY

CINCINNATI ACCESS FUND BOARD 3 MEMBERS; 2 Male/1 Female

1-201900050 APPOINTMENT, submitted by Mayor John Cranley, I hereby appoint Peter Block to the Cincinnati Access Fund Board for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. Male/White

2-201900051 APPOINTMENT, submitted by Mayor John Cranley I hereby appoint Lisa Scovic to the Cincinnati Access Fund Board for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. Female/White

3-201900052 APPOINTMENT, submitted by Mayor John Cranley I hereby appoint Robert Killins to the Cincinnati Access Fund Board for a term of three years. This appointment is submitted to City Council for its advice and consent pursuant to its Rules. Male/AA

MS. DENNARD

4-201801885 ORDINANCE, submitted by Councilmember Dennard from Paula Boggs Muething, City Solicitor on December 7, 2018, ORDAINING new Chapter 804, "Prohibited Salary History Inquiry and Use," of the Cincinnati Municipal Code to create new legislation to ensure that Cincinnati residents' rights are protected and that job applicants in Cincinnati are offered employment positions and subsequently compensated based on their job responsibilities and level of experience, rather than on prior salary histories, which actions can serve to perpetuate existing discrimination against women in the workforce. (VERSION B)
5-201900038 MOTION, submitted by Councilmembers Landsman, Dennard and Young, in the interest of updating our development subsidies and incentives programs in a way that continues to attract investments in our city while also better supporting our residents and neighborhoods and to ensure such an update is done collaboratively with the Administration, our communities, developers and residents. WE MOVE first for a report from the Administration within 60 days detailing the current incentive policies and programs as well as ways in which our efforts can be updated to include priorities such as the availability of and income definitions associated with affordable housing (and protecting against displacement), local job creation and incentivizing livable wage jobs, minority and local, small business inclusion, investing in disinvested neighborhoods and community engagement. This report should include specific and qualitative options, such as ways to quantify levels of achievement in these priority areas and suggested levels of development subsidies of varying kinds and categories best linked to the particular levels of achievement in each priority area. With several options or frameworks, we will need to engage key stakeholders, from residents to community leaders to developers, to ensure we put forward the best possible set of policies for our city. The revision of our tax abatement program last year created incentives for affordable housing and neighborhood projects. We hope this effort builds on these changes and provides a new reliable framework for ongoing (and more inclusive) investments in our city.

MR. MANN

6-201900039 COMMUNICATION, submitted by Councilmember Mann, from Barbara Gibbs, regarding Parking around the Elm Street Clinic.

7-201900040 COMMUNICATION, submitted by Councilmember Mann, from Walt Gibler, Realtor, Coldwell Banker, regarding AirBnB.
8-201900043 MOTION, submitted by Councilmember Sittenfeld, WE MOVE that the City Administration study the potential impact that the Melrose YMCA's closure and potential change in use will have on surrounding residences, particularly those located on Melrose Avenue between Oak Street and Lincoln Avenue and that the study provide land use, planning and zoning recommendations to ensure any change occasioned by the closure will strengthen the community and ensure that the interests of nearby residents are protected; and WE FURTHER MOVE that the City Administration make diligent and timely efforts to establish an interim development control overlay district for the area during the study period to ensure that the study's findings and recommendations are not endangered.

