



Pat Moeller

Mayor

Carla Fiehrer Vice Mayor

Matthew Von Stein Council Member

Kathleen Klink Council Member

Rob Wile Council Member

Robert Brown Council Member

Timothy Naab Council Member

Call to Order

Offering of Prayer – Council Member Timothy Naab

Pledge of Allegiance

Special Presentations by City Council or the City Manager/ Proclamations/ Verbal Reports

1. Home and Garden Awards presented by Ann Coombs
2. Operation Pumpkin Recognition
3. Young Marines Proclamation

Audience of Citizens

Individuals who wish to make comments regarding items scheduled on the Agenda may speak during this part of the agenda or may reserve the right to speak specifically when that item is up for a vote on Council floor. Individuals who wish to speak regarding items not specifically scheduled may by do so at this time. All individuals who intend to address City Council are required to sign in at the table in the back of the room. Each speaker is allowed 5 minutes.

Consent Agenda

The Consent Agenda is intended to allow the City Council to spend its time and energy on the important items on a lengthy agenda. Staff recommends approval of the Consent Agenda. Anyone may request an item on this calendar to be "pulled" off the Consent Agenda and considered separately. Agenda items pulled from the Consent Agenda will be considered separately under Pulled Consent Items.

- Approval of Minutes
- All Staff Reports
- Receive and File
- Committee of the Whole Report (Includes all Caucus Reports)
- Informational Report – Regarding the September 2016 Financial Report
- Informational Report – Regarding the September 2016 Investment Report

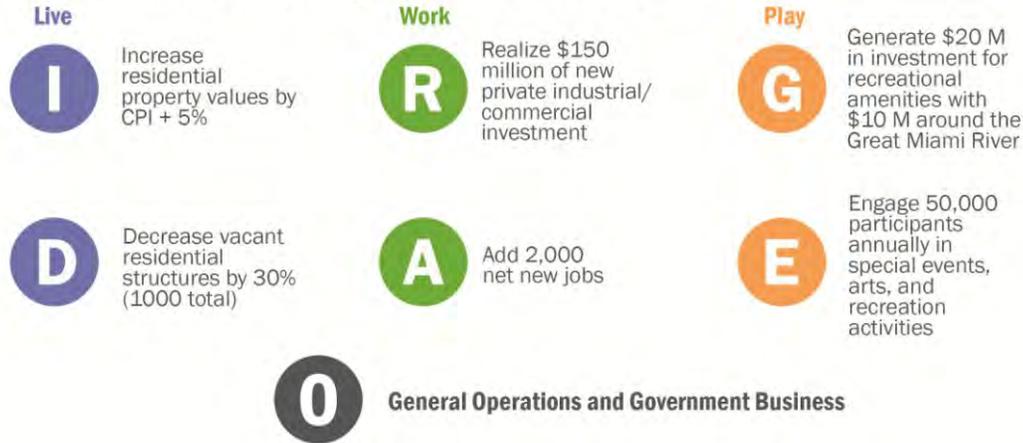
Caucus Agenda October 26, 2016

1. [Recommendation Relative to the Application for a Liquor Permit Transfer from Lobill Foods LLC to Marsh Supermarkets LLC dba Marsh Supermarket 338, 1500 Plaza Dr., Hamilton, Ohio 45013.](#)
2. [Recommendation Relative to the Issuance of a New Liquor Permit for Arada Properties & Investments LLC dba Dream, 2536 Dixie Hwy., Unit R, Hamilton, OH 45015.](#)





These icons illustrate which strategic goals Council Actions align to



Council Actions Pertaining to Legislative Items:

Pending Legislation:

4. [An ordinance amending Zoning Ordinance No. 7503 by changing the zoning of the property located at 759 Park Avenue \(City Lot No. 6531\), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two Family Residence District. \(Laming Properties, Applicant/Owner\). \(Second Reading\).](#) ①
5. [An ordinance amending and supplementing Schedule “A” of the City’s Classification and Compensation Plan, as set forth in Emergency Ordinance No. EOR2016-1-4, adopted January 13, 2016, and as amended from time to time, relative to the new classification of Customer Service Superintendent. \(Second Reading\).](#) ①
6. [An ordinance authorizing and ratifying the purchase of 21 South C Street, Hamilton, OH 45013. \(Vintage Homes of Ohio, LTD, Owner\). \(Second Reading\).](#) ① ②

New Legislation:

7. [An ordinance amending subparagraphs \(a-e\) and \(i\) of Section 1733.01 of the Codified Ordinances of the City of Hamilton, Ohio, relative to license fees for certain food establishments and food service operations, and tattoo and body piercing services, and repealing said existing subparagraphs \(a-e\) and \(i\) thereof. \(First Reading\).](#) ①
8. [An ordinance amending and supplementing Schedule “A” of the City’s Classification and Compensation Plan, as set forth in Emergency Ordinance No. EOR2016-1-4, adopted January 13, 2016, to add the new classifications of Assistant Law Director – Labor and Employment Counsel and Human Resources Generalist. \(First Reading\).](#) ①
9. [An Emergency Ordinance amending and supplementing the Codified Ordinances of the City of Hamilton, Ohio by adding thereto new Subparagraph 931.031\(d\), relative to sanitary sewer lateral basement check valve installation financial assistance. \(Two Readings\).](#) ①





