

PROCEEDINGS/MINUTES OF CITY COUNCIL

...March 29, 2017...

Council convened at 2:00 p.m., Vice Mayor Mann, Presiding. Present were Councilmembers Flynn, Mann, Murray, Seelbach, Simpson, Sittenfeld, Smitherman, Winburn and Young (In @ 2:01 pm).

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 John Cranley was excused.

MR. MANN

Item #: 201700483

COMMUNICATION, submitted by Vice Mayor Mann, from Charles and Donna Myers, regarding Defective Sidewalks and/or Driveway on Andina Avenue.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201700484

COMMUNICATION, submitted by Vice Mayor Mann, from Jake Weyand, President Paddock Hills Assembly, regarding Modified cul-de-sac closure.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

MR. MANN
MR. SEELBACH

Item #: 201700482

MOTION, submitted by Vice Mayor Mann and Councilmember Seelbach, WE move that the City Administration begin the process, including drafting of legislation, for special assessment of certain residents of Mulberry Street to build a public retaining wall that prevents further landslide activity from adversely affecting residences and the public right-of-way(see attached petition). The assessment process should accomplish, without limitation, the following: 1. Demonstrate the replacement of the failing Peete Street private retaining wall will serve a public purpose including through testimony to be provided at the Neighborhood Committee; 2. Provide for design and construction of the wall along with necessary sewer connections; 3. Access benefitted property owners

for the cost of the wall over a period of not less than 30 years; 4. The City will assume not less than 1/50th of the cost of the wall as required by law; 5. Provide for the acquisition of easement rights for the City for the planned wall and City maintenance of the wall going forward; and 6. Provide an opportunity for property owners to comment at a public hearing on the final cost estimate and wall design prior to resolving to move forward with the assessment.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

MR. SEELBACH

Item #: 201700511

ORDINANCE, (EMERGENCY) AUTHORIZING the establishment of new capital improvement program project account no. 980x164x171681, "Hudepohl Brewery Redevelopment," and further AUTHORIZING the transfer and appropriation of the sum of \$1,000,000 from the unappropriated surplus of the Queensgate South/SPUR District Equivalent Fund 480 and the sum of \$1,000,000 from the unappropriated surplus of Urban Development Bond Fund 862 to the newly established capital improvement program project account no. 980x164x171681, "Hudepohl Brewery Redevelopment," for the public purpose of providing resources for the redevelopment of the former Hudepohl Brewery. (VERSION B)

Status/Recommendations:

PASSED EMERGENCY

*** PASSED EMERGENCY 0068-2017

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

Item #: 201700481

RESOLUTION, submitted by Councilmember Seelbach, RECOGNIZING Dr. Joann Kersh for her lifelong service to the women of Cincinnati in her capacity as a physician with Planned Parenthood and expressing the appreciation of the Mayor and the Council of the City of Cincinnati to Dr. Kersh for her work and service.

Status/Recommendations:

PASS

*** PASSED 0028-2017

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

MR. SMITHERMAN
MR. FLYNN

Item #: 201700485

MOTION, submitted by Councilmembers Smitherman and Flynn, WE MOVE that the administration provide a report on the capital cost to provide every Firefighter personnel with bullet proof vests.

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

CITY MANAGER

Item #: 201700468

ORDINANCE submitted by Harry Black, City Manager, on 3/29/2017, notwithstanding Cincinnati Municipal Code Chapter 718, "Revocable Street Privileges," Section 718-9, "Use for Advertising Purposes Prohibited," and Chapter 723, "Streets and Sidewalks, Use Regulations," Section 723-1, "Definitions," or any other provisions of the Cincinnati Municipal Code that prohibit an individual from placing a sign in a section of right-of-way adjacent to a City street the Director of the Department of Transportation and Engineering is authorized to issue a revocable street privilege for the installation of a "For Sale" sign in the right-of-way adjacent to Carney Street in Mt. Adams above the location of the property at 995 Carney Street.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201700479

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/29/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with On the Rhine LLC and Urban Stead Cheese LLC, thereby authorizing a 12-year tax exemption for 100% of the value of the improvements made to real property located at 3036 Woodburn Ave. in the Evanston neighborhood of Cincinnati in connection with the remodeling of the building on the property into food manufacturing and retail space, which remodeling shall be completed in compliance with Leadership in Energy and Environmental Design Silver, Gold or Platinum standards or Living Building Challenge standards as more particularly specified in the agreement, at a total remodeling cost of approximately \$493,000.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201700467
REPORT, dated 3/29/2017, submitted by Harry Black, City Manager, regarding
Special Event Permit Application for Asian Food Fest.

Status/Recommendations:
FILE
*** FILED

Item #: 201700471
REPORT, dated 3/29/2017, submitted by Harry Black, City Manager, regarding
Special Event Permit Application for March for Science Cincinnati.

Status/Recommendations:
FILE
*** FILED

Item #: 201700475
REPORT, dated 3/29/2017, submitted by Harry Black, City Manager, regarding poor
conditions of Raeburn Drive. (SEE DOCUMENT #201700359 FOR COMMUNICATION)

Status/Recommendations:
NEIGHBORHOODS COMMITTEE

Item #: 201700476
REPORT, dated 3/29/2017, submitted by Harry Black, City Manager, regarding
Strategic Partnerships Advancing Redevelopment in Communities (SPARC). (SEE
DOCUMENT #201700196 FOR MOTION)

Status/Recommendations:
BUDGET AND FINANCE COMMITTEE

Item #: 201700478
REPORT, dated 3/29/2017, submitted by Harry Black, City Manager, regarding OTR
Taskforce Update.

