PROCEEDING/MINUTES OF CITY COUNCIL

…September 6, 2018…

City Council convened at 2:02 p.m., Mayor John Cranley, Presiding. Present were Councilmembers Dennard, Landsman, Mann, Murray, Pastor, Seelbach, Sittenfeld, Smitherman and Young.

Also in attendance were Acting City Manager Patrick Duhaney, Asst. City Solicitor, Terry Nestor and Clerk of Council Melissa Autry.

Council observed a moment of silence 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 Calendar and items presented By-Leaved were disposed of as follows:

MAYOR CRANLEY

Item #: 201801422
REAPPOINTMENT, submitted by Mayor John Cranley, I hereby reappoint Jill Meyer as the City's representative to the Hamilton County Transportation Improvement District for a term of two years. This reappointment is submitted to City Council for its advice and consent pursuant to its Rules.
*** This item was held.
Status/Recommendations:
HELD ONE WEEK PURSUANT TO RULE OF COUNCIL
***

Item #: 201801423
REAPPOINTMENT, submitted by Mayor John Cranley, I hereby reappoint Seth Walsh to the Cincinnati Elections Commission as the Democrat-affiliated member for a term of four years. This reappointment is submitted to City Council for its advice and consent pursuant to its Rules.
*** Held one week.
Status/Recommendations:
HELD ONE WEEK PURSUANT TO RULE OF COUNCIL
***

Item #: 201801424
REAPPOINTMENT, submitted by Mayor John Cranley, I hereby reappoint Mary Miller to the Southwest Ohio Regional Transit Authority for a term of three years. This reappointment is submitted to City Council for its advice and consent pursuant to its Rules.
*** Held one week.
Status/Recommendations:
HELD ONE WEEK PURSUANT TO RULE OF COUNCIL
***

Item #: 201801425
REAPPOINTMENT, submitted by Mayor John Cranley, I hereby reappoint Gwen Robinson to the Southwest Ohio Regional Transit Authority for a term of three years. This reappointment is submitted to City Council for its advice and consent pursuant to its Rules.
*** Held one week.
Status/Recommendations:
HELD ONE WEEK PURSUANT TO RULE OF COUNCIL
***

MR. MANN

Item #: 201801420
MOTION, submitted by Councilmember Mann, I MOVE that Item #201800979 (Executive Session Charter Amendment) passed by Council and vetoed by Mayor Cranley on August 1, 2018 be reconsidered.
***
Status/Recommendations:
ADOPT
*** ADOPTED

MR. PASTOR	Y
MR. SEELBACH	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	N
MR. YOUNG	Y
MS. DENNARD	Y
MR. LANDSMAN	Y
MR. MANN	Y
MS. MURRAY	Y

Item #: 201801421
MOTION, submitted by Councilmember Mann, I MOVE that the Veto of Item #201800979 (Executive Session Charter Amendment) by Mayor Cranley on August 1, 2018 be overturned.
***
Status/Recommendations:
ADOPT
*** ADOPTED

MR. PASTOR	Y
MR. SEELBACH	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	N
MR. YOUNG	Y
MS. DENNARD	Y
MR. LANDSMAN	Y
MR. MANN	Y
MS. MURRAY	Y

MR. MANN
MS. DENNARD

Item #: 201801393
MOTION, submitted by Councilmembers Mann & Dennard, WE MOVE that the City Administration report on its enforcement of local regulations requiring regular inspections of power generators, particularly of power generator that are required to have enough fuel to provide 24 hours of power backup for cell phone towers. (STATEMENT ATTACHED)

***
Status/Recommendations:
EDUCATION, INNOVATION & GROWTH COMMITTEE
***

MR. MANN
MS. DENNARD
MR. PASTOR

Item #: 201801394
MOTION, *(AMENDED) submitted by Councilmembers Mann, Dennard and Pastor, WE MOVE that the Budget and Finance Committee begin meetings every Monday at 1:00 p.m. (an available slot since neighborhoods moved to the B week) instead of bi-weekly on Mondays at 1:00 p.m. *on trial basis until end of this year. (STATEMENT ATTACHED) (AMENDED ON FLOOR OF COUNCIL 9/6/2018)
***
Status/Recommendations:
MAJOR PROJECTS & SMART GOVERNMENT
*** ADOPTED