10. [A resolution authorizing and directing the City Manager to execute an Intergovernmental Agreement for the sale of road salt to the Hamilton City School District for the 2016-2017 Winter Season.](#) ①
11. [A final resolution confirming cooperation of the City of Hamilton, Ohio, as the designated Local Public Agency \(LPA\), with the Ohio Department of Transportation \(ODOT\) relative to the rehabilitation of Bridge BUT-128-0856 \(Columbia Bridge over The Great Miami River\) and Bridge BUT-129-14.78 \(Witt Way over SR129\) \(ODOT PID No.21758\).](#) ①
12. [A resolution accepting the recommendations of the continuation of current Tax Increment Financing Agreements, Enterprise Zone Agreements, and Community Investment Area Agreements with one modification, as heretofore granted by the City of Hamilton, Ohio to various organizations doing business in the City.](#) ① A R
13. [A resolution authorizing the amendment of a Job Creation and Tax Credit Agreement with Valeo Climate Control Corp. specifying the conditions of a nonrefundable credit against on income earned by said company.](#) A R
14. [A resolution approving the terms and conditions of a successor collective bargaining agreement negotiated between the City of Hamilton, Ohio and The Office and Professional Employees International Union \(OPEIU\), Local 98 authorizing and directing the execution of said collective bargaining agreement.](#) ①
15. [A resolution authorizing and directing the City Manager to execute the Final Claim Resolution Agreement and Release between the City of Hamilton, Ohio and S.J. Louis Construction, Inc. for the City's Interceptor Project, Contract Number 13-02.](#) ①
16. [A resolution for the issuance and authorization to file Conclusions of Fact denying a Conditional Use application to allow for an automobile sales facility on the property zoned B-2 Community Business District located at 2128 & 2204 Dixie Highway, Hamilton, Ohio.](#) ①

Audience of the City Manager

Audience of City Council

Executive Session

Adjournment



City Council Meeting Informational Report

TO: The Honorable Mayor and Members of the City Council
FROM: Tom Vanderhorst, Finance Director
RE: SEPTEMBER, 2016 MONTHLY FINANCIAL REPORT TO COUNCIL

Dear Mayor and Members of Council:

This report is provided for your information and requires no City Council action.

Related Strategic Goal(s)

- I** Increase residential property values by CPI + 5%
- D** Decrease vacant residential structures by 30% (1,000 total)
- A** Add 2,000 new jobs
- R** Realize \$150 million of new private industrial/commercial investment
- G** Generate \$20 M in investment for recreational amenities with \$10 M around the Great Miami River
- E** Engage 50,000 participants annually in special events, arts and recreation activities
- O** General operations / Government Business





HAMILTON OHIO

MONTHLY FINANCIAL REPORT
TO THE CITY COUNCIL

Prepared by the Department of Finance

SEPTEMBER 30, 2016

INCOME STATEMENT GENERAL FUND
MONTH ENDING September 30, 2016
(Budgetary Basis)

Comparative Revenue

Description	Revenue This Month Current Year	Revenue Year To Date	Revenue Prior Year To Date	Revenue Estimated	% Est Received
General	\$2,269,219.47	\$22,666,729.40	\$21,225,023.03	\$28,687,460.00	79.01%
Public Works	712.50	3,999.50	2,368.00	4,150.00	96.37%
Police	27,548.67	193,804.09	162,958.75	236,100.00	82.09%
Fire	170,514.79	1,305,665.85	1,298,025.13	1,651,600.00	79.05%
Public Health	45,745.40	426,191.30	352,737.95	429,165.00	99.31%
Parks & Recreation	19,163.54	173,862.27	100,661.38	267,510.00	64.99%
Municipal Court	69,333.10	716,105.45	649,403.49	875,430.00	81.80%
Construction Services	40,791.68	437,395.64	383,542.34	566,000.00	77.28%
Planning	750.00	6,340.00	6,875.36	5,500.00	115.27%
Transfer In	0.00	622.00	614,449.41	1,500,622.00	0.04%
Reimbursement of Expense	1,949,953.79	9,609,964.74	8,906,905.03	11,930,950.00	80.55%
TOTAL REVENUES	\$4,593,732.94	\$35,540,680.24	\$33,702,949.87	\$46,154,487.00	77.00%