Status/Recommendations:
NEIGHBORHOODS COMMITTEE

CLERK OF COUNCIL

Item #: 201700486
STATEMENT, submitted by the Clerk of Council formally filing a copy of the
Financial Disclosure Statement for Markiea L. Carter, Department of Economic
Inclusion/Director.

Status/Recommendations:
FILE
*** FILED

Item #: 201700487

STATEMENT, submitted by the Clerk of Council formally filing a copy of the Financial Disclosure Statement for Michael J. Gorman, ETS/IT Manager.

Status/Recommendations:

FILE

*** FILED

BUDGET AND FINANCE COMMITTEE

Item #: 201700135

ORDINANCE submitted by Harry Black, City Manager, on 2/1/2017, authorizing the City Manager to execute a Property Sale and Development Agreement with 518 East 12th, LLC, whose sole member is Andrew Salzbrun, for the City's sale of vacant land at 518-520 East 12th Street in the Pendleton district of the Over-the-Rhine neighborhood of Cincinnati, for the construction and operation of a surface parking lot.

Status/Recommendations:

PASS

*** PASSED 0064-2017

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

Item #: 201700266

ORDINANCE submitted by Harry Black, City Manager, on 2/23/2017, authorizing the City Manager to execute a Property Sale Agreement with Condominium Holdings, LLC, an affiliate of 3CDC, for the sale of City-owned property located at 112 W. 15th Street in the Over-the-Rhine neighborhood of Cincinnati, for inclusion in a mixed-use development project containing residential condominium units and commercial space.

Status/Recommendations:

PASS

*** PASSED 0065-2017

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

Item #: 201700437

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/22/2017, providing for the issuance, sale and delivery of not to exceed \$1,100,000 of Economic Development Bonds (Hudepohl Brewery Remediation Project (Taxable) or notes in anticipation thereof, of the City of Cincinnati, County of Hamilton, State of Ohio, for the purpose of financing certain improvements; authorizing a pledge of the City's faith and credit or a pledge of and lien on certain revenues and other city resources, as appropriate, to secure such bonds or notes; and authorizing necessary documents to secure such bonds or notes.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0067-2017

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

Item #: 201700440

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/22/2017, authorizing the establishment of new capital improvement program project account no. 980x164x171681, "Hudepohl Brewery Redevelopment," and further AUTHORIZING the transfer and appropriation of the sum of \$1,000,000 from the unappropriated surplus of the Queensgate South/SPUR District Equivalent Fund 480 and the sum of \$1,000,000 from the unappropriated surplus of Urban Development Bond Fund 862 to the newly established capital improvement program project account no. 980x164x171681, "Hudepohl Brewery Redevelopment," for the public purpose of providing resources for the redevelopment of the former Hudepohl Brewery.

Status/Recommendations:

PASS EMERGENCY

*** INDEFINITELY POSTPONED

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

Item #: 201700441

ORDINANCE submitted by Harry Black, City Manager, on 3/22/2017, authorizing the City Manager to apply for, accept, and appropriate a grant in an amount of up to \$35,000 from the National Recreation and Park Association, in partnership with the Walmart Foundation, for the purpose of supporting children's health and wellness through park and recreation programs focused on children's time spent out of school.

Status/Recommendations:

PASS

*** PASSED 0066-2017
MR. SMITHERMAN Y
MR. WINBURN Y
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y

Item #: 201700434

RESOLUTION (LEGISLATIVE) submitted by Harry Black, City Manager, on 3/22/2017, declaring the need for repairs to sidewalks, sidewalk areas, curbs and/or gutters and the levying of assessments for the cost of such repairs on the abutting properties in the neighborhood of Northside in accordance with Cincinnati Municipal Code Sections 721-149 through 721-169.

Status/Recommendations:

PASS

*** PASSED 0029-2017
MR. SMITHERMAN N
MR. WINBURN N
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y

Item #: 201700435

RESOLUTION (LEGISLATIVE) submitted by Harry Black, City Manager, on 3/22/2017, declaring the necessity of assessing properties that benefit from special street lighting within the City of Cincinnati in Lighting Group 2 for the cost of such lighting for the three-year period beginning August 1, 2016.

Status/Recommendations:

PASS

*** PASSED 0030-2017
MR. SMITHERMAN N
MR. WINBURN N
MR. YOUNG Y
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201700354

REPORT, dated 3/8/2017, submitted by Harry Black, City Manager, regarding District 5 Relocation. (SEE DOCUMENT #201700173 FOR MOTION)

Status/Recommendations:

APPROVE & FILE

*** APPROVED AND FILED

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

Item #: 201700377

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 3/15/2017, authorizing the City Manager to enter into a Bridge Maintenance Agreement with the Board of County Commissioners of Hamilton County, Ohio with respect to County structural maintenance responsibility on certain bridges located within the corporate limits of the City of Cincinnati from 2017 through 2026.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0069-2017

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

MR. SITTFELD Y

Item #: 201700401

ORDINANCE, (EMERGENCY) submitted by Councilmember Seelbach, MODIFYING the provisions of Title V, "Traffic Code" of the Cincinnati Municipal Code by amending Section 515-11, "Parking Infraction Fines," to increase the fine for unauthorized stopping and parking along the streetcar track to \$100.(B VERSION)

Status/Recommendations:

PASS EMERGENCY

*** INDEFINITELY POSTPONED

MR. SMITHERMAN Y

MR. WINBURN Y

MR. YOUNG Y

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

MR. SITTFELD Y