MR. PASTOR	Y
MR. SEELBACH	N
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. YOUNG	Y
MS. DENNARD	Y
MR. LANDSMAN	Y
MR. MANN	Y
MS. MURRAY	N

MR. SEELBACH

Item #: 201801396
COMMUNICATION, submitted by Councilmember Seelbach, from Margy Walker, regarding Opposition to Consent Item 1 - The Proposed Vacation and Sale of City-Owned Land in order to help facilitate construction of the stadium.
***
Status/Recommendations:
ECONOMIC GROWTH & ZONING COMMITTEE
***

MR. SMITHERMAN

Item #: 201801397
MOTION, submitted by Vice Mayor Smitherman, I MOVE that the administration compile a report on the cost to hire 2 full time firefighters for the purpose of recruiting new firefighters.
***
Status/Recommendations:
LAW & PUBLIC SAFETY COMMITTEE
***

Item #: 201801398
MOTION, submitted by Vice Mayor Smitherman I MOVE that the Cincinnati Police Department policy for administering tasers be moved from 7 years of age to 12 years of age. I FURTHER MOVE that the Cincinnati Police Department provide a report to Council on the last 2 years of taser use that includes minor children. I FURTHER MOVE that the Cincinnati Police Department review its use of force policy regarding tasers and present their findings or recommendations to the Law & Public Safety Committee. I FURTHER MOVE that the charges for the most recent incident involving the 11-year child be reviewed closely by our City Solicitors Office and Cincinnati Police Department.
***
Status/Recommendations:
LAW & PUBLIC SAFETY COMMITTEE
***

MR. SMITHERMAN
MR. MANN

Item #: 201801402
MOTION, submitted by Vice Mayor Smitherman and Councilmember Mann, WE MOVE given the debate around the impact of the chemicals like glyphosate, which is found in herbicides, that the administration provide a report on the use of pesticides/herbicides on the properties owned and operated by the City of Cincinnati, including city park facilities. WE MOVE that the administration, in the report, provide and analysis of the feasibility; and costs of using more environmentally friendly products to control weeds and pests where people, children and pets play/recreate. This includes dog parks, spray water parks, recreational areas, among others. I FURTHER MOVE that the administration investigate the use of more environmentally friendly products to control weed and pests where children and pets play in lieu of chemicals like glyphosate and provide a plan for the use and deployment of more environmentally friendly pesticides/herbicides where people, children and pets play/recreate. I FURTHER MOVE that any pesticides used should take under consideration our bee population.
***
Status/Recommendations:
EDUCATION, INNOVATION & GROWTH COMMITTEE
***

MR. SMITHERMAN
MR. MANN
MS. DENNARD
MR. YOUNG

Item #: 201801401
MOTION, submitted by Vice Mayor Smitherman and Councilmembers Mann, Dennard and Young WE MOVE that the lobbyist for the City of Cincinnati provide a procedural framework for City Council and the Property Tax Project working group to amend Ohio state laws governing property taxes to ensure that property owners, specifically legacy residents and senior citizens on fixed incomes, who reside in developing neighborhoods and whose property taxes are increasing as a result have a greater opportunity to remain in their homes. WE FURTHER MOVE that a working group be created to study trends related to property taxes, especially

the issue of rising property taxes in areas experiencing significant levels of development; to make recommendations to City Council aimed at helping to keep senior citizens in their homes and communities; and to report on best practices in other cities and states facing similar challenges. WE FURTHER MOVE that the working group include members from: the African-American Chamber of Commerce; the Board of Realtors; the Cincinnati Neighborhood Business Districts United; the Community Action Agency; the Community Development Corporations Association of Greater Cincinnati; the Council on Aging; the Baptist Ministers Conference; the Hamilton County Auditor/representative; the Homebuilders Association; Invest in Neighborhoods; representatives of Allied Construction Industries; the United Way; the University of Cincinnati's Real Estate Program and the DAAAP School of Planning; and the Urban League. WE FURTHER MOVE that the working group review the City's Tax Abatement Program. WE FURTHER MOVE that the Planning Department lead this working group.
***
Status/Recommendations:
CITY MANAGER FOR REPORT;BUDGET AND FINANCE COMMITTEE
***

MR. YOUNG

Item #: 201801399
COMMUNICATION, submitted by Councilmember Young, from Michael Carlisle, regarding traffic light needed at River Road and Thornton in Sayler Park.
***
Status/Recommendations:
NEIGHBORHOODS COMMITTEE
***

CITY MANAGER

Item #: 201801315
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, ACCEPTING permanent easements granted to the City of Cincinnati for the construction, maintenance and repair of water mains and appurtenances in Green Township and in the City of Blue Ash pursuant to plats recorded in Plat Book 466, Pages 81 and 82, Hamilton County, Ohio Recorder's Office.