Comparative Expenditures

Description	Expenditures This Month Current Year	Expenditures & Encumbrances Year To Date	Expenditures & Encumbrances Prior Year To Date	Budget This Year	Budget Used %
City Council	\$5,495.26	\$54,971.60	\$64,149.13	\$87,506.00	62.82%
City Clerk	4,400.58	86,666.64	81,722.18	124,204.00	69.78%
Municipal Court	108,414.64	1,188,055.85	1,162,919.97	1,713,726.00	69.33%
City Manager	24,687.72	267,188.39	370,952.82	360,365.00	74.14%
Construction Services	42,878.23	427,382.55	428,332.22	582,807.00	73.33%
Planning	234,035.17	886,224.15	354,391.64	1,208,695.00	73.32%
Law	(1.05)	68.11	217,236.76	166.00	41.03%
Human Resources	28,252.90	251,988.46	\$0.00	385,255.00	65.41%
Civil Service	18,643.94	213,675.39	229,372.98	303,765.00	70.34%
Finance - Administration	82,382.24	915,563.26	963,810.90	1,191,657.00	76.83%
Finance - Purchasing	18,087.88	178,660.05	163,642.30	251,002.00	71.18%
Finance - Building Services	28,287.27	365,291.19	365,868.23	337,669.00	108.18%
Finance - Taxation	46,915.02	517,846.65	646,535.92	807,118.00	64.16%
Finance - Utility Cashiers	11,547.28	129,795.78	102,337.60	193,557.00	67.06%
PW - Administration	16,451.87	163,458.25	175,561.43	227,882.00	71.73%
PW - Engineering	38,743.81	389,148.81	319,830.80	493,730.00	78.82%
PW - Traffic Engineering	23,304.80	233,526.63	234,838.81	311,349.00	75.00%
PW - Signal	61,061.89	367,675.93	276,943.34	409,578.00	89.77%
Police	942,468.67	9,274,339.32	9,209,351.60	12,725,043.00	72.88%
Civilian Dispatch	70.34	10,633.00	9,550.00	9,550.00	111.34%
Bldg Maint - Criminal Justice	10,369.33	139,306.63	154,267.35	176,708.00	78.83%
Corrections	43,881.97	416,596.88	392,278.67	533,580.00	78.08%
Fire	692,526.82	7,003,449.27	6,601,429.26	9,480,754.00	73.87%
Fire Building Maintenance	10,627.78	163,548.51	157,148.04	191,688.00	85.32%
EMT/Paramedic Levy Expenditures	201,705.35	2,159,336.87	2,229,296.89	2,438,928.00	88.54%
Health - Administration	42,331.00	377,189.94	497,076.87	540,378.00	69.80%
Environmental Health	53,612.64	517,948.84	497,637.52	752,466.00	68.83%
Nursing	11,703.81	137,407.72	118,063.22	162,562.00	84.53%
Health - Bioterrorism	1,700.24	17,281.54	19,296.47	26,454.00	65.33%
Parks & Playground Maint	0.00	708.32	122,195.04	737.00	96.11%
Community Center	0.00	8,090.78	83,782.64	8,224.00	98.38%
M.J. Colligan Lodge	0.00	110.83	10,709.58	111.00	99.85%
Rivers Edge Park	0.00	5,942.99	0.00	5,942.00	100.02%
Special Approp - General	766,487.88	4,688,325.11	4,894,961.70	5,300,759.00	88.45%
Special Appropriations	163,361.05	1,897,218.27	911,109.03	2,051,143.00	92.50%
Income Tax Refunds	31,019.43	383,458.29	340,425.69	442,000.00	86.76%
Transfers Out	335,913.53	3,320,889.73	3,458,682.88	3,665,533.00	90.60%
CDBG Expense	18,363.29	100,138.84	62,639.00	123,000.00	81.41%
TOTAL EXPENDITURES	\$4,119,732.58	\$37,259,109.37	\$35,928,348.48	\$47,625,591.00	78.23%
FUND NET GAIN / LOSS	\$474,000.36	(\$1,718,429.13)	(\$2,225,398.61)	(\$1,471,104.00)	

INCOME STATEMENT - GENERAL FUND
SUPPORTING SCHEDULE - GENERAL REVENUE
MONTH ENDING September 30, 2016
(BUDGETARY BASIS)

