

PROCEEDINGS/MINUTES OF CITY COUNCIL

...April 13, 2016..

Council convened at 2:03 p.m., Mayor John Cranley, Presiding. Present were Councilmembers Flynn, Mann, Murray, Seelbach, Simpson (2:05 p.m.), Sittenfeld, Smitherman, Winburn (2:07 p.m.) and Young (2:14 p.m.)

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Clerk of Council Melissa Autry.

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

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

Items on the Council Calendar and items presented By-Leaved were disposed of as follows:

MAYOR CRANLEY

Item #: 201600511

APPOINTMENT, submitted by Mayor John Cranley, subject to the consent of Council, I hereby recommend the appointment of Jay Bedi to the Board of Trustees of the Cincinnati Arts Association.

\*\*\* Held one week.

Status/Recommendations:

HELD ONE WEEK PURSUANT TO RULE OF COUNCIL

\*\*\*

MR. MANN

Item #: 201600491

COMMUNICATION, dated 4/3/2016 submitted by Vice Mayor Mann, from Stephen J. Gruber, regarding trash cans.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201600492

COMMUNICATION, dated 4/4/2016, submitted by Vice Mayor Mann, from Elizabeth Bartley, Executive Director, Westwood Community Urban Redevelopment Corporation, regarding Westwood Budget Request FY2017.

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Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

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MR. MANN  
MR. SITTENFELD  
MR. SEELBACH  
MR. YOUNG  
MR. WINBURN  
MS. SIMPSON  
MR. SMITHERMAN

Item #: 201600490

MOTION, submitted by Vice Mayor Mann, Councilmembers Sittenfeld, Seelbach, Young, Murray, Winburn, Simpson and Smitherman, WE MOVE that the Administration provide access to public wifi in City facilities where regular public meetings are held. (STATEMENT ATTACHED)

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Status/Recommendations:

RULES & AUDIT COMMITTEE

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MR. SITTENFELD  
MR. SEELBACH  
MR. YOUNG  
MR. WINBURN  
MR. SMITHERMAN  
MR. MANN

Item #: 201600493

MOTION, submitted by Councilmembers Sittenfeld, Seelbach, Young, Winburn, Smitherman and Vice Mayor Mann, WE MOVE that the Cincinnati City Council desires to encourage increased recycling in Cincinnati and specifically supports recycling at all events that occur on Cincinnati streets or in Cincinnati public spaces; WE MOVE that the Administration take steps to encourage recycling at such events by providing information on current recycling options along with event permit applications; WE MOVE that the Administration prepare a report within 60 days for Council's consideration detailing what it would look like to require such events to include recycling.

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Status/Recommendations:

EDUCATION & ENTREPRENEURSHIP COMMITTEE

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MR. SMITHERMAN

Item #: 201600494

RESOLUTION, submitted by Councilmember Smitherman from Paula Boggs Muething, City Solicitor on 4/8/2016, EXPRESSING the deep appreciation of the Mayor and the Council of the City of Cincinnati to Jim & Jack's on the River, located at 3456 River Road, Cincinnati, Ohio for their long-term contributions to the business community, the entertainment community, and the restaurant industry in the City of Cincinnati for the past 31 years.

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Status/Recommendations:

PASS

\*\*\* PASSED 0019-2016

MS. MURRAY Y  
MR. SEELBACH Y  
MS. SIMPSON Y  
MR. SITTENFELD Y  
MR. SMITHERMAN Y

MR. WINBURN            Y  
MR. YOUNG             A  
MR. FLYNN             Y  
MR. MANN              Y

CITY MANAGER

Item #: 201600233

ORDINANCE submitted by Harry Black, City Manager, on 2/18/2016, amending the official zoning map of the City of Cincinnati to rezone the real property located at 3806 Duck Creek Road in the Madisonville neighborhood from the SF-4, "Single Family," zoning district and the RM-1.2, "Multi-Family" zoning district to the SF-2, "Single Family" zoning district.

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201600477

ORDINANCE submitted by Harry Black, City Manager, on 4/13/2016, amending the official zoning map of the City of Cincinnati to rezone certain real property located at 601 E. Pete Rose Way in the Central Business District of Cincinnati from the DD, "Downtown Development," zoning district to Planned Development District No. 75, "Skyhouse Apartments."

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201600489

PRESENTATION submitted by Harry Black, City Manager, on 4/19/2016, regarding Health Department - Cash Handling Audit.