***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801316
ORDINANCE , submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, ACCEPTING a permanent easement granted by the Village of Amberley, Ohio to the City of Cincinnati for the construction, maintenance and repair of water mains and appurtenances in the Village of Amberley pursuant to a plat recorded in Plat Book 466, Page 39, Hamilton County, Ohio Recorder's Office.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801350
ORDINANCE submitted by Patrick Duhaney, Acting City Manager, on 09/06/2018, ESTABLISHING new capital improvement program project account no. 980x195x191916, "Golf Course Facility Renovation"; and further AUTHORIZING the transfer and appropriation in the amount of $235,000 from the unappropriated surplus of the Recreation Department's Municipal Golf Activities Fund 105 to the newly established capital improvement program project account no. 980x195x191916, "Golf Course Facility Renovation," for the purpose of providing resources for various improvements and renovations at the Jimmy Woods Golf Learning Center located on Avon Fields Golf Course.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801357
ORDINANCE submitted by Patrick A. Duhaney, Acting City Manager, on 09/06/2018, AUTHORIZING the City Manager to execute a Grant of Encroachment Easements in favor of Market Square Condominium, LLC and Market Square Condominium Association, Inc., pursuant to which the City will grant easements over portions of the public right-of-way known as Goose Alley for entryway improvements that serve Market Square Condominium located on 26 W. Elder Street in the Over-the-Rhine neighborhood of Cincinnati.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801359
ORDINANCE submitted by Patrick A. Duhaney, Acting City Manager, on 09/06/2018, AUTHORIZING the City Manager to execute a Grant of Encroachment Easements in favor of Film Center LLC, owner of the property located at 1632 Central Parkway in the Over-the-Rhine neighborhood of Cincinnati, pursuant to which the City will grant encroachment easements over portions of the adjoining public right-of-way known as Central Parkway for the construction, use, maintenance and repair of entryway improvements serving the grantee's building.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801361
ORDINANCE submitted by, Patrick A. Duhaney, Acting City Manager, on 09/06/2018, ACCEPTING a permanent easement granted by Westhaven Development, LLC to the City of Cincinnati for the construction, maintenance and repair of water mains and appurtenances in the City of Harrison pursuant to a plat recorded in Plat Book 465, Page 65, Hamilton County, Ohio Recorder's Office.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801371
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, AUTHORIZING the City Manager to execute a Quit Claim Deed in connection with the sale, to EEP Properties, LLC, of a 0.0296 acre portion of City-owned land along Parker Street in the Clifton Heights neighborhood of Cincinnati, being an unused portion of Bellevue Park, for the construction of an off-street parking area to serve the property owner's adjacent apartment building at 125 Parker Street.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801374
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/4/2018, AUTHORIZING the City Manager and the employees of the Office of Aging and Accessibility 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 Aging and Accessibility to host the 50+ Cincy Celebration on May 15, 2019.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801380
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, AUTHORIZING the City Manager to enter into a Memorandum of Understanding with Hamilton County to jointly apply for and accept a grant of up to $295,178 from the United States Department of Justice, Bureau of Justice Assistance, Edward Byrne Memorial Justice Assistance Grant Program FY 2018 Local Solicitation (CFDA #16.738); and further AUTHORIZING the City Manager to appropriate the City's portion of the grant proceeds in the total amount of up to $162,347.90 for the purpose of funding the Police Visibility Overtime Program and the Sexual Assault Advocate Program with Women Helping Women for calendar year 2020.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801381
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in the amount of up to $170,000 from the State of Ohio, Office of the Attorney General's Victims of Crime Act/State Victims Assistance Act grant program for the purpose of providing funds for the Children in Trauma Intervention Camp.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801382
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, AUTHORIZING the City Manager to apply for, accept, and appropriate a grant in the amount of up to $5,000 from the Walmart Foundation's Community Grant Program for the purpose of providing funds for water rescue equipment to support the Cincinnati Police Department's Rapid Response Rescue Team.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801385
ORDINANCE (EMERGENCY), submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, APPROVING AND AUTHORIZING the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with Fourth and Race Redevelopment, LLC, thereby authorizing an 15-year tax exemption for 100% of the value of improvements made to real property located at 118 West Fourth Street in the Central Business District of Cincinnati, in connection with the construction of approximately 22,000 square feet of commercial space, at a total construction cost of approximately $5,165,108.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801386
ORDINANCE (EMERGENCY), submitted by Patrick A. Duhaney, Acting City Manager, on 9/5/2018, ACCEPTING AND CONFIRMING the conveyance from the State of Ohio, Department of Transportation, of real property located along and abutting Martin Luther King Jr. Drive, Reading Road, Hickman Avenue, Whittier Street, Bowman Terrace, Savoy Place, Borrman Street, University Avenue, Concordia Street, Bathgate Street, Winslow Avenue, Kerper Avenue, Wehrman Avenue, Walter Avenue, Gilbert Avenue, Beecher Street, Foraker Avenue and Lincoln Avenue in the Avondale and Walnut Hills neighborhoods of Cincinnati.