	Revenue This Month Current Year	Revenue Year To Date	Revenue Prior Year To Date	% Increase/ Decrease Over Prior Year	Revenue Estimated	% Est. Received
TAXES						
Real Estate Taxes	\$ 255,769.74	\$ 2,101,617.48	\$ 2,117,493.52	-0.75%	\$ 2,220,000.00	94.67%
Personal Property Taxes	-	-	47.13	-	-	-
Income Tax - General Fund	1,515,190.45	15,928,514.88	14,840,225.16	7.33%	20,000,000.00	79.64%
Income Tax - JEDD 1	43,196.48	349,979.28	311,950.40	12.19%	385,000.00	90.90%
Income Tax - JEDD 2	15,258.41	132,364.37	112,117.65	18.06%	140,000.00	94.55%
Motel Tax	-	72,230.39	59,780.41	20.83%	84,000.00	85.99%
2/3rd KWH Tax Revenue	171,829.64	1,214,271.66	1,211,473.92	0.23%	1,650,000.00	73.59%
1/3rd KWH Tax Revenue	85,913.53	607,126.71	605,727.88	0.23%	810,000.00	74.95%
SUB-TOTAL-TAXES	\$ 2,087,158.25	\$ 20,406,104.77	\$ 19,258,816.07	5.96%	\$ 25,289,000.00	80.69%
LICENSES & PERMITS:						
Cable TV Franchise Fees	\$ 51,997.32	\$ 397,148.51	\$ 498,169.87	-20.28%	\$ 635,000.00	62.54%
Other Licenses, Permits	-	14,277.36	14,396.00	-0.82%	14,450.00	98.81%
SUB-TOTAL LICENSES & PERMITS	\$ 51,997.32	\$ 411,425.87	\$ 512,565.87	-19.73%	\$ 649,450.00	63.35%
INTERGOVERNMENTAL						
ULGF - County	\$ 83,163.00	\$ 697,715.07	\$ 714,059.41	-2.29%	\$ 950,000.00	73.44%
ULGF - Direct	5,315.35	54,856.52	121,953.29	-55.02%	190,000.00	28.87%
Inheritance Taxes	-	17,144.43	7,832.50	-	-	-
Other Intergovernmental	-	221,001.95	384,073.52	-42.46%	406,000.00	54.43%
SUB-TOTAL INTERGOVERNMENTAL	\$ 88,478.35	\$ 990,717.97	\$ 1,227,918.72	-19.32%	\$ 1,546,000.00	64.08%
CHARGES FOR SERVICES	\$ 16,827.41	\$ 186,854.08	\$ 117,540.05	58.97%	\$ 403,850.00	46.27%
INVESTMENT INCOME	\$ 7,582.67	\$ 79,883.98	\$ 79,411.11	0.60%	\$ 100,000.00	79.88%
MISCELLANEOUS	\$ 17,175.47	591,742.73	28,771.21	-1956.72%	\$ 699,160.00	84.64%
TOTAL	\$ 2,269,219.47	\$ 22,666,729.40	\$ 21,225,023.03	6.79%	\$ 28,687,460.00	79.01%

INCOME STATEMENT - GENERAL FUND
SUPPORTING SCHEDULE - REIMBURSEMENT OF EXPENSE
MONTH ENDING September 30, 2016
(BUDGETARY BASIS)

	Revenue This Month Current Year	Revenue Year To Date	Revenue Prior Year To Date	% Increase/ Decrease Over Prior Year	Revenue Estimated	% Est. Received
REIMBURSEMENT OF EXPENSE:						
FROM FUND:						
One Renaissance Center Fund 200	\$ 6,746.22	\$ 72,039.54	\$ 76,335.17	-5.63%	\$ 79,000.00	91.19%
FEMA Reimbursement Fund 205	-	-	-	-	-	-
Stormwater Fund 279	10,155.49	100,407.47	90,448.52	11.01%	130,800.00	76.76%
Refuse Fund 280	4,343.91	43,085.70	45,746.54	-5.82%	61,000.00	70.63%
Street Maintenance Fund 281	54,918.31	388,635.65	357,728.67	8.64%	482,150.00	80.60%
Gas Fund 501	139,102.13	1,019,834.02	763,858.92	33.51%	1,300,000.00	78.45%
Electric Fund 502	168,861.13	1,160,570.58	885,459.69	31.07%	1,455,000.00	79.76%
Water Fund 503	139,102.13	1,019,834.02	763,858.92	33.51%	1,300,000.00	78.45%
Wastewater Fund 504	80,593.34	817,689.41	676,417.64	20.89%	1,020,000.00	80.17%
Parking Fund 550	4,660.96	45,762.46	46,113.26	-0.76%	62,500.00	73.22%
Golf Fund 560	-	-	-	-	-	-
CDBG Reimbursement	(3,548.50)	44,539.70	144,437.59	-69.16%	110,000.00	40.49%
Public Safety & Health Inc Tax Fund 210	41,666.67	375,000.03	509,550.00	-26.41%	500,000.00	75.00%
SUB-TOTAL GENERAL	\$ 646,601.79	\$ 5,087,398.58	\$ 4,359,954.92	16.68%	\$ 6,500,450.00	78.26%
Law Enforcement Funds:						
Safety Helmet Grant Fund 232	-	-	-	-	-	-
DARE Grant Fund 239	\$ -	\$ -	\$ -	-	\$ -	-
Police Pension Fund 246	92,250.00	214,343.99	281,250.00	-23.79%	240,000.00	89.31%
Law Enforcement Block Grant 225	-	-	-	-	-	-
2002 Police Levy Fund 249	294,078.00	685,764.49	703,333.36	-2.50%	730,000.00	93.94%
Court Special Project Fund 207	-	-	70,500.00	-	70,500.00	0.00%
Public Safety & Health Inc Tax Fund 210	112,500.00	1,012,500.00	877,725.00	15.36%	1,350,000.00	75.00%
CDBG Reimbursement	-	-	-	-	-	-
SUB-TOTAL POLICE	\$ 498,828.00	\$ 1,912,608.48	\$ 1,932,808.36	-1.05%	\$ 2,390,500.00	80.01%
Fire Funds:						
Fire Pension Fund 250	\$ 92,141.00	\$ 211,321.11	\$ 273,750.03	-22.81%	\$ 225,000.00	93.92%
Charter Fire Force Fund 252	305,805.00	704,174.94	741,000.00	-4.97%	745,000.00	94.52%
2002 Fire Levy Fund 253	294,078.00	681,961.63	721,666.72	-5.50%	720,000.00	94.72%
Public Safety & Health Inc Tax Fund 210	112,500.00	1,012,500.00	877,725.00	15.36%	1,350,000.00	75.00%
CDBG Reimbursement	-	-	-	-	-	-
SUB-TOTAL FIRE	\$ 804,524.00	\$ 2,609,957.68	\$ 2,614,141.75	-0.16%	\$ 3,040,000.00	85.85%
TOTAL	\$ 1,949,953.79	\$ 9,609,964.74	\$ 8,906,905.03	7.89%	\$ 11,930,950.00	80.55%