9-201900042 MOTION, submitted by Councilmember Sittenfeld, the pedestrian safety situation outside of Western Hills High School and Dater High School is unacceptable. Our constituents, especially our young students, should never be getting hit by cars, and yet it is happening with alarming frequency. Along with Councilmember Seelbach, I co-sponsored the creation of the Pedestrian Safety Fund - capitalized with $500,000 annually and we regularly dedicated my Council committee hearings to this urgent topic. Clearly much more needs to be done. After spending time along the hot-spot corridor on Ferguson Avenue this week, including during morning drop-off and talking with students and parents of young people who have been hit and killed, we have set in motion an early January meeting with all necessary stakeholders - Cincinnati Public Schools, Cincinnati Police Department, Department of Transportation & Engineering, Cincinnati Metro, etc. - which is specifically being planned around the respective Principals of West High and Dater. Further, we suggest the following specific recommendations: WE MOVE that dollars from the Pedestrian Safety Fund be used to immediately restore the previously installed yellow road paddles for traffic-calming. WE MOVE that the Department of Transportation & Engineering work to immediately replace the dim street lighting with brighter LED lights in order to dramatically expand visibility. WE MOVE that the Cincinnati Police Department maintain its commitment of two police officers during drop-off and pick-up until a sustainable revenue stream for enforcement is identified by City Council.
10-201900041 MOTION, submitted by Councilmember Sittenfeld, WE EQUITY, MOVE that the parameters of eligibility for Human INCLUSION, YOUTH, Services Funding in the City Budget should once & THE ARTS again allow for organizations and agencies whose COMMITTEE work and mission support senior citizens. WE FURTHER MOVE that this change will help the City better fulfill the objectives of its Golden Cincinnati Initiative. WE FURTHER MOVE that this change will help prevent situations like the recent one with the Over-the-Rhine Senior Center, where a beloved community resource that has served seniors for 30 years, was at risk of closing.

MR. SITTENFELD
MR. YOUNG

11-201900044 MOTION, submitted by Councilmembers Sittenfeld and Young, WE MOVE that the removal of rush hour parking restrictions, northbound and southbound along Hamilton Avenue in the Northside Business District, be made permanent.

MR. YOUNG
MS. DENNARD

12-201900037 MOTION, submitted by Councilmembers Dennard and Adopt Young because of the cancellation of the January 3rd evening City Council meeting, we MOVE that the City Council meeting scheduled for 2 p.m. on Wednesday, January 16th is moved to 6 p.m. on the same day.

CITY MANAGER

13-201801677 ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 11/15/2018, BUDGET AND AUTHORIZING the establishment of capital FINANCE COMMITTEE improvement program project account nos. 980x232x192349, "The Banks 2018," and 980x233x192345, "Waldvogel Gateways;" AUTHORIZING the transfer of and return to source Funds 757, 758, 823, 852, 858, 861, 862, 864, 870, and 873 the sum of $1,273,466.21 from various General Capital Budget capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts according to Section 1 of the attached Schedule of Transfer; AUTHORIZING the transfer of and return to source Funds 107 and 846 the sum of $19,472.33 from various Restricted Funds capital improvement program project accounts to close out or decrease certain existing capital improvement program project accounts, according to Section 2 of the attached Schedule of Transfer; and AUTHORIZING the transfer and appropriation of the (Continue-)
sum of $878,159.98 from the unappropriated surplus of General Capital Funds 757, 758, 823, 861, 864, 870, 872, and 873 to new or existing capital improvement program project accounts to provide resources for certain capital improvement program project accounts, according to Section 3 of the attached Schedule of Transfer; and further DECLARING certain projects to be for a public purpose, all for the purpose of carrying out the Capital Improvement Program.

14-201900015 REPORT, dated 01/09/2019, submitted by Patrick A. Duhaney, City Manager, regarding socially responsible investing and the Cincinnati Retirement System (CRS). (SEE DOCUMENT #201800368)

15-201900017 ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, City Manager, on 01/09/2019, AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in an amount up to $200,000 from Interact for Health, to be used by the Cincinnati Health Department to develop and implement a sustainable Tobacco Retail Licensing program in accordance with Ordinance No. 363-2018, which prohibited the sale of tobacco and tobacco products to persons under the age of twenty-one and created a Tobacco Retailer Licensing program.

16-201900018 ORDINANCE submitted by Patrick A. Duhaney, City Manager, on 01/09/2019, AUTHORIZING the City Manager to apply for, accept, and appropriate a Reproductive Health and Wellness grant (CFDA #93.217) from the Ohio Department of Health in the amount of up to $600,000 for the purpose of improving overall health and well-being of women and men by promoting healthy lifestyles and encouraging the establishment of a reproductive life plan.