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Status/Recommendations:

RULES & AUDIT COMMITTEE

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Item #: 201600478

REPORT, dated 4/13/2016, submitted by Harry Black, City Manager, regarding speed limit considerations for McAlpin Avenue, Ruther Avenue, and Vine Street. (SEE DOCUMENT #201500659 FOR COMMUNICATION)

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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Item #: 201600487

REPORT, dated 4/13/2016, submitted by Harry Black, City Manager, regarding trash in Cincinnati. (SEE DOCUMENT #201600056 FOR COMMUNICATION)

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Status/Recommendations:

NEIGHBORHOODS COMMITTEE

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CLERK OF COUNCIL

Item #: 201600496

REGISTRATION, submitted by the Clerk of Council from Legislative Agent Megan Hube, Government Affairs, Director, 255 East Fifth Street, Suite 1900, Cincinnati, Ohio 45202. (Cincinnati Barge and Rail Terminal)

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201600497

REGISTRATION, submitted by the Clerk of Council from Legislative Agent Megan Hube, Government Affairs, Director, 255 East Fifth Street, Suite 1900, Cincinnati, Ohio 45202. (UC HEALTH)

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201600498

REGISTRATION, submitted by the Clerk of Council from Legislative Agent Megan Hube, Government Affairs, Director, 255 East Fifth Street, Suite 1900, Cincinnati, Ohio 45202. (UPTOWN CONSORTIUM)

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201600499

REGISTRATION, submitted by the Clerk of Council from Legislative Agent Megan Hube, Government Affairs, Director, 255 East Fifth Street, Suite 1900, Cincinnati, Ohio 45202. (CINCY TECH)

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201600500

REGISTRATION, submitted by the Clerk of Council from Legislative Agent Winston Kelly Johnson, Attorney, Partner/Porter Wright Morris & Arthur, 250 E. Fifth Street, Suite 2200, Cincinnati, Ohio 45202-5118. (National Church Residence)

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201600501

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Michael L. Cervey, Division Manager.

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Status/Recommendations:

FILE

\*\*\* FILED

BUDGET AND FINANCE COMMITTEE

Item #: 201600411

MOTION, dated 3/14/2016 submitted by Councilmembers Seelbach, Simpson, Young, Sittenfeld and Vice Mayor Mann, WE MOVE that the Administration make all necessary safety repairs to the deteriorating safety barrier on Eden Park Drive between Fulton Avenue and Martin Drive with funding from the Capital Acceleration Program in calendar year 2016. (STATEMENT ATTACHED)

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Status/Recommendations:

ADOPT

\*\*\* ADOPTED

MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	A
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600454

MOTION, (AMENDED) dated 3/30/2016 submitted by Councilmembers Seelbach, Flynn, Sittenfeld, Simpson, Young, Smitherman and Vice Mayor Mann, WE MOVE that the Administration ban all non-essential city-funded or city-sponsored travel to the State of North Carolina until the repeal of HB 2 and the State of Mississippi until repeal of HR 16. WE FURTHER MOVE that the Administration work to identify North Carolina businesses opposed to the legislation who should be pursued by the Department of Community & Economic Development for possible relocation to Cincinnati. (STATEMENT ATTACHED)

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Status/Recommendations:

ADOPT

\*\*\* ADOPTED

MS. MURRAY	N
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	N
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600309

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/9/2016, APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Butterbean Properties, LLC, thereby authorizing a 12-year tax exemption for 100% of the value of the improvements made to real property located at 4642 Ridge Road in the Oakley neighborhood of Cincinnati in connection with the remodeling of the building on the property into office space, which remodeling shall be completed at a total construction cost of approximately \$550,000.

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Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY	0083-2016
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600405

ORDINANCE, (EMERGENCY) submitted by Harry Black, City Manager, on 3/30/2016, modifying the salary range schedule for the employment classifications of Lifeguard and Pool Manager by amending Sections 911 and 908, Division 4, Chapter 307 of the Cincinnati Municipal Code to adjust the salary range of Lifeguard and Pool Manager classifications, respectively, due to the critical need to attract and retain qualified individuals to serve as lifeguards at City pools.

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Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY	0084-2016
MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600442

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/6/2016, authorizing the City Manager to execute a Grant of Easement granting to the Warren County Transportation Improvement District a permanent easement for public highway and utility purposes over City-owned property located at 3812 Socialville-Fosters Road in Warren County, Ohio, being the location of a Greater Cincinnati Water Works storage tank.