General Fund
Statement of Activities
For the Nine Months January through September

Hamilton - Types
Funds Filter: General Fund
Download generated on 10/21/2016

Account Group	Account Type	September 2011 Actual	September 2012 Actual	September 2013 Actual	September 2014 Actual	September 2015 Actual	September 2016 Actual
Revenues		\$ 38,900,112	\$ 31,269,125	\$ 30,762,903	\$ 31,100,922	\$ 33,088,500	\$ 35,540,058
Revenues	Taxes	25,215,121	18,038,548	18,729,730	18,626,874	19,650,722	20,844,251
Revenues	Miscellaneous Revenue	138,656	252,359	129,559	167,517	165,985	827,148
Revenues	Licenses & Permits	839,302	967,695	925,464	970,009	969,750	945,926
Revenues	Intergovernmental Revenue	1,766,660	1,328,582	850,942	883,632	935,762	885,938
Revenues	Charges for Services	10,165,688	9,905,212	9,502,762	9,709,147	10,704,585	11,528,100
Revenues	Recreation Fees	108,810	113,728	105,366	181,441	78,394	44,979
Revenues	Enterprise Revenues	0	0	0	0	0	0
Revenues	Fines and Forfeits	658,377	657,292	515,213	560,337	583,303	663,716
Revenues	Other Financing Sources	7,498	5,711	3,867	1,964	0	0
Expenses		32,222,609	31,246,403	29,919,297	30,330,887	31,123,507	32,063,392
Expenses	Personnel Services & Benefits	27,189,134	25,667,091	24,229,944	23,746,813	22,718,839	22,905,771
Expenses	Other Expenditures	5,028,975	5,579,311	5,689,221	6,584,074	8,404,668	9,157,621
Expenses	Capital Improvements	4,500	0	132	0	0	0
Revenues Less Expenses		\$ 6,677,503	\$ 22,722	\$ 843,606	\$ 770,035	\$ 1,964,993	\$ 3,476,666

*Revenue and Expense totals exclude transfers in/out



General Fund
Wages Paid all General Fund Departments
For the Nine Months January through September

- The City experienced 20 pays through September for 2011 through 2015, and 19 pays through September for 2016.
- Overtime and Special Pay was broken out as a separate line item in 2013. In 2012 and before, they were included in Salaries – Regular Employees.