17-201900019 ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, City Manager, on 01/09/2019, AUTHORIZING the payment of $4,286.20 as a moral obligation to Reaching Out for Kids, Inc., which payment is needed because Reaching Out for Kids, Inc., provided the Cincinnati Police Department with services for a youth drug prevention/golf program as part of the Community Preventive Education Program, but no contract was executed and funds were not certified because the request for funding, though verbally approved, was inadvertently not submitted through the Department's normal application process.

ORDINANCE submitted by Patrick A. Duhaney, City Manager, on 01/09/2019, AUTHORIZING the City Manager to execute a Property Sale Agreement with Clifton Care Center, Inc. pursuant to which the City will sell to the buyer a 0.092 acre of the public right-of-way known as Duke Street in the CUF neighborhood of Cincinnati for the construction of a parking lot to serve the buyer's adjacent business at 625 Probasco Street.

ORDINANCE submitted by Patrick A. Duhaney, City Manager, on 01/09/2019, AUTHORIZING the City Manager to execute a Lease Agreement with Transept Property, LLC pursuant to which the City of Cincinnati will lease a portion of the public right-of-way known as Emerson Alley, in the Over-the-Rhine neighborhood of Cincinnati, to enhance the safety and sanitary environment for the lessee's adjoining business at 1205 Elm Street.

ORDINANCE submitted by Patrick A. Duhaney, City Manager, on 01/09/2019, ACCEPTING permanent utility easements granted to the City of Cincinnati by Steven M. Johns and Kristen A. Copeland, Andrew and Leslie Spooner, and Mark Kalb for the construction, maintenance and repair of a stormwater sewer located near Corbin Street in the East End neighborhood of Cincinnati.

ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, City Manager, on 01/09/2019, ESTABLISHING new capital improvement program project account no. 980x199x191929, "Recreation Improvements," for the purpose of providing resources for Hirsch Recreation Center renovations, point-of-sale installations at other Recreation facilities, and other permanent improvements in other Recreation areas.

REPORT submitted by Patrick A. Duhaney, City Manager, on 01/09/2019, regarding Department of Finance reports for the month ended November 30, 2018.

25-201900001 REPORT, dated 01/09/2019, submitted by Patrick A. Duhaney, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for S And K Family Affair Inc. DBA Kings Way Cafe, 3550 Montgomery Road, Cincinnati, OH 45227. (#76417990005, Transfer Exempt, D5, D6) [Objections: Department of Buildings and Inspections]

26-201900003 REPORT, dated 01/09/2019, submitted by Patrick A. Duhaney, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for 1719 Elm LLC DBA None Listed, 116 W. Elder, Cincinnati, OH 45202. (#65485430010, New, D5J) [Objections: None]

27-201900004 REPORT, dated 01/09/2019, submitted by Patrick A. Duhaney, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for 1719 Elm LLC DBA (None Listed), 118 W. Elder, Cincinnati, OH 45202. (#65485430005, New, D5J) [Objections: None]

28-201900005 REPORT, dated 01/09/2019, submitted by Patrick A. Duhaney, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Low Spark LLC DBA Low Spark, 15 W. 14th Street, Cincinnati, OH 45202. (#53180220005, New, D5J) [Objections: None]
29-201900006 REPORT, dated 01/09/2019, submitted by Patrick A. Duhaney, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Semdes LLC DBA (None Listed), 5000 Paddock Road, Cincinnati, OH 45237. (#7973000, Transfer of Stock, C1, C2) [Objections: None]

30-201900028 REPORT, dated 01/09/2019, submitted by Patrick A. Duhaney, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Aloha Foods LLC DBA (None Listed), 1509 Race Unit 104, Cincinnati, OH 45202. (#0143560, New, D5J) [Objections: None]

31-201900029 REPORT, dated 01/07/2019, submitted by Patrick A. Duhaney, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for AG Bells LLC DBA Cantina Taco Bell 32377, 580 Walnut Street, Ste. S800, Cincinnati, OH 45202. (#0072061, Transfer of Ownership, D5J, D6) [Objections: None]

CLERK OF COUNCIL


33-201900046 STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Patrick Andre Duhaney, City Managers Office/City Manager.

