

PROCEEDINGS/MINUTES OF CITY COUNCIL

...March 1, 2017...

Council convened at 2:02 p.m., Mayor John Cranley, Presiding. Present were Councilmembers Flynn, Murray, Seelbach, Simpson, Sittenfeld, Smitherman, Winburn and Young.

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:

Vice Mayor Mann was excused.

MR. FLYNN

Item #: 201700325  
COMMUNICATION, dated 2/26/2017 submitted by Councilmember Flynn, from Jonathan Wurzelbacher, regarding Heroin Overdoses.

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Status/Recommendations:  
LAW & PUBLIC SAFETY COMMITTEE

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CITY MANAGER

Item #: 201700320  
ORDINANCE, (EMERGENCY) submitted by Harry Black, City Manager, on 3/1/2017, authorizing the hiring of Alice Hocter as Division Manager in Finance Management in the Cincinnati Police Department, notwithstanding the restriction regarding rehiring City retirees contained in Sections 230-137, "Employment of Retirant," and 203-1-R4, "Retirant," that permits a retired City employee to be reemployed by the City only after having been retired for 365 consecutive days and without having worked for the City on a contractual basis or through a temporary services or other employment agency during those 365 days.

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Status/Recommendations:  
RULES & AUDIT COMMITTEE

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Item #: 201700302

REPORT, dated 3/1/2017, submitted by Harry Black, City Manager, regarding Special Event Permit Application for Saylor Park Sidewalk Sale and Craft Fair.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700303

REPORT, dated 3/1/2017, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Trina's Necessities and Accessories LLC DBA (Not Listed), 6647 Montgomery Road, Unit 1. (#9052526, New, C1, C2) [Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700304

REPORT, dated 3/1/2017, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Emad Marketing Inc. DBA One Stop Shop, 5000 Paddock Road. (#4083676, Transfer of Ownership, C1, C2) [Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700305

REPORT, dated 3/1/2017, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Kroger Limited Partnership I LP DBA Kroger 929, 1 West Corry Street. (#48888880490, New, D3) [Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700306

REPORT, dated 3/1/2017, submitted by Harry Black, City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for T & K Corner Store LLC DBA T & K Corner Store, 5300 Whetsel Avenue. (#8773721, New, C1, C2) [Objections: None]

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700312  
REPORT, dated 3/1/2017, submitted by Harry Black, City Manager, regarding  
Special Event Permit Application for Tax Rally for Economic Justice.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700318  
REPORT, dated 3/1/2017, submitted by Harry Black, City Manager, regarding  
Special Event Permit Application for 2017 Findlay Market Opening Day Parade.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700319  
REPORT, dated 3/1/2017, submitted by Harry Black, City Manager, regarding  
Special Event Permit Application for Festival 513.

\*\*\*

Status/Recommendations:

FILE

\*\*\* FILED

CLERK OF COUNCIL

Item #: 201700326  
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Anne C.  
Sesler, Consultant, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700327  
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Edith  
Thrower, Consultant, 6741 Doon Avenue, Cincinnati, Ohio 45213.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700332  
STATEMENT, submitted by the Clerk of Council formally filing a copy of the  
Financial Disclosure Statement for Richard J. Merz, III, Director of  
Communications.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700333

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Latisha A. Hazell, Human Resources/Division Manager WFM.

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Status/Recommendations:

FILE

\*\*\* FILED

Item #: 201700334

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Lisa M. Berning, HR/Division Manager

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Status/Recommendations:

FILE

\*\*\* FILED

#### BUDGET AND FINANCE COMMITTEE

Item #: 201700214

ORDINANCE submitted by Harry Black, City Manager, on 2/15/2017, authorizing the City Manager to execute a Property Sale and Development Agreement with Over-the-Rhine Community Housing for the sale of City-owned property located at 1630 Pleasant Street in the Over-the-Rhine neighborhood of Cincinnati, for inclusion in a multi-site low-income housing development project known as Carrie's Place.

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Status/Recommendations:

PASS

\*\*\* PASSED 0040-2017

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	A

Item #: 201700224

ORDINANCE submitted by Harry Black, City Manager, on 2/15/2017, authorizing the City Manager to accept and appropriate grant funds in the amount of \$104,801, in addition to funds previously accepted under the same grant from the Federal Highway Administration (CFDA 20.205) and administered by the Ohio Department of Transportation ("ODOT"), to capital improvement program project account number 980x239x162301, "Traffic Signal Installation and Renovation," for the purpose of providing resources for the construction of safety improvements at the intersections of Central Parkway at Liberty Street and at Marshall Avenue; and AUTHORIZING the City Manager to enter into a Local Public Agency agreement with ODOT; and further AUTHORIZING the City Manager to do all things necessary to

cooperate with the Director of ODOT in order to complete the HAM-US27-2.67 Safety Improvement Project.

\*\*\*

Status/Recommendations:

PASS

\*\*\* PASSED 0041-2017

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	A

Item #: 201700225

ORDINANCE submitted by Harry Black, City Manager, on 2/15/2017, authorizing the City Manager to execute a Property Sale Agreement with 1784 Dreman, LLC for the sale of City-owned property located at 1784 Dreman Avenue in the South Cumminsville neighborhood of Cincinnati, for the construction of a new parking lot to serve the company's adjoining commercial facility at 1781 Weber Street.

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Status/Recommendations:

PASS

\*\*\* PASSED 0042-2017

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	A

Item #: 201700247

ORDINANCE submitted by Harry Black, City Manager, on 2/23/2017, authorizing the appropriation of \$1,700,000 from the unappropriated surplus of Stormwater Fund 107 to the Stormwater Management Utility operating account no. 107x311x7200 for the purpose of removing silt accumulation upstream from the Barrier Dam; performing a business case evaluation to determine the most cost-effective, long-term method to remove silt in the future; and assessing the condition of the radial gates at the Dam.