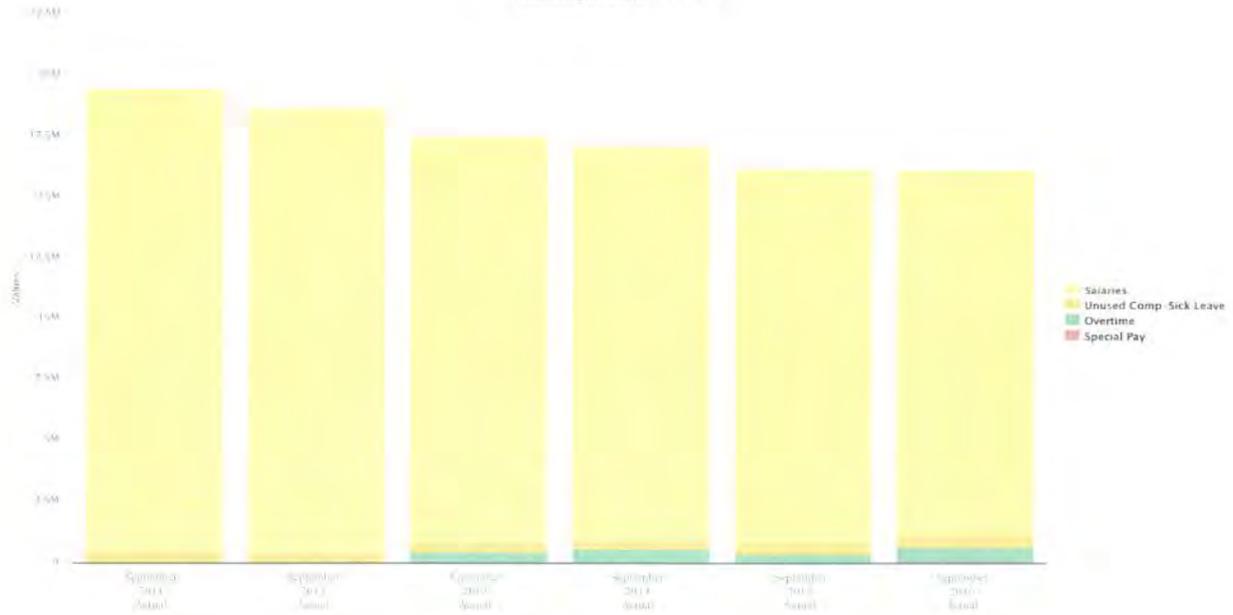
Hamilton - Personnel Services

Funds Filter: General Fund
Download generated on 10/21/2016

Account Group	September 2011 Actual	September 2012 Actual	September 2013 Actual	September 2014 Actual	September 2015 Actual	September 2016 Actual
Salaries	\$ 18,982,482	\$ 18,263,794	\$ 16,695,836	\$ 16,200,016	\$ 15,362,247	\$ 14,963,517
Unused Comp-Sick Leave	485,492	339,527	336,223	342,584	431,481	504,235
Overtime	0	70,162	428,805	564,460	362,666	569,246
Special Pay	0	0	43,909	25,054	28,642	101,243
Total	\$ 19,467,974	\$ 18,673,483	\$ 17,504,773	\$ 17,132,114	\$ 16,185,036	\$ 16,138,241

Hamilton - Personnel Services

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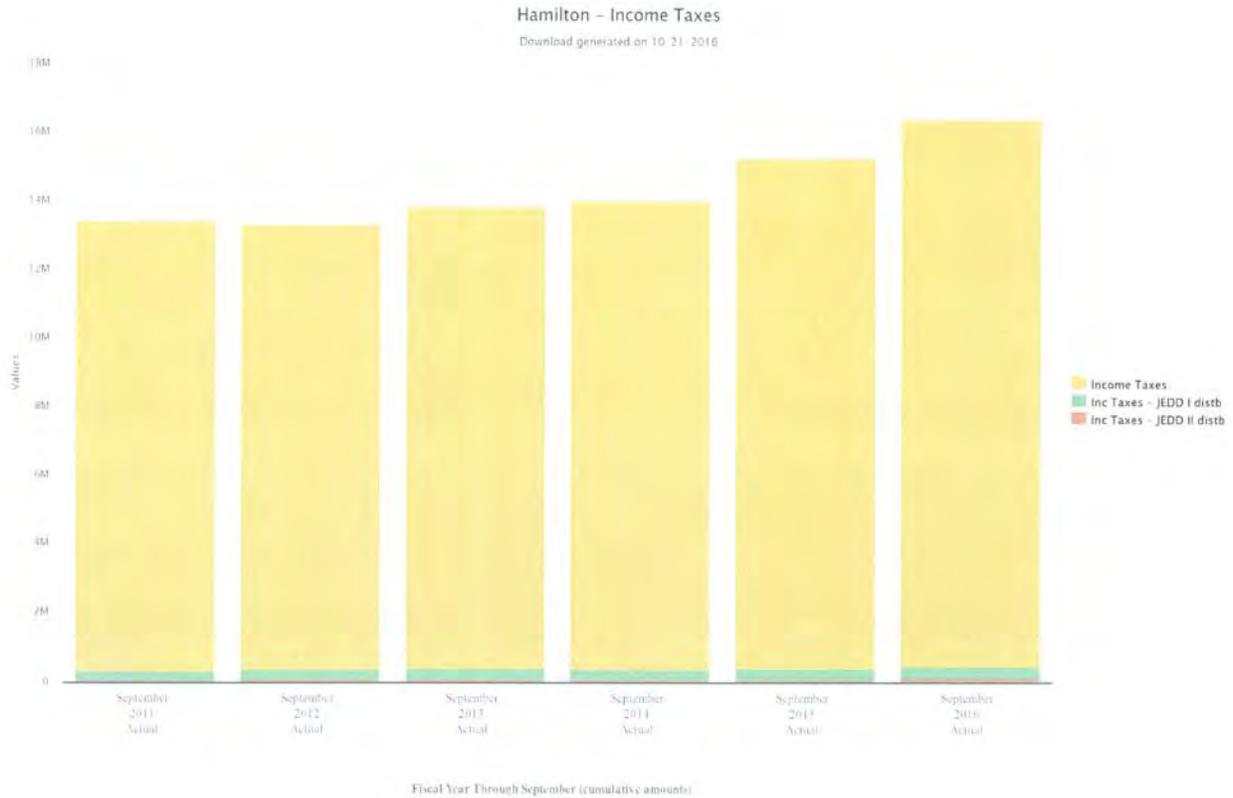
Fiscal Year Through September (cumulative amounts)

General Fund Income Tax Collections For the Nine Months January through September

Hamilton - Income Taxes

Funds Filter: General Fund
Download generated on 10/21/2016

Account Group	September 2011 Actual	September 2012 Actual	September 2013 Actual	September 2014 Actual	September 2015 Actual	September 2016 Actual
Income Taxes	\$ 13,067,149	\$ 12,922,504	\$ 13,418,751	\$ 13,655,756	\$ 14,840,225	\$ 15,928,515
Inc Taxes - JEDD I distb	265,886	287,941	320,511	285,206	311,950	349,979
Inc Taxes - JEDD II distb	90,002	107,914	118,246	104,411	112,118	132,364
Total	\$ 13,423,037	\$ 13,318,360	\$ 13,857,508	\$ 14,045,373	\$ 15,264,293	\$ 16,410,859