34-201900047 REGISTRATION, submitted by the Clerk of Council from Legislative Agent Karen A. Ryan, Senior Director Government & Community Relations, 201 E. 4th Street, Cincinnati, Ohio 45069.

35-201900048 RESOLUTION, (EMERGENCY) (LEGISLATIVE), submitted by the Clerk of Council from Katherine Keough-Jurs, Director, Department of City Planning, AMENDING AND RESTATING the Rules and Regulations of the City Planning Commission for the Subdivision of Land.
36-201801770 RESOLUTION (LEGISLATIVE) submitted by Patrick A. Duhaney, Acting City Manager, on 12/05/2018, ADOPTING the Calendar Year Budget for Current Operating Expenses of the City of Cincinnati for the calendar year 2020 and submitting the same to the County Auditor. (PUBLIC HEARING WILL BE HELD ON 01/03/2019)

37-201900013 ORDINANCE, dated 01/04/2019, submitted by Councilmember Mann, MODIFYING the City of Cincinnati Administrative Code by amending Article II, Section 1, "City Manager to Appoint, Dismiss or Suspend Employees," to require Council approval for any employment agreement between the City and any City employee that provides for monetary severance in the case of termination. (VERSION A)

38-201900014 ORDINANCE, dated 01/04/2019, submitted by Councilmember Mann, ENACTING new Section 11 of Article III of the City of Cincinnati Administrative Code to require any employment settlement agreement between the City and any City employee that includes a monetary payment in excess of $100,000 to be first approved by Council, unless the employment settlement agreement is resolving pending litigation or any matters in which claims have been filed before the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, the City of Cincinnati Civil Service Commission, or an arbitration proceeding; and AMENDING Article III, Section 2 of the City of Cincinnati Administrative Code, "Duties of City Solicitor," to identify the City Council as the sole authority to authorize employment settlement agreements that exceed $100,000 in City payments, except as provided in new Section 11 of Article III.

39-201900016 ORDINANCE, dated 01/04/2019, submitted by Councilmember Mann, ENACTING new Section 11 of Article III of the Administrative Code to require any employment settlement agreement between the City and any City employee that provides for a monetary severance in excess of $100,000 to be first approved by Council if the employment settlement agreement is resolving pending litigation or any matters in which claims have been filed with the Ohio Civil Rights Commission, the Equal Employment Opportunity Commission, the City of Cincinnati Civil Service Commission, or an arbitration proceeding; and AMENDING Article II, Section 2, "Duties of City Solicitor," to (Continue-)

(Continue-)
identify the City Council as the sole authority to authorize employment settlement agreements that exceed $100,000, inclusive of attorney's fees, except as provided in new Section II of Article III.

40-201801881 ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, City Manager, on 12/19/2018, AUTHORIZING the City Manager to execute a Quit Claim Deed in favor of the Board of County Commissioners of Hamilton County, Ohio pursuant to which the City of Cincinnati will vacate and sell to the County a 0.1187 acre portion of sewer right-of-way, located south of Queen City Avenue and west of Grand Avenue in the South Fairmount neighborhood of Cincinnati, as part of the Lick Run VCS project being undertaken by the Metropolitan Sewer District of Greater Cincinnati.