***
Status/Recommendations:
MAJOR PROJECTS & SMART GOVERNMENT
***

Item #: 201801392
ORDINANCE, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, ESTABLISHING Interim Development Control Overlay District No. 82, "MLK/I-71 Area," in portions of the Avondale, Corryville, and Walnut Hills neighborhoods as an overlay district for a period of one year, pursuant to Chapter 1431, Interim Development Control Overlay District Regulations, of the Cincinnati Zoning Code.
***
Status/Recommendations:
ECONOMIC GROWTH & ZONING COMMITTEE
***

Item #: 201801317
REPORT , dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Special Event Permit Application for C2C Relay Run.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801320
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Special Event Permit Application for Black Family Reunion.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801321
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Special Event Permit Application for Welcome to Warsaw.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801324
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Capulin Paz Inc., DBA Cancun Mexican Restaurant, 5034 Glencrossing Way. (#12462830005, Transfer of Stock, D5, D6) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801325
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for B A Café LLC, DBA B A Street Kitchen, 1500 Race St., 1st Fl, Basement & Patio. (#0370233, New, D5J) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801326
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control,

advising of a permit application for Arepa Place LLC, DBA (Not Listed), 131 W. Elder St. (#0249920, New, D5J) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801327
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for 1719 Elm LLC, DBA (Not Listed), 1819 Elm St. (#2456333, New, D5J) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801328
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Washington Park Management Group, DBA Washington Park, Elm & Race Street from 12th - 14th Street, 12th & 14th Street from Race - Elm Street. (#9416563, Temporary, F8) [Objections: None]

