

PROCEEDINGS/MINUTES OF CITY COUNCIL

...September 27, 2017...

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

Also in attendance were City Manager Harry Black, City Solicitor Paula Boggs Muething and Chief Deputy Clerk Brenda Williams.

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:

Councilmember Young was excused.

MAYOR CRANLEY

Item #: 201701364
RESOLUTION, dated 09/21/2017, submitted by Mayor John Cranley, EXPRESSING the support of the Mayor and City Council for passage of House Bill 347 by the Ohio General Assembly, which will rename a designated portion of Interstate Route Seventy-One between the Dana Avenue exit and the Montgomery Road exit as "Officer Sonny L. Kim Memorial Highway" in honor of the service and sacrifice of Police Officer Sonny Kim of the Cincinnati Police Department who was tragically killed in the line of duty on June 19, 2015.

Status/Recommendations:

PASS

*** PASSED 0054-2017

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

MR. MANN

Item #: 201701381
COMMUNICATION, submitted by Vice Mayor Mann, from Kevin Finn, on 9/26/2017 regarding Third and Elm Street Bench Removal.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201701382

COMMUNICATION, submitted by Vice Mayor Mann, from Julie Hacker, Property Manager, Strategic Capital Partners, on 9/25/2017, regarding 3rd Street Bench Removal.

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

MS. SIMPSON

Item #: 201701380

RESOLUTION, dated 9/25/2017 submitted by Councilmember Yvette Simpson, EXPRESSING the Mayor and City Council's opposition to the proposed reconciliation of House Resolution 1628, as introduced in the Senate (otherwise known as "Graham-Cassidy") that would repeal the Affordable Care Act ("ACA"), thereby denying insurance coverage to millions of Americans who obtained health insurance through the ACA.

Status/Recommendations:

PASS

*** PASSED 0055-2017

MR. YOUNG A

MR. FLYNN Y

MR. MANN Y

MS. MURRAY Y

MR. SEELBACH Y

MS. SIMPSON Y

MR. SITTENFELD Y

MR. SMITHERMAN Y

MR. WINBURN Y

CITY MANAGER

Item #: 201701361

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/27/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with 1222 WHT LLC, thereby authorizing a 12-year tax exemption for 100% of the value of improvements made to real property located at 1222 William Howard Taft Road in East Walnut Hills (based on statistical neighborhood approximation) or Walnut Hills (based on community council boundary designation) neighborhood of Cincinnati, in connection with the remodeling of the building thereon into residential apartments, which remodeling 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 remodeling cost of approximately \$530,000.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201701363

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/27/2017, renaming the portion of Vine Street located north of Corry Street and south of Martin Luther King Jr. Drive in the Corryville neighborhood of Cincinnati as "Short Vine Street."

Status/Recommendations:

NEIGHBORHOODS COMMITTEE

Item #: 201701368

ORDINANCE submitted by Harry Black, City Manager, on 9/27/2017, authorizing a firearms display, an interactive archery display and demonstrations, and a BB gun shooting range interactive display during the hunting and fishing portion of the Travel, Sports, and Boat Show at the Duke Energy Convention Center from January 19 to 21, 2018, notwithstanding the prohibitions in Cincinnati Municipal Code Sections 708-41 and 708-27 against possession and use of a deadly or dangerous weapon within any City building and against discharge of any dangerous weapon in the City.

Status/Recommendations:

LAW & PUBLIC SAFETY COMMITTEE

Item #: 201701369

ORDINANCE submitted by Harry Black, City Manager, on 9/27/2017, authorizing the City Manager to execute a Grant of Retaining Wall Easement in favor of Jonathan A. Theders and Heather A. Theders, owners of the property located at 2530 Handasyde Court in the Hyde Park neighborhood of Cincinnati, pursuant to which the City will grant to the grantees an easement over a portion of the adjoining public right-of-way known as Handasyde Court for the maintenance and repair of a retaining wall that encroaches upon the right-of-way.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201701370

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/27/2017, authorizing the City Manager to execute a Grant of Aerial Encroachment Easement in favor of Kauffman Vine LLC pursuant to which the City will grant to the company an aerial encroachment easement over a portion of an unnamed alley between Vine Street and Republic Street in the Over-the-Rhine neighborhood of Cincinnati, for the construction and use of elevated balconies attached to the Kauffman Building at 1725 Vine Street.

