

COUNCIL CALENDAR

CITY OF CINCINNATI
ROLL CALL
PRAYER
PLEDGE OF ALLEGIANCE
FILING OF THE JOURNAL

MAY 31, 2018

2:00 P.M.

MS. DENNARD
MR. LANDSMAN
MR. SEELBACH

1-201800872 MOTION, dated 05/23/2018, submitted by
Councilmembers Dennard, Landsman and Seelbach, WE
MOVE that the steps of the salary range of the
Supervising Engineer, Geotechnical Engineer and
Supervising Architect are immediately raised 12%
above the steps of the salary range of Senior
Engineers and Senior Architects. The salary
range adjustment would be considered an immediate
merit increase by the same amount for the City's
33 Supervising Engineers and Architects. Please
see attached statement (STATEMENT ATTACHED)

BUDGET AND
FINANCE COMMITTEE

MR. LANDSMAN

2-201800883 MOTION, submitted by Councilmember Landsman, WE
MOVE that the following provisions in the Rules
of Council are amended as follows: Rule 1.7.
Weekly staff meetings, in order to promote a more
collegial and collaborative working environment,
the offices are encouraged to agree upon regular,
voluntary meetings among the Members' and Mayor's
Chiefs of Staff. 3.5 Appointment by the Mayor.
Within the first 30 days of the Term, the Clerk
of Council shall provide the Members with a list
of those positions appointed by the Mayor with
the advice and consent of Council which will
expire during the Term. When the Mayor submits a
proposed appointment to Members, the name of the
proposed appointee shall be published in the City
Bulletin and consideration of the appointment
shall be at the next meeting of Council. Any
Members may request an additional week for
consideration of the appointment, but requests
from all Members may not aggregate to extend the
additional consideration period for more than one
week. A majority of Members may reject any
request for an additional week. 7.9 Council
Referrals. Items on the calendar, which have not
been previously referred to Committee, shall be
referred to the appropriate Committee by the
Mayor within two weeks of appearing on the
Council Calendar, unless the Mayor's office
requires additional time for research and/or
(Continue-)

MAJOR PROJECTS &
SMART GOVERNMENT

(Continued-)

information gathering in which case items shall be referred in a reasonable period of time. Items shall be referred to the planning commission where required by the Charter or law. Planning commission items shall be initially referred to the commission and to the appropriate Committee. When returned to Council by the planning commission, the items shall be placed on the Committee agenda with the initial referral. A non-legislative item may be considered immediately without referral to Committee, and then acted upon only upon an affirmative vote of two-thirds of the Members. 10.2 Standing Committees. (a) The Standing Committees of Council, commencing January 2, 2018 shall be: (1) Budget and Finance Committee; (2) Economic Growth and Zoning Committee; (3) Education, Innovation and Growth Committee; (4) Equity, Inclusion, Youth and The Arts Committee; (5) Law and Public Safety Committee; (6) Major Projects and Smart Government Committee; (7) Neighborhood Committee. 18.8 Committee Reports. A report in its final form, if approved by the Committee which caused the report to be created, action on the report in the form of a resolution or ordinance shall be sent to the Mayor's office to be placed on the council calendar in a timely fashion. Any item that was reviewed and considered in Committee in which there was a tie vote, no action, or failed to pass out of Committee may be referred by any Member of the Committee to the Mayor, or by motion of a majority of the Members of the Council, for consideration of whether the item should be placed on the agenda of Council. The Clerk of Council shall transmit to Council in writing the reports of Committees containing the recommended disposition of matters referred to them. Written indication on the calendars as to a Committee recommendation shall satisfy the requirement that reports of Committees be transmitted in writing to Council.

3-201800884 MOTION, submitted by Councilmember Landsman, WE MOVE that the following provisions in the Rules of Council are amended as follows: Rule 2.6 (h) (h) Beginning at the June 13, 2018 meeting of the Council and concluding at the September 12, 2018 meeting, the citizens' forum shall be televised. For this period, the City Manager is authorized to promulgate and enact rules and regulations necessary to maintain order. Beginning at the September 19, 2018 meeting of the Council and thereafter, the citizen's forum shall not be considered part of the business portion of a Council meeting and will not be televised.