Summary of Cash Basis Activity
For the One Month Period Ending September 30, 2016

	Balance Sept 01, 2016	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Sept 30, 2016	Purchase Orders Outstanding	Unencumbered Cash
GENERAL							
100 General	\$7,266,588.33	\$4,593,732.94	\$4,119,732.58	\$30,988.65	\$7,771,577.34	\$1,874,827.47	\$5,896,749.87
SPECIAL REVENUE							
200 One Renaissance Center Fd	1,858,395.07	175,600.00	45,657.91	(5,387.98)	1,982,949.18	137,877.16	\$1,845,072.02
2013 HOME FUND 2013	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
2014 HOME FUND 2014	19,424.00	0.00	0.00	0.00	19,424.00	89,424.00	(\$70,000.00)
2015 Home Fund 2015	31,310.27	79.97	79.97	0.00	31,310.27	52,300.68	(\$20,990.41)
205 Fed. Emg Mgmt Fund (FEMA)	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
206 Youthbuild Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
207 Hamilton Court Sec.Proj.	69,905.63	4,073.73	0.00	0.00	73,979.36	0.00	\$73,979.36
208 Hamilton Court Sp Proj Fd	131,703.41	2,174.40	0.00	0.00	133,877.81	9,625.00	\$124,252.81
210 Pub Safety/Health Inc Tax	492,790.57	244,385.65	271,669.92	0.00	465,506.30	0.00	\$465,506.30
211 Rounding Up Util Acct Trs	1,256.56	93.04	0.00	0.00	1,349.60	377.23	\$972.37
212 Hamilton Mun Ct Cap Imp	51,156.38	8,297.52	1,846.47	0.00	57,607.43	8,499.50	\$49,107.93
213 MIT Aggregatn/Venfcctn Fd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
215 Hamilt Cap Imp Debt Serv	2,763,736.09	477,134.59	175,374.55	(4,594.00)	3,060,902.13	737,180.19	\$2,323,721.94
218 Brownfield Red Pilot Proj	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
219 Brownfields Job Trng Init	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
220 Weed & Seed Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
221 Dispute Resolutn Proc Fd	18,614.37	735.00	369.44	0.00	18,979.93	0.00	\$18,979.93
222 DOJ Forfeiture Prog Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
223 Brownfields Rev Loan Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
224 GREAT Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
225 Justice Assistance Grant	4,495.67	0.00	4,495.67	0.00	0.00	9,219.00	(\$9,219.00)
226 Weed & Seed Gmt Exp Site	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
227 Land Reutilization Fund	6,953.75	85,000.00	7,622.50	0.00	84,331.25	79,884.10	\$4,447.15
230 Targeted Oriented Policing	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
231 Law Enforcement Trust	90,993.99	4,327.40	629.55	0.00	94,091.84	0.00	\$94,091.84
232 Safety Helmet Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
233 Safety Seat Belt Grant	14.97	0.00	0.00	0.00	14.97	0.00	\$14.97
235 Public Safety Spec Proj	124,217.16	0.00	3,636.82	0.00	120,580.34	3,578.51	\$117,001.83
237 Police Hiring Supp Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
238 Probation Services Fund	132,425.67	16,910.31	18,393.87	0.00	130,942.11	360.71	\$130,581.40
239 Dare Program	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
240 Drug Law Enforcmt.Trust	69,917.97	0.00	4,044.51	247.51	66,120.97	2,500.42	\$63,620.55
241 Dui Enfrmt & Educatn Trst	3,647.88	186.00	0.00	0.00	3,833.88	0.00	\$3,833.88
242 Indignt Drvrs Alcohol Trt	167,421.24	1,463.64	0.00	0.00	168,884.88	10,000.00	\$158,884.88
244 Metro Housing Auth Pol Gr	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
245 Police K-9 Unit Fund	100.00	0.00	0.00	0.00	100.00	0.00	\$100.00
246 Police Pension Fund	731.43	91,518.86	92,250.00	0.00	0.29	0.00	\$0.29
247 CDBG Police Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
248 COPS MORE Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
249 Police Levy Fund	998.28	293,079.72	294,078.00	0.00	0.00	0.00	\$0.00
250 Firemen's Pension Fund	622.79	91,518.86	92,141.00	0.00	0.65	0.00	\$0.65
251 Emergency Med Serv Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
252 Charter Fire Force Fund	742.63	305,062.91	305,805.00	0.00	0.54	0.00	\$0.54
253 Fire EMS Levy Fund	998.28	293,079.72	294,078.00	0.00	0.00	0.00	\$0.00
254 Technology Initiative Fnd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
255 Energy Effic Block Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
256 Local Energy Assur Plng	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