Status/Recommendations:

BUDGET AND FINANCE COMMITTEE

Item #: 201701367
REPORT, dated 9/27/2017, submitted by Harry Black, City Manager, regarding parking meter hours and features. (SEE DOCUMENT #201500090 FOR ADOPTED MOTION)

Status/Recommendations:
NEIGHBORHOODS COMMITTEE

BUDGET AND FINANCE COMMITTEE

Item #: 201700474
ORDINANCE submitted by Harry Black, City Manager, on 3/27/2017, MODIFYING the salary schedule for the classification of Civil Service Commissioner by amending existing Section 021 of Division 6, Chapter 307 of the Cincinnati Municipal Code to establish a new salary schedule for the said classification, consistent with the organizational changes described herein

Status/Recommendations:
PASS
*** PASSED 0264-2017
MR. YOUNG A
MR. FLYNN N
MR. MANN Y
MS. MURRAY N
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701322
ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/13/2017, authorizing the City Manager to execute a Grant of Temporary Easement and an Easement in favor of the Board of Trustees of Green Township, Hamilton County, Ohio pertaining to the City-owned property at 6297 Bridgetown Road in Cincinnati, for a temporary construction easement and a permanent sewer easement for the construction project in Hamilton County, Green Township known as HAM-264-6.02.

Status/Recommendations:
PASS EMERGENCY
*** PASSED EMERGENCY 0269-2017
MR. YOUNG A
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701324

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/13/2017, authorizing the City Manager to accept a donation from the Cincinnati Bengals of a commemorative monument worth approximately \$8,000.00. The monument is to be placed on Fountain Square, or other City property, as determined by the City of Cincinnati.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0270-2017
MR. YOUNG A
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701334

ORDINANCE submitted by Harry Black, City Manager, on 9/20/2017, authorizing the City Manager to execute a Grant of Easements in favor of OTR Holdings, Inc. pursuant to which the City will grant two utility easements over portions of the City-owned public rights-of-way known as Vine Street (located at 1435 Vine Street) and Parvis Alley (located at 5 W. 15th Street) in the Over-the-Rhine neighborhood of Cincinnati, for fair market value, for the installation and operations of storm sewer facilities serving the grantee's adjacent property.

Status/Recommendations:

PASS

*** PASSED 0265-2017
MR. YOUNG A
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701340

ORDINANCE submitted by Harry Black, City Manager, on 9/20/2017, establishing new special revenue fund, Fund 435, "Human Relations," for the purpose of receiving donations, program funds, and event funds that will be utilized to finance the mission of the Office of Human Relations; and AUTHORIZING the City Manager and the employees of the Office of Human Relations to solicit and accept donations of money, in-kind contributions, and other things of value from the Cincinnati business community, individual benefactors, and other available sources for the Office of Human Relations to host the International Association of Official Human Rights Agencies Conference in Cincinnati, from August 26 through August 30, 2018.

Status/Recommendations:

PASS

*** PASSED 0266-2017
MR. YOUNG A

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

Item #: 201701344

ORDINANCE submitted by Harry Black, City Manager, on 9/20/2017, authorizing the City Manager to apply for, accept, and appropriate a grant for an amount up to \$10,000 from the Ohio Department of Natural Resources, Division of Wildlife, Aquatic Education Grant Program to be used for the Cincinnati Recreation Commission's "Hooked on Fishing, Not on Drugs" program.

Status/Recommendations:

PASS

*** PASSED 0267-2017

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

Item #: 201701352

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/20/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with Clyffside Events Space LLC, thereby authorizing a 12-year tax exemption for 100% of the value of improvements made to real property located at 244-246 McMicken Street in the Over-the-Rhine neighborhood of Cincinnati in connection with the remodeling of the building on the property into a brewery and event 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 \$9,000,000.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0271-2017

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

Item #: 201701359

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/20/2017, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement (LEED or Living Building Challenge) with HCG Madison Road, LLC, thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 4725 Madison Road in the Madisonville neighborhood of Cincinnati, in connection with the construction of a self-storage facility, 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 \$7,000,000.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0272-2017
MR. YOUNG A
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701371

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/27/2017, authorizing the City Manager to execute a Property Sale and Development Agreement with Panama RE Investments, LLC, providing for (i) the narrowing of the public right-of-way known as Panama Street, and the City's sale to the developer of a portion thereof, (ii) the City's sale to the developer of approximately 1.3 acres of land along the Ohio River, adjacent to Panama Street, and (iii) the City's grant of permanent easements to the developer over the City's land for a walking trail and grounds maintenance, to facilitate the developer's construction of a residential subdivision containing approximately 44 homes known as The Sanctuary at River Green in the California neighborhood of Cincinnati.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0273-2017
MR. YOUNG A
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701374

ORDINANCE (EMERGENCY), submitted by Vice Mayor Mann, Councilmembers Flynn and Sittenfeld, ESTABLISHING certain policies and conditions regarding the application of commercial Community Reinvestment Area real property tax exemptions.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0275-2017
MR. YOUNG A
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701375