MAJOR PROJECTS &
SMART GOVERNMENT

MR. LANDSMAN
MR. MANN
MR. SEELBACH
MR. SITTENFELD
MR. YOUNG

4-201800885 MOTION, submitted by Councilmembers Landsman, Mann, Seelbach, Sittenfeld and Young, Most community-based childcare and preschool providers struggle with the resources necessary to achieve and sustain quality, which is critical the children they serve, and the city can play a meaningful role in providing much needed assistance in this regard. Therefore; WE MOVE that the Administration prepare a report on the feasibility of providing property and earnings tax relief to community-based childcare and preschool providers, both center-based and home-based. Relief should come in the form of incentives for these providers to pursue, achieve and maintain quality ratings. WE FURTHER MOVE that the Administration work with the necessary partners, including the Cincinnati Preschool Promise, the Community Action Agency and 4C for Children to determine how best to provide such tax relief.

BUDGET AND
FINANCE COMMITTEE

MR. LANDSMAN
MR. MANN
MR. SEELBACH
MR. SITTENFELD
MR. YOUNG
MS. MURRAY
MR. PASTOR

5-201800886 MOTION, submitted by Councilmembers Landsman, Mann, Seelbach, Sittenfeld, Young, Murray and Pastor, WE MOVE that the Administration form a "Strong Cincinnati" partnership with Mayerson Academy, with the support from the Mayerson Foundation, whose mission is to activate the strengths within individuals, organizations and neighborhoods, to help to improve the way in which City Hall works and strengthen the culture within our city whereby people are more likely to be working together, across race and income for the betterment of their communities. WE FURTHER MOVE that everyone at City Hall take the VIA Survey, a strengths-based survey that focuses on one's best qualities and for Mayerson Academy, the exclusive education partner to the VIA Institute, the global leader in character science, to provide the appropriate training and support to City Hall and department officials and staff (the equivalent of 4 full days and a total of three additional coaching days, which will require 2 release days for staff participants), beginning with elected officials, department heads and other members of senior administration. The
(Continue-)

MAJOR PROJECTS &
SMART GOVERNMENT

(Continued-)

administration of the survey and training will be privately funded. WE FURTHER MOVE that the Administration will work with the Mayerson Foundation and Mayerson Academy to establish and manage a Strong Cincinnati Working Group made up of people from across the City who want to work on what would be a cultural, strengths-based shift within and outside of City Hall. The Working Group would make ongoing recommendations and provide guidance and support for engaging neighborhoods in scaling the work across the cit.

MR. MANN

6-201800860 MOTION, submitted by Councilmember Mann, WE MOVE that the City pursue the goal of eliminating charges for Streetcar ridership. WE FURTHER MOVE that, as a first step, commercial and residential parking requirements in the Downtown and Over-the-Rhine (OTR) neighborhoods be waived for any developer who contributes 40% of what would have been its required parking investment into a "Parking Trust Fund." WE FURTHER MOVE that the Parking Trust Fund be used to reduce or eliminate all fares to ride the streetcar. (STATEMENT ATTACHED)

BUDGET AND
FINANCE COMMITTEE

MS. MURRAY

MR. MANN

MR. SMITHERMAN

7-201800882 MOTION, submitted by Councilmembers Murray, Mann and Vice Mayor Smitherman WE MOVE the Administration prepare a report regarding the outcomes of all citations issued for late, early or improper set out of trash since the Private Lot Abatement Program were passed on March 25, 2105. (STATEMENT ATTACHED)

LAW & PUBLIC
SAFETY COMMITTEE

MS. MURRAY

MR. PASTOR

MR. MANN

MR. LANDSMAN

MR. SMITHERMAN

8-201800881 MOTION, submitted by Councilmembers Murray, Pastor, Mann, Landsman and Vice Mayor Smitherman, WE MOVE the Administration request that the three organizations including MEMI/CSO, Live Nation & The ARK group, and Promo West Productions, who submitted proposals to the Joint Banks Steering Committee (JBSC) regarding the Entertainment Venue and Event Center at The Banks, give their presentations at a Budget and Finance committee meeting for full council consideration. (STATEMENT ATTACHED)

BUDGET AND
FINANCE COMMITTEE

MR. SMITHERMAN

9-201800887 RESOLUTION, submitted by Vice Mayor Smitherman, PASS
RECOGNIZING Jack Louiso, whose work and
dedication to the arts has fostered the growth
and development of artists and institutions
within the City of Cincinnati since 1976.