***
Status/Recommendations:
FILE
*** FILED

Item #: 201801329
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Carsella Restaurant Group LLC, DBA Alfios Buon Cibo, 2724 Erie Avenue. (#1520090, Transfer of Stock, D1, D2, D3, D3A, D6) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801330
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Snowden Ohio LLC, DBA (Not Listed), 3204 Linwood Ave. (#8334685, Transfer Exempt, D5, D6) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801331
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Cincy Coffee & Beer LLC, DBA (Not Listed), 2005 Madison Rd. (#1495370, Transfer Exempt, D1, D2, D6) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801332
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Xavier University, DBA Gallagher Center Ground Fl, 3815 Saint Francis Xavier Way. (#98040530005, Transfer of Ownership, D1, D2, D3, D3A, D6) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801333
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Baltimore 2311 Inc, DBA BP Northside, 3949 Spring Grove Ave. (#04214500005, New, D1) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801334
REPORT, dated September 6, 2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Starvn Sam Co, DBA Spot, 2110 Montana Ave. (#85153430015, New, C1, C2, D6) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801340
REPORT, dated 09/06/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Money Chicken, LLC, DBA Money Chicken, 300 E. 7th Street, Cincinnati, OH 45202 (#5951991, New, C1, C2)[Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801341
REPORT, dated 09/06/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Shake & Bake, LLC, 109 W. Elder, Cincinnati, OH 45202 (#8059135, New, D5J)[Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801342
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Special Event Permit Application for End of Summer Event.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801343
REPORT,dated 09/06/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Queen City Radio, LLC, DBA Queen City Station, 222 W. 12th Street, Cincinnati, OH 45202. (#71365400005, Transfer of Stock, D5J, D6)[Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801344
REPORT,dated 09/06/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Epicurean Mercantile Company, LLC, 1818 Race, Cincinnati, OH 45202(#25291820005, New, D5J)[Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801345
REPORT,dated 09/06/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for JRB Cincinnati, LLC, 301 E. Fourth Street, Ste. 450, Cincinnati, OH 45202. (#4182777, Transfer of Stock, D5, D6)[Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801352
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Daniel C Wells, DBA Mix Wells, 3935 and 3937 Spring Grove Avenue. (#65231960005, Transfer of Location, D5J) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801353
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Kashay Beverage Inc., DBA Shop N Save, 3219-21 Harrison Avenue. (#4438992, Transfer of Stock, C1, C2, D6) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801354
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Ohio York Food LLC, DBA Daly Rd Sunoco, 1200 W. Galbraith Road. (#65231960005, Transfer of Ownership, C1, C2) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801355
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Cincinnati Landmark Productions, DBA Westwood Education Center, 3064 Harrison Avenue (#14820550010, New, D5H) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801356
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Overview of Cincinnati Police Department Asset Forfeiture Funds.
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801365
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, on a communication from the State of Ohio, Division of Liquor Control, advising of a permit application for Ludlow Garage Cincinnati LLC, DBA (Not Listed), 342 Ludlow Avenue. (#5340466, New, D5J) [Objections: None]
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801366
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding FC Cincinnati Community Benefits Agreement (SEE DOCUMENT #201800208 FOR MOTION)
***
Status/Recommendations:
BUDGET AND FINANCE COMMITTEE
***

Item #: 201801368
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Improving and Supplementing Affordable Housing Resources. (SEE DOCUMENT #201800100 FOR MOTION)
***
Status/Recommendations:
EQUITY, INCLUSION, YOUTH, & THE ARTS COMMITTEE
***

Item #: 201801369
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding City Engagement in the Development Process and Disposition of City Land. (SEE DOCUMENT #201800064 FOR MOTION)
***
Status/Recommendations:
ECONOMIC GROWTH & ZONING COMMITTEE
***

Item #: 201801370
REPORT, dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Financial Management and Controls for Community Organizations. (SEE DOCUMENT #201800286)
***
Status/Recommendations:
NEIGHBORHOODS COMMITTEE
***

Item #: 201801417
REPORT , dated 9/6/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Dedicated Bus Lanes on Main Street from Government Square to Central Parkway [2nd Revision] (SEE DOCUMENT #201800516 FOR MOTION)

***
Status/Recommendations:
EDUCATION, INNOVATION & GROWTH COMMITTEE
***

CITY PLANNING COMMISSION

Item #: 201801347
RESOLUTION, (Emergency) (Legislative) dated 08/17/2018, submitted by Katherine Keough-Jures, Director Department of City Planning from Paula Boggs Muething, City Solicitor, EXTENDING the suspension of Chapter 6, "Division of Land Process:" of Rules and Regulations of the Cincinnati City Planning Commission for the Subdivision of Land over the Hyde Park and Mount Lookout neighborhoods until and including December 31, 2018; and, AMENDING the temporary division of land review process and procedure applicable to the division of all land within the Hyde Park and Mount Lookout neighborhoods and effective until and including December 31, 2018, which temporary rules and interim division of land process applicable to the Hyde Park and Mount Lookout neighborhoods will ensure that any division of land within those neighborhoods during the pendency of the ongoing Department of City Planning's planning and zoning study is appropriate, avoiding detrimental land development practices related to the subdivision of land and increased density in the study area and to the implementation of zoning code text amendments and subdivision rule amendments that will result from the study.
***
Status/Recommendations:
FILE
*** FILED