41-201900027 ORDINANCE (EMERGENCY), dated 01/04/2019, submitted by Councilmember Landsman, AUTHORIZING the City Manager to expend the sum of 227,000 from the Community and Economic Development Department's non-personnel operating budget account no. 050x162x7400, established for the purpose of providing one-time funding for a pilot program to establish Eviction Prevention Initiatives, for the purpose of issuing a Request for Proposals to retain a qualified social service agency to provide eviction relief services for identified vulnerable populations in Cincinnati. (B VERSION)

EQUITY, INCLUSION, YOUTH, & THE ARTS COMMITTEE

42-201801698 MOTION, submitted by Councilmembers Dennard and Landsman, WE MOVE that the City Administration report to Council, within 90 days of the adoption of this motion, regarding the feasibility of launching a task force to assess, measure and address institutional racism and systemic inequities in the City of Cincinnati. WE FURTHER MOVE that this report be centered around the feasibility of adopting an approach such as the City of Austin "Mayor's Task Force on Institutional Racism and Systemic Inequities" launched in November 2016 (see attached), which was comprised several local representatives from business, education and criminal justice communities to address citywide institutional racism, forming five working groups focused in key areas: Educational; Real Estate and Housing; Health; Finance, Banking and Industry and Civil and Criminal Justice.
LAW & PUBLIC SAFETY COMMITTEE

43-201801861 MOTION, submitted by Councilmembers Landsman, Mann and Seelbach, WE MOVE that the Administration complete a comprehensive coverage assessment to provide a greater understanding as to how CPD's sworn officers and other staff are currently being deployed by district and overall. Council recently acted on the request of the police chief to move up this year's recruit class by a few months. That, along with a commitment to continue to support efforts to reduce crime and violence, as well as reports of dangerous speeding throughout the city, we hope to be better informed as to how our current CPD assets are deployed, and what changes might be made to strengthen police engagements in priority areas such as reducing shootings, overall crime and violence and speeding - within the confines of existing budgets. WE MOVE that this assessment be done by the end of the year.

44-201801890 MOTION, submitted by Vice Mayor Smitherman, WE MOVE the administration immediately solve pedestrian safety issues near Dater High School and Western Hills University High School.

45-201801891 MOTION, submitted by Vice Mayor Smitherman, Councilmembers Murray, Pastor, Sittenfeld and Young, WE MOVE that the City Administration review and assess the City's policies for sidewalk and street design and configuration to ensure they reflect best practices for creating streets, sidewalks, and public spaces that are safe, livable, and economically viable for pedestrians, vehicles, and community stakeholders: and (BALANCE ON FILE IN THE CLERK'S OFFICE)
SUPPLEMENTAL ITEMS

CITY OF CINCINNATI

ECONOMIC GROWTH & ZONING COMMITTEE

46-201801742 ORDINANCE submitted by Patrick A. Duhaney, Acting City Manager, on 12/05/2018, DESIGNATING the Mount Airy Water Towers located at the southwest corner of Colerain Avenue and North Bend Road in the Mount Airy neighborhood as a historic landmark.

PASS

47-201801743 ORDINANCE submitted by Patrick A. Duhaney, Acting City Manager, on 12/05/2018, DESIGNATING the Manse Hotel and Annex located north of Chapel Street at the intersection of Chapel and Monfort Streets in the Walnut Hills neighborhood as a historic site and landmark.

PASS

ON PURSUANT TO RULE 10.8

48-201900024 ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, City Manager, on 01/08/2019, ESTABLISHING Interim Development Control Overlay District No. 84, "Melrose Avenue," over a portion of the Walnut Hills neighborhood as an overlay district for a period of three months, pursuant to Chapter 1431, "Interim Development Control Overlay Districts," of the Cincinnati Zoning Code.

PASS EMERGENCY

MAJOR PROJECTS & SMART GOVERNMENT

49-201801882 MOTION, submitted by Councilmembers Seelbach, Young, Dennard and Landsman, WE MOVE that the Rules of Council be amended to fully restore the public comments to CitiCable broadcasts prior to weekly meetings of Cincinnati City Council.

ADOPT