CITY MANAGER

10-201800800 ORDINANCE submitted by Patrick A. Duhaney, Acting BUDGET AND
City Manager, on 5/16/2018, authorizing the City FINANCE COMMITTEE
Manager to apply for, accept, and appropriate an
Impaired Driving Enforcement Program Grant of up
to \$54,378.64 from the United States Department
of Transportation through the Ohio Department of
Public Safety, Ohio Traffic Safety Office, for
High Visibility Enforcement efforts to reduce
deaths and injuries resulting from vehicular
accidents due to impaired driving.

11-201800862 REPORT, dated 5/23/2018, submitted by Patrick A. BUDGET AND
Duhaney, Acting City Manager, regarding SORTA FINANCE COMMITTEE
Proposed FY 2019 Streetcar Budget.

12-201800866 ORDINANCE submitted by Patrick A. Duhaney, Acting BUDGET AND
City Manager, on 5/31/2018, authorizing the City FINANCE COMMITTEE
Manager to accept a donation from Rhinegeist LLC
of a decorative totem designating the location of
a ride share area on the east side of Elm Street,
north of Henry Street in the neighborhood of
Over-the-Rhine, notwithstanding the requirements
of Chapter 718, "Revocable Street Privileges,"
and Chapter 723, "Streets and Sidewalks, Use
Regulations," of the Cincinnati Municipal Code.

13-201800868 ORDINANCE (EMERGENCY) submitted by Patrick A. BUDGET AND
Duhaney, Acting City Manager, on 5/31/2018, FINANCE COMMITTEE
authorizing the City Manager to execute a Grant
of Encroachment Easements in favor of Main
Hospitality Holdings, LLC, pursuant to which the
City will grant easements for building overhangs,
a digital display, steps, handrails and a ramp at
the property located at the southwest corner of
Joe Nuxhall Way and Freedom Way in the Central
Business District of Cincinnati.

14-201800876 ORDINANCE submitted by Patrick A. Duhaney, Acting BUDGET AND
City Manager, on 5/31/2018, levying assessments FINANCE COMMITTEE
for unpaid costs for necessary sidewalk, sidewalk
area, curb and gutter construction,
reconstruction and emergency repairs conducted at
miscellaneous locations by the City of Cincinnati
through its Sidewalk Safety Program, made in
accordance with Cincinnati Municipal Code
Sections 721-149 through 721-169.

15-201800877	REPORT, dated 5/31/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Vacant Buildings in the City of Cincinnati. (SEE DOCUMENT #201800515 FOR ADOPTED MOTION)	ECONOMIC GROWTH & ZONING COMMITTEE
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16-201800880	REPORT, dated 5/31/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Special Event Permit Application for Vivian's Victory 5K.	FILE
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BUDGET AND FINANCE COMMITTEE