CLERK OF COUNCIL

Item #: 201801413
NOTICE, submitted by the Clerk of Council of a Cancellation of Cincinnati City Council Meeting, 8/1/2018 at 2:00 P.M.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801414
NOTICE, submitted by the Clerk of Council of a Special Session of Council on Wednesday, August 1, 2018 at 10;00 a.m. in Council Chambers. The purpose of the meeting is to consider the proposed Charter amendments, any items approved by Committees on or before the week of July 30, 2018 and other items submitted for discussion and/or action such as referral, filing, etc. by Council. This session has been called by Councilmembers Sittenfeld, Seelbach and Mann.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801403
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Lory Sheeran Winland, Lobbyist, 5455 N. High Street, Columbus, Ohio 43214.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801404
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Gina Marsh, Executive Director/Consultant, Executive Director, P.O. Box 20039, Cincinnati, Ohio 45220. (MARSH SOLUTIONS, LLC)
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801405
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Jay Kincaid, Consultant, Principal, 1411 Pleasant Street, Cincinnati, Ohio 45202-6941. (FORT WASH HILLS, LLC)
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801406
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Derrick R. Clay, Lobbyist, CEO, 66 East Lynn Street, Suite 209, Columbus, Ohio 43215. (BIRD RIDES)
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801407
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Megan Hube, Government Affairs, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801408
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Matthew Davis, Government Affairs, 255 E. 5th Street, Suite 1900, Cincinnati, Ohio 45202.
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801409
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Bridget McAuliffe, Lobbyist, 41 S. High Street, Columbus, Ohio 43215. (BIRD RIDES)
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801410
REGISTRATION, submitted by the Clerk of Council from Legislative Agent J. Douglas Moormann, Vice President, Development Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (NAIOP-CINCINNATI)
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801411
REGISTRATION, submitted by the Clerk of Council from Legislative Agent James T. Benedict, Vice President, Government Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. NAIOP- CINCINNATI)
***
Status/Recommendations:
FILE
*** FILED

Item #: 201801412
REGISTRATION, submitted by the Clerk of Council from Legislative Agent Charles H. Gerhardt, III, President, Development Strategies Group, 700 Walnut Street, Suite 450, Cincinnati, Ohio 45202. (NAIOP-CINCINNATI)
***
Status/Recommendations:
FILE
*** FILED

BUDGET AND FINANCE COMMITTEE

Item #: 201801260
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 8/1/2018, AUTHORIZING the City Manager to execute a Grant of Encroachment Easements in favor of Condominium Holdings, LLC pursuant to which the City will grant ten permanent encroachment easements for foundation supports over Race Street, West 15th Street and Pleasant Street in the Over-the-Rhine neighborhood of Cincinnati.
***
Status/Recommendations:
PASS
*** PASSED 0254-2018

MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD A
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801263
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 8/1/2018, AUTHORIZING the City Manager to execute a Grant of Easement in favor of Jacob E. Sieving and Gina M. Sieving, owners of the property located at 3253 Griest Avenue in the Mt. Lookout neighborhood of Cincinnati, pursuant to which the City will grant an easement over a portion of the adjoining public right-of-way known as Griest Avenue for the maintenance and repair of a driveway and retaining wall serving the grantees? property.
***
Status/Recommendations:
PASS
*** PASSED 0255-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD A
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801362
ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 09/04/2018, LEVYING assessments for the unpaid costs of private lead service line replacements conducted at various locations by the City of Cincinnati's Greater Cincinnati Water Works through its Lead Service Line Replacement Program in accordance with Cincinnati Municipal Code Sections 401-127 through 401-135 and as set forth in Exhibit 1 hereto.
***
Status/Recommendations:
PASS EMERGENCY
*** PASSED EMERGENCY 0256-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD A
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