ORDINANCE (EMERGENCY), submitted by Vice Mayor Mann, Councilmembers Flynn and Sittenfeld, ESTABLISHING certain policies and conditions regarding the application of residential Community Reinvestment Area real property tax exemptions.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0276-2017
MR. YOUNG A
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701376

ORDINANCE (EMERGENCY) submitted by Vice Mayor Mann, Councilmembers Flynn and Sittenfeld, DECLARIBNG the boundaries of the City of Cincinnati Community Reinvestment Area as conterminous with the corporate boundaries of the City of Cincinnati; ESTABLISHING certain procedures and general rules for Community Reinvestment Area real property tax exemptions pursuant to Ohio Revised Code Sections 3735.65 through 3735.70; and AUTHORIZING the City Manager to file a petition with the Director of the Ohio Development Services Agency to confirm the findings made herein.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0274-2017
MR. YOUNG A
MR. FLYNN Y
MR. MANN Y
MS. MURRAY Y
MR. SEELBACH Y
MS. SIMPSON Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. WINBURN Y

Item #: 201701377

ORDINANCE submitted by Harry Black, City Manager, on 9/27/2017, declaring the improvements to the real property located at the northeast corner of Court Street and Walnut Street in the Central Business District in Cincinnati, to be constructed pursuant to a Funding, Sale and Development Agreement among the City of Cincinnati, Court & Walnut, LLC, Kroger Limited Partnership I, and CW Joint Venture LLC, to be a public purpose and exempt from real property taxation for a 30-year period pursuant to Section 5709.41 of the Ohio Revised Code.

Status/Recommendations:

PASS

*** PASSED 0268-2017

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

Item #: 201701378

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/27/2017, declaring improvements to real property located at 3001 Woodburn Avenue, and 1525, 1527 and 1529 Gilpin Avenue, in the Evanston neighborhood of the City of Cincinnati, to be a public purpose and exempt from real property taxation for a period of time under Ohio Revised Code Section 5709.40(B).

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0278-2017

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

Item #: 201701379

ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 9/27/2017, authorizing the City Manager to execute a Development Agreement with DeSales Apartments III, LLC pertaining to the development of property located at 3001 Woodburn Avenue, and 1525, 1527 and 1529 Gilpin Avenue, in the Evanston neighborhood of Cincinnati, consisting of the construction of approximately 116 residential units and approximately 148 surface parking spaces, and pursuant to which, subject to the passage by this Council of a separate ordinance, the City intends to provide a 30-year real property tax exemption for the project under Ohio Revised Code Section 5709.40(B).

Status/Recommendations:

PASS EMERGENCY

***	PASSED EMERGENCY	0277-2017
	MR. YOUNG	A
	MR. FLYNN	Y
	MR. MANN	Y
	MS. MURRAY	Y
	MR. SEELBACH	Y
	MS. SIMPSON	Y
	MR. SITTFELD	Y
	MR. SMITHERMAN	Y
	MR. WINBURN	Y

Item #: 201701384

ORDINANCE (B VERSION) (EMERGENCY), submitted by Harry Black, City Manager, on 9/25/2017, AUTHORIZING the City Manager to apply for, accept, and appropriate a Law Enforcement Diversion Program Grant of up to \$125,000 from the Office of the Ohio Attorney General for the purpose of providing funds for the expansion of the quick Response Team pilot program to the opioid epidemic.

Status/Recommendations:

PASS EMERGENCY

***	PASSED EMERGENCY	0279-2017
	MR. YOUNG	A
	MR. FLYNN	Y
	MR. MANN	Y
	MS. MURRAY	Y
	MR. SEELBACH	Y
	MS. SIMPSON	Y
	MR. SITTFELD	Y
	MR. SMITHERMAN	Y
	MR. WINBURN	Y

Item #: 201700980

REPORT, dated 6/28/2017, submitted by Harry Black, City Manager, regarding Department of Finance Reports for the month ended May 31, 2017.

Status/Recommendations:

APPROVE & FILE

*** APPROVED AND FILED

TRANSPORTATION & REGIONAL COOPERATION COMMITTEE

Item #: 201701357

ORDINANCE, (EMERGENCY) submitted by Councilmember Sittenfeld from Paula Boggs Muething, City Solicitor on 7/12/2017, ESTABLISHING that Walnut Street between Sixth Street and Seventh Street shall hereby receive the honorary, secondary name of "Doris Day Way" in honor of Doris Day, in recognition of her contributions to the City of Cincinnati as an actress and singer and her ongoing work as an animal welfare activist.

Status/Recommendations:

PASS EMERGENCY

*** PASSED EMERGENCY 0263-2017

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