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Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY	0085-2016
MS. MURRAY	Y
MR. SEELBACH	Y

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600444

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/6/2016, authorizing the establishment of capital improvement program project account no. 980x164x161624, "MadTree 2.0 Public Parking"; and further AUTHORIZING the transfer and appropriation of up to \$1,250,000 from the unappropriated surplus in Fund 499, Oakley TIF District No. 20, to the newly established capital improvement program project account no. 980x164x161624, "MadTree 2.0 Public Parking," for the purpose of financing a portion of the acquisition and hard construction costs of a 242-space parking lot adjacent to MadTree Brewery's new location in Oakley. (MR. SMITHERMAN IS EXCUSED FROM VOTING ON THIS ITEM)

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0086-2016

MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	E
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600447

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 4/6/2016, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Condominium Holdings, LLC, an affiliate of Cincinnati Center City Development Corporation (commonly known as 3CDC), thereby authorizing a 15-year tax exemption for 100% of the value of commercial improvements made to real property located at 1507, 1511, 1515, 1517 and 1519 Race Street in the Over-the-Rhine neighborhood of Cincinnati, at a total construction cost of approximately \$901,627. (MR. SMITHERMAN IS EXCUSED FROM VOTING ON THIS ITEM)

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0087-2016

MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	E
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600482

ORDINANCE, submitted by Harry Black, City Manager, on 4/11/2016, approving a \$4,218,092 streetcar operations and maintenance budget for the first year of streetcar revenue service; AUTHORIZING modifications to the title and purpose of Fund 455, "Contributions for Streetcar Purposes"; AUTHORIZING the transfer of \$750,000 from Parking Systems Facilities Fund 102 to Fund 455, "Streetcar Operations"; AUTHORIZING the transfer of \$1,553,847 from the General Fund to Fund 455, "Streetcar Operations"; AUTHORIZING the appropriation of \$3,286,335 from Fund 455 for streetcar operating requirements including, for Fiscal Year 2017, the City of Cincinnati's direct contribution toward the streetcar operating shortfall, a Fund Advance to be reimbursed through the Haile Foundation Guaranty, and an operating contingency allowance that, if used, is to be repaid from future streetcar revenue; and further AUTHORIZING the expenditure of unused funds in capital improvement program project account no. 980x233x03678, "Cincinnati Streetcar System," to pay startup and other eligible streetcar costs.

\*\*\* Referred back to Budget and Finance Committee.

Status/Recommendations:

PASS

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Item #: 201600488

ORDINANCE (EMERGENCY), submitted by Harry Black, City Manager, AUTHORIZING the City Manager to execute a Loan Agreement with Center for Addiction Treatment pursuant to which the City will make a forgivable loan of up to \$125,000 to the borrower to help pay for site improvements to borrower's property located at 830 Ezzard Charles Drive in the West End neighborhood of Cincinnati as part of a \$4.3 million expansion of borrower's outpatient facilities for treatment of addiction to alcohol, gambling, heroin and other drugs.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0088-2016

MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

#### ECONOMIC GROWTH & INFRASTRUCTURE COMMITTEE

Item #: 201600495

MOTION, dated 4/12/2016, submitted by Councilmembers Christopher Smitherman and Amy Murray, WE MOVE that the administration provide a report on the cost and process to have all of the City of Cincinnati's public service lines become lead free.

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Status/Recommendations:

ADOPT

\*\*\* ADOPTED

MS. MURRAY	Y
MR. SEELBACH	Y

MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600345

REPORT, dated 3/16/2016, submitted by Harry Black, City Manager, on GCWW's Enhanced Lead Mitigation Strategies. (SEE DOCUMENT #201600148 FOR ADOPTED MOTION)

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED & FILED

#### TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

Item #: 201600368

ORDINANCE submitted by Harry Black, City Manager, on 3/23/2016, authorizing the City Manager to apply for Federal Surface Transportation Program grants and Transportation Alternatives grants awarded by the Ohio-Kentucky-Indiana Regional Council of Governments, to provide funding for the timely completion of several transportation projects managed by the Department of Transportation and Engineering within the City of Cincinnati.

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Status/Recommendations:

PASS

\*\*\* PASSED 0089-2016

MS. MURRAY	Y
MR. SEELBACH	Y
MS. SIMPSON	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. WINBURN	Y
MR. YOUNG	Y
MR. FLYNN	Y
MR. MANN	Y

Item #: 201600431

REPORT, dated 4/6/2016, submitted by Harry Black, City Manager, regarding Cincinnati Streetcar January 2016.

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED & FILED

Item #: 201600480

REPORT, dated 4/11/2016, submitted by Harry Black, City Manager, regarding OKI Grant Application.

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED & FILED