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Status/Recommendations:

PASS

\*\*\* PASSED 0043-2017

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	A

Item #: 201700248

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 2/23/2017, authorizing the transfer of the sum of \$660,000 within the appropriation of the Department of Public Services for Income Tax - Infrastructure Fund 302 from various non-personnel accounts to various personnel accounts according to the attached Schedule of Transfer, in order to resolve a deficit condition in the personnel services budget of Department of Public Services within the aforementioned fund and allow for the continuation of uninterrupted services through the end of fiscal year 2017.

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Status/Recommendations:

PASS EMERGENCY

***	PASSED EMERGENCY	0044-2017
	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	A

Item #: 201700249

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 2/23/2017, authorizing the City Manager to apply for, accept, and appropriate a grant in an amount of up to \$3,400,000 from the U.S. Department of Housing and Urban Development's Lead Hazard Reduction Demonstration Grant Program, for the purpose of identifying and controlling lead-based paint hazards in eligible privately owned housing for low-income occupants.

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Status/Recommendations:

PASS EMERGENCY

***	PASSED EMERGENCY	0045-2017
	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	A

Item #: 201700255

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 2/23/2017, approving and authorizing the execution of a Job Creation Tax Credit Agreement with Custom Pro Logistics, LLC, pursuant to which the company agrees to create at least 40 new jobs at 1707 Race Street in the Over-the-Rhine neighborhood of Cincinnati within 4 years, and, for a period of 7 years, the City agrees to provide an income tax credit to the company equal to 45% of City income tax revenue from such new jobs.

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Status/Recommendations:

PASS EMERGENCY

***	PASSED EMERGENCY	0046-2017
	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	A

Item #: 201700256

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 2/23/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Custom Pro Logistics, LLC, thereby authorizing a 12-year tax exemption for 100% of the value of the improvements made to real property located at 1707 Race Street in the Over-the-Rhine neighborhood in Cincinnati in connection with the remodeling of a building thereon, at a total construction cost of approximately \$650,000.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0047-2017

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	A

Item #: 201700257

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 2/23/2017, authorizing the transfer of \$350,000.00 from Water Works General Fund Overhead account no. 101x944x7200 to Water Works Distribution account no. 101x304x7300 and \$1,800,000.00 from Water Works Debt Service account no. 101x309x7700 to Water Works Distribution account no. 101x304x7200 for the purpose of realigning and providing resources for ongoing needs in the Greater Cincinnati Water Works.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PAASED EMERGENCY

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	A

Item #: 201700308

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 2/23/2017, accepting the conveyance, by Grandin View, LLC in favor of the City of Cincinnati, of public storm sewers and storm sewer easements at the Grandin View Subdivision in the Hyde Park neighborhood of Cincinnati.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0049-2017  
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 A

Item #: 201700321

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 2/27/2017, authorizing the implementation of the labor management agreement between the City of Cincinnati and AFSCME Ohio Council 8, Local 250 Municipal Workers; and, further authorizing the City Manager to execute the terms of the new labor management agreement, which is reflected in the tentative agreement attached hereto.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0050-2017  
MS. MURRAY N  
MR. SEELBACH Y  
MS. SIMPSON Y  
MR. SITTENFELD Y  
MR. SMITHERMAN Y  
MR. WINBURN Y  
MR. YOUNG Y  
MR. FLYNN Y  
MR. MANN A

Item #: 201600769

REPORT, dated 6/8/2016, submitted by Harry Black, City Manager, regarding Department of Finance reports for the month ended April 30, 2016.

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201600950

REPORT, dated 6/29/2016, submitted by Harry Black, City Manager, regarding Department of Finance Reports for the month ended May 31, 2016.

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201601001

REPORT, dated 8/3/2016, submitted by Harry Black, City Manager, regarding Routine Report Listing Emergency Purchases.

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

Item #: 201700267

REPORT, dated 2/23/2017, submitted by Harry Black, City Manager, regarding Six - Year Income Tax Forecast - University of Cincinnati Economic Center.

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

ECONOMIC GROWTH & INFRASTRUCTURE COMMITTEE

Item #: 201700328

ORDINANCE, (EMERGENCY) submitted by Councilmember Christopher Smitherman from Paula Boggs Muething, City Solicitor on 02/27/2017 AUTHORIZING the City Manager to deposit donations from the Cincinnati business community, individual benefactors and other appropriate sources which are available for the purpose of providing funding for a symposium on foreign direct investment as administered by the Department of Community and Economic Development into Fund 314 - Special Events, and APPROVING AND AUTHORIZING the City Manager's solicitation, acceptance, and appropriation of said donations.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0051-2017

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 A

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201700238

REPORT, dated 2/23/2017, submitted by Harry Black, City Manager, regarding number of police officers assigned to Vice Squad. (SEE DOCUMENT #201700082 FOR MOTION)

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Status/Recommendations:

APPROVE & FILE

\*\*\* APPROVED AND FILED

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

Item #: 201700292

ORDINANCE, (EMERGENCY) submitted by Councilmember P.G. Sittenfeld, AMENDING Cincinnati Municipal Code Section 723-16, "Sidewalk Vending," by extending for one year the vending lottery exemption period with respect to the locations of vendors who had already been in the same location for at least five years prior to passage of the ordinance establishing the lottery system, as described in Section 723-16(a)(4)(xiii) of the Municipal Code.

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Status/Recommendations:

PASS EMERGENCY

\*\*\* PASSED EMERGENCY 0052-2017

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	A