ECONOMIC GROWTH & ZONING COMMITTEE

Item #: 201800040
ORDINANCE (EMERGENCY) submitted by Harry Black, City Manager, on 1/10/2018, establishing Council's consent to an Expedited Type II Annexation petition filed by The Seven Hills School that proposes the annexation of approximately 10.786 acres from Columbia Township, Hamilton County, to the Madisonville neighborhood of the City of Cincinnati; and further AUTHORIZING the City to provide public services to the territory proposed for annexation; and further DESIGNATING the territory proposed for annexation as a Manufacturing Limited Zoning District immediately upon annexation; and further ADOPTING a statement addressing possible incompatible land uses and required zoning buffers in the territory proposed for annexation.
***
Status/Recommendations:
PASS EMERGENCY
*** PASSED EMERGENCY 0262-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801218
ORDINANCE, (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 7/31/2018, DIVIDING that area designated as the "Northside Community Entertainment District," which was designated as a community entertainment district via Ordinance Nos. 74-2012 and 339-2012, into two new community entertainment districts, which will comprise the entire area previously designated as the Northside Community Entertainment District, plus approximately sixty-seven additional acres not previously part of a community entertainment district; and therefore APPROVING the designation of two new community entertainment districts to be named the "Northside West Community Entertainment District" and the "Northside East Community Entertainment District," pursuant to Cincinnati Municipal Code Chapter 834, "Entertainment Districts."
***
Status/Recommendations:
PASS EMERGENCY
*** PASSED EMERGENCY 0263-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801261
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 8/1/2018, DEDICATING, ACCEPTING AND CONFIRMING the dedication to public use, for right-of-way purposes, the street known as Aspasia Street located in the Columbia Tusculum neighborhood of Cincinnati, in accordance with the plat entitled "Plat of Dedication, Aspasia St."
***
Status/Recommendations:
PASS
*** PASSED 0257-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801266
ORDINANCE submitted by Patrick A. Duhaney, Acting City Manager, on 8/1/2018, AUTHORIZING the City Manager to execute a Grant of Encroachment Easement in favor of Howard Michael Plevyak, Jr. and Linda Carol Huether-Plevyak, owners of the residential property located at 218 Orchard Street in the Over-the-Rhine neighborhood of Cincinnati, pursuant to which the City will grant an easement over a portion of the adjoining public right-of-way known as Plough Alley for a cornice attached to the grantees? residence.
***
Status/Recommendations:
PASS
*** PASSED 0258-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801322
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, AMENDING the official zoning map of the City of Cincinnati to rezone 0.0886 acres of real property generally located at 719-737 McMillan Street in the Walnut Hills neighborhood from the T4N.SF-O, "Neighborhood Small Footprint-Open," transect zone to the T5N.SS-O, "Neighborhood Small Setback-Open," transect zone.
***
Status/Recommendations:
PASS
*** PASSED 0259-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y

MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801323
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, AMENDING the official zoning map of the City of Cincinnati to rezone the real property located at 4622 Eastern Avenue in Linwood from RMX "Residential Mixed" to CC-A "Commercial Community Auto-Oriented," zoning district.
***
Status/Recommendations:
PASS
*** PASSED 0260-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801336
ORDINANCE, submitted by Patrick A. Duhaney, Acting City Manager, on 9/6/2018, AMENDING the official zoning map of the City of Cincinnati to rezone the real property located at 2908, 2910, 2916 Eden Avenue; 209, 213, 215, 217 Donahue Street; 2907 Gerard Avenue; 2909 Bellevue Avenue; Seminole Street; and 210, 220, 224, 230, 256 East University Avenue in Corryville from RMX "Residential Mixed" and RM-1.2 "Residential Multi-Family" to PD "Planned Development," zoning district.
***
Status/Recommendations:
PASS
*** PASSED 0261-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801415
ORDINANCE, (EMERGENCY) submitted by Councilmember Amy Murray from Paula Boggs Muething, City Solicitor, EXTENDING Interim Development Control Overlay District No. 81, "Hyde Park/Mt. Lookout District," in the Hyde Park and Mount Lookout neighborhoods as an overlay district for a period of up to three months, pursuant to Chapter 1431, "Interim Development Control Overlay Districts," of the Cincinnati Zoning Code.
***
Status/Recommendations:
PASS EMERGENCY
*** PASSED EMERGENCY 0253-2018

MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

Item #: 201801383
RESOLUTION (LEGISLATIVE) (EMERGENCY), submitted by Patrick A. Duhaney, Acting City Manager, dated 9/6/2018, ORGANIZING the Banks Community Authority, establishing the boundaries of the authority, appointing members of the board of trustees of the authority, establishing the method for selecting the board of trustees of the authority, fixing the surety bond amount for the members of the board of trustees and establishing the method for selecting the board of trustees of the authority.
***
Status/Recommendations:
PASS EMERGENCY
*** PASSED EMERGENCY 0049-2018
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY Y