17-201800826	MOTION, submitted by Councilmember Mann, WE MOVE that the City Law Department draft an ordinance providing that no employment agreement between the City and any employee shall provide for severance in the case of termination except as approved by Council. WE FURTHER MOVE that the same ordinance shall provide that no employment settlement agreement shall provide for any payment over \$50,000 without Council approval. (STATEMENT ATTACHED)	ADOPT
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18-201800850	REPORT, dated 5/23/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Department of Finance Reports for month ended April 30, 2018.	APPROVE & FILE
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19-201800801	ORDINANCE submitted by Patrick A. Duhaney, Acting City Manager, on 5/16/2018, authorizing the City Manager to apply for, accept, and appropriate a Selective Traffic Enforcement Program Grant for up to \$39,752.42 from the United States Department of Transportation through the Ohio Department of Public Safety, Ohio Traffic Safety Office, for High Visibility Enforcement efforts to target specific traffic safety issues.	PASS
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20-201800802	ORDINANCE submitted by Patrick A. Duhaney, Acting City Manager, on 5/16/2018, authorizing the City Manager to accept an in-kind donation of one SaunaRay Four Bike Sauna Decontamination System from the Ohio Fire and Emergency Services Foundation and Clark Schaefer Hackett's Healthy Heroes Program to be used to expel toxins absorbed into the skin of Fire Department personnel while fighting fires.	PASS
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21-201800835	ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, determining to proceed with the special assessment for the control of blight and disease of shade trees within the public rights-of-way, and or planting, maintaining, trimming and removing shade trees in and along the streets of the City Urban Forest Maintenance District for the year 2019.	PASS EMERGENCY
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22-201800836	ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, levying a special assessment to control the blight and disease of shade trees within public rights-of-way and for planting, maintaining, trimming and removing shade trees in and along the streets of the City of Cincinnati's Urban Forest Maintenance District for the year 2019.	PASS EMERGENCY
23-201800842	RESOLUTION LEGISLATIVE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, authorizing tax levies for the calendar year beginning January 1, 2019 and certifying them to the Hamilton County Auditor pursuant to R.C. § 5705.34 and requesting the County Auditor and County Treasurer to pay monies that may be in the County Treasury and are lawfully applicable to the purpose of this fiscal year to the City Treasurer pursuant to R.C. § 321.34.	PASS EMERGENCY
24-201800846	ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, authorizing the City Manager to execute a Property Sale Agreement with OTR Vine Street Property Investments, LLC, an affiliate of Model Group, Inc., for the sale of City-owned property located at 1815 Logan Street and 214-218 W. Elder Street near Findlay Market in the Over-the-Rhine neighborhood of Cincinnati.	PASS EMERGENCY
25-201800847	ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, approving and authorizing the City Manager to execute a Community Reinvestment Area Tax Exemption Agreement with To Life, Ltd., thereby authorizing a 15-year tax exemption for 100% of the value of improvements made to real property located at 5110 Herringbone Drive in the Madisonville neighborhood of Cincinnati, in connection with the construction of town apartment buildings totaling approximately 129 units and a structurally integrated parking facility, generally referred to as Buildings B and C of Planned Development No. 45, but excluding the previously constructed Building A on such real property, at a total construction cost of approximately \$24,800,000.	PASS EMERGENCY

26-201800848	<p>ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, declaring the improvements to the real property located within an area general bound by Madison Road to the north, Ravenna Street to the west, Prentice Street to the south, and Whetsel Avenue to the east, in the Madisonville neighborhood in Cincinnati, to be constructed pursuant to a Funding, Acquisition and Development Agreement between the City of Cincinnati and Ackermann Enterprises, Inc., 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.</p>	PASS EMERGENCY
27-201800849	<p>ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, authorizing the City Manager to execute a First Amendment to Funding, Acquisition and Development Agreement with Ackermann Enterprises, Inc. to make certain modifications to the previously approved and executed agreement to provide for the redevelopment of the area surrounding the intersection of Whetsel Avenue and Madison Road in Madisonville, to execute a Master Lease Agreement and a sublease, entitled Agreement of Lease, for part of the property within the area that is the subject of the agreement and redevelopment.</p>	PASS EMERGENCY
28-201800851	<p>ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, authorizing the City Manager to execute an Amendment to Development Agreement and Second Supplement to Service Agreement with Hyde Park Circle, LLC, an Ohio limited liability company, for the purpose of amending the existing Development Agreement and the existing Service Agreement, each between the City and Hyde Park Circle LLC pertaining to the development of 29 acres of real property located near the southwest intersection of Madison Road and Red Bank Expressway, including altering the allowable use of service payments made pursuant to the Service Agreement in manner favorable to the City, in exchange for and contingent upon the City's agreement to provide additional development benefits to Hyde Park Circle, LLC.</p>	PASS EMERGENCY
29-201800853	<p>ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, authorizing the appropriation of the sum of \$896,793 from the U.S. Department of Housing and Urban Development to Housing Opportunities for Persons with HIV/AIDS (HOPWA) Fund 465; and ANNOUNCING the City's intention to use said sum (Continue-)</p>	PASS EMERGENCY

(Continued-)

for various projects and operating allocations for the Housing Opportunities for Persons with HIV/AIDS Grant Program for Calendar Year 2018, in accordance with the attached Appropriation Schedule.