EDUCATION, INNOVATION & GROWTH COMMITTEE

Item #: 201800979
ORDINANCE, (EMERGENCY) (VETOED BY MAYOR CRANLEY ON 8/1/2018)(OVERTURNED ON 9/6/2018) submitted by Councilmember Mann, from Paula Boggs Muething, City Solicitor, on 6/12/2018, TO SUBMIT by a vote of two-thirds of the members of Council, to the electors of the City of Cincinnati an amendment to the Charter of the City to require that all meetings of Council and its committees be held in accordance with the requirements of the Ohio Open Meetings Act, codified in Ohio Revised Code Section 121.22 or its successors, by adopting new Section 5 of Article II, Legislative Power, and repealing existing Section 5 of Article II. (VETOED BY MAYOR JOHN CRANLEY ON 8/1/2018)
*** 8/1/2018 Mayor John Cranley vetoed this item. 9/6/2018 the veto was overturned. (See documents 201801420 and 201801421).
Status/Recommendations:
PASS EMERGENCY
*** PASSED EMERGENCY 0228-2018
MS. MURRAY Y
MR. PASTOR Y
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN N
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y

Item #: 201801358
ORDINANCE, (EMERGENCY) submitted by Councilmember Landsman from Paula Boggs Muething, City Solicitor on 8/23/2018, TO SUBMIT to the electors of the City of Cincinnati an amendment to the Charter of the City of Cincinnati that will create an incentive for graduates of a public safety academy when established by the Cincinnati Public Schools to pursue their public safety careers in the City of Cincinnati Fire and Police Departments by amending Section 3 of Article V, "Civil Service," of the Charter of the City of Cincinnati. (VERSION C)
***
Status/Recommendations:
PASS EMERGENCY
*** PASSED EMERGENCY 0252-2018

MR. PASTOR	Y
MR. SEELBACH	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. YOUNG	Y
MS. DENNARD	Y
MR. LANDSMAN	Y
MR. MANN	Y
MS. MURRAY	Y

EQUITY, INCLUSION, YOUTH, & THE ARTS COMMITTEE

Item #: 201801255
MOTION, submitted by Councilmembers Landsman, Dennard, Seelbach and Mann, WE MOVE that the administration work with the county administration to establish a working group to provide recommendations on a long-term solution for those individuals who cannot or will not go into a shelter. The group must include those most affected, including residents and those experiencing homelessness. Recommendations should leverage best practices and learning from cities across the country that are also working through similar challenges. WE MOVE that the group be convened immediately and that recommendations be presented to the public, council, mayor, county commission, etc. within 60 days.
***
Status/Recommendations:
ADOPT
*** ADOPTED

MR. PASTOR	Y
MR. SEELBACH	Y
MR. SITTENFELD	Y
MR. SMITHERMAN	Y
MR. YOUNG	Y
MS. DENNARD	Y
MR. LANDSMAN	Y
MR. MANN	Y
MS. MURRAY	Y

MAJOR PROJECTS & SMART GOVERNMENT

Item #: 201801364
MOTION, dated 08/29/2018, submitted by Councilmember Mann and Landsman, and Pastor, WE MOVE that the permanent arrangement with Bird Rides, Inc. (Bird) include the agreement and obligation of Bird to cover damages suffered by

victims of misuse of the motorized scooters including prohibited use on sidewalks, sidewalk obstruction, going through red lights, failure to yield to pedestrians and the like, to the extent that recovery is not available from the operator of the scooter. (STATEMENT ATTACHED)
***
Status/Recommendations:
ADOPT
*** ADOPTED
MR. PASTOR Y
MR. SEELBACH N
MR. SITTENFELD Y
MR. SMITHERMAN Y
MR. YOUNG Y
MS. DENNARD Y
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY N

Item #: 201801008
ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 6/20/2018, authorizing the City Manager to execute a First Amendment to the Memorandum of Understanding between the Southwest Ohio Regional Transit Authority and the City of Cincinnati for Government Square Transit Facility to provide for relocation of Metro bus shelter G and to clarify maintenance responsibilities for Government Square. (VETOED BY MAYOR JOHN CRANLEY 6/27/2018)(WILL BE PLACED ON 08/01/2018 PURSUANT TO THE CHARTER)
*** 9/6/2018 Council Session the veto not overridden by council legislation not inactive.
Status/Recommendations:
PASS EMERGENCY
*** 0224-2018
MR. LANDSMAN Y
MR. MANN Y
MS. MURRAY N
MR. PASTOR N
MR. SEELBACH Y
MR. SITTENFELD Y
MR. SMITHERMAN N
MR. YOUNG Y
MS. DENNARD A