- 30-201800854 ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/23/2018, authorizing the appropriation of the sum of \$960,301 from the U.S. Department of Housing and Urban Development to Emergency Solutions Grant Fund 445; and ANNOUNCING the City's intention to use said sum from various projects and operating allocations for the Emergency Solutions Grant Program for Calendar Year 2018, in accordance with the attached Appropriation Schedule. PASS EMERGENCY
- 31-201800867 ORDINANCE, (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/29/2018, dedicating, accepting and confirming the dedication to public use, for rights-of-way purposes, portions of the streets known as Erkenbrecher Avenue, Harvey Avenue, Hickory Street, Burnet Avenue and Northern Avenue located in the Avondale neighborhood in the City of Cincinnati, in accordance with the plat entitled "Dedication Plat for Portions of Erkenbrecher Avenue, Harvey Avenue, Hickory Street, Burnet Avenue and Northern Avenue." PASS EMERGENCY
- 32-201800873 ORDINANCE (EMERGENCY) submitted by Patrick A. Duhaney, Acting City Manager, on 5/29/2018, authorizing the transfer of the sum of \$33,800 within Streetcar Operations Fund 455, from and to various operating accounts and AUTHORIZING the transfer and appropriation of \$364,000 from the unappropriated surplus of Streetcar Operations Fund 455 to operating account 7200 for the purpose of realigning and providing funds for the ongoing needs of City departments in accordance with the attached Schedule of Transfer. PASS EMERGENCY

LAW & PUBLIC SAFETY COMMITTEE

- 33-201800822 MOTION, submitted by Vice Mayor Smitherman, Councilmembers Murray, Pastor, Landsman, Mann, Dennard, Sittenfeld, Young and Seelbach, WE MOVE that the administration pay for an outside independent investigation of the Kyle Plush death related to the 911 call center. WE FURTHER MOVE that upon passage of this motion that an ordinance be drafted identifying the best resource to pay for the independent investigation. ADOPT

34-201800874 REPORT, dated 5/29/2018, submitted by Patrick A. Duhaney, Acting City Manager, regarding Plush Family Questions. APPROVE & FILE

NEIGHBORHOODS COMMITTEE

35-201800070 MOTION, submitted by Councilmember Mann, MOVE that the City Manager designate a point of contact within City Administration's Department of Community and Economic Development to serve as the lead in working with the North Fairmount Community Council, Xavier's Community Building Institute and other stakeholder groups to implement the goals outlined in the English Woods, North Fairmount and South Fairmount neighborhood plan, which was finalized November 18, 2013. FURTHER MOVE that the Administration provide quarterly updates on its progress implementing the plan. (STATEMENT ATTACHED) ADOPT

36-201800712 MOTION, (AMENDED) submitted by Councilmembers Sittenfeld, Dennard, Pastor, Seelbach, Mann, and Landsman, Whereas, Cincinnati City Council is committed to pedestrian safety and supports Neighborhoods that are taking action to address issues of speeding and safety on their streets and Whereas, the residents of Kroger Avenue have undertaken all reasonable steps to mitigate speeding and pedestrian safety on their street, working with DOTE, and that it has been determined that no engineering fixes are workable on a street with the grade, sightlines and location of Kroger; and Whereas the residents have circulated a petition that shows their desire to address the issue of speeding and pedestrian safety on Kroger; and Whereas, the residents desire stop signs to be placed at the corner of Kroger and Overland, and the Mt. Lookout Community Council has submitted a letter of support for such stop signs, citing, among other things, several near misses and the failure of previous street calming measures; and Whereas, Cincinnati City Council expressly supports the idea of stop signs being used for speed control on particularly dangerous streets where no other solutions are viable; and Therefore, WE MOVE that the Department of Traffic and Engineering work to install stop signs at the intersection of Kroger and Overland. *Well lit crosswalks at that intersection, parking on both sides of the street. Traffic study 30 days after sidewalk is installed. ADOPT

37-201800775 MOTION, submitted by Councilmember Pastor, We
move the Department of Transportation Engineering
(DOTE) conduct a traffic study at Vine Street and
Glenwood Avenue in North Avondale to determine
whether a traffic arrow should be installed
similar to the turn signal at Vine Street and
Clinton Springs Avenue in North Avondale. Traffic
congestion and accidents continue to increase at
Vine Street and Glenwood Avenue and residents
believe a turn arrow is needed to relieve this
traffic issue.

ADOPT