260 Immunizatn Actn Plan Gran	190,494.55	0.00	3,629.42	0.00	186,865.13	9,439.00	\$177,426.13
261 Kathryn Weiland Trust Inc	4,989.83	2.00	0.00	0.00	4,991.83	610.45	\$4,381.38
262 Clinical Services Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
270 Str & Pks Beautification	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
279 Stormwater Mgmt. Fund	1,999,453.62	178,912.53	146,016.50	1,157.22	2,033,506.87	819,180.39	\$1,214,326.48
280 Refuse Fund	1,511,261.58	337,022.95	342,201.39	(10,820.81)	1,495,262.33	902,322.36	\$592,939.97
281 Street Maintenance Fund	363,580.87	232,333.31	205,100.59	226.04	391,039.73	169,879.41	\$221,160.32
282 Transit System	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
283 Convntrn & Vistrs Bur Fund	27,377.33	0.00	0.00	0.00	27,377.33	0.00	\$27,377.33
284 Miami Conservancy Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
800 CDBG - Revolving Loan Fd	43,328.37	3,907.75	3,917.47	0.00	43,318.65	0.00	\$43,318.65
801 HOME - Revolving Loan Fnd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
802 Neighborhood Stabl.Prgm	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
803 HPRP Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
804 Neighborhood Stabl. Program 3	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
913 CDBG 2012 - 2013	76,482.64	0.00	0.00	0.00	76,482.64	0.00	\$76,482.64
914 CDBG FUND 2014	28,207.09	0.00	0.00	0.00	28,207.09	0.00	\$28,207.09
915 CDBG FUND 915	45,741.10	0.00	0.00	0.00	45,741.10	36,949.20	\$8,791.90
916 CDBG Fund 2015-2016	33,707.76	51,871.79	52,438.12	0.00	33,141.43	65,787.63	(\$32,646.20)
Total Special Revenue	\$10,366,598.90	\$2,898,771.65	\$2,365,476.67	(\$19,172.02)	\$10,880,721.86	\$3,144,994.94	\$7,735,726.92
CAPITAL PROJECTS							
300 Capital Projects Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
301 Special Assessments	424,433.29	170,549.55	0.00	0.00	594,982.84	724,308.41	(\$129,325.57)
302 High Street Property	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
303 Lowes MITIE Talawanda Fund	19,707.90	51,692.17	83,477.31	(0.00)	7,922.76	0.00	\$7,922.76
304 Walmart MITIE Hamilton Fund	25,583.03	92,863.90	103,529.27	0.00	14,917.66	0.00	\$14,917.66
305 Hamilton Enterprise Park	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
306 Hamilton Streetscape Imp	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
307 Issue II Project Fund	0.00	0.00	0.00	0.00	0.00	883,683.00	(\$883,683.00)
308 Malandy Steel MPITIE Fund	24,601.51	24,879.13	13,360.10	0.00	36,120.54	0.00	\$36,120.54
309 Robinson Schwenn MPITIE Fund	620.45	2,252.19	1,614.84	0.00	1,257.80	0.00	\$1,257.80
310 Clean Ohio Grants Program	0.00	0.00	(7,349.60)	0.00	7,349.60	0.00	\$7,349.60
311 Infrastructure Renewl Prgm	(274,985.99)	403,644.46	157,708.34	668.97	(28,380.90)	1,966,888.16	(\$1,995,269.06)
348 RIDs - MPITIE Citywide District	61,942.99	191,282.87	253,225.86	0.00	0.00	0.00	\$0.00
349 RIDs - MPITIE North District	3,488.69	8,607.60	8,514.66	0.00	3,581.63	0.00	\$3,581.63
350 RIDs - MPITIE South District	5,491.76	18,190.60	22,210.83	0.00	1,471.53	0.00	\$1,471.53
351 Quality Publishing MPITIE Fund	5,240.07	5,299.20	2,563.32	0.00	7,975.95	0.00	\$7,975.95
352 Shoppes @ Hamilton MPITIE Fund	19,674.44	71,416.28	84,670.55	0.00	6,420.17	0.00	\$6,420.17
353 Historic Developers (Mercantile)	3,877.54	14,075.07	13,969.49	0.00	3,983.12	0.00	\$3,983.12
354 Tippman Properties MPITIE Fund	365.35	1,326.21	950.90	0.00	740.66	0.00	\$740.66
355 Neluren Manufacturing TIF	16,767.75	0.00	16,767.75	0.00	0.00	0.00	\$0.00
Total Capital Projects	\$336,808.78	\$1,056,079.23	\$735,213.62	\$668.97	\$658,343.36	\$3,574,879.57	(\$2,916,536.21)

**Summary of Cash Basis Activity
For the One Month Period Ending September 30, 2016**

	Balance Sept 01, 2016	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Sept 30, 2016	Purchase Orders Outstanding	Unencumbered Cash
ENTERPRISE - GAS							
501 Gas Utility	2,871,354.30	1,003,783.76	1,246,985.96	35,583.97	2,683,736.07	575,310.60	\$2,088,425.47
510 Gas Sys Special Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
512 Gas Construction Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
515 Gas Cap Imprmt Fund	472,006.27	2,700.00	130,570.65	295.70	344,431.32	363,518.70	(\$19,087.38)
516 Gas Rate Stabilization Fd	2,519,120.52	825.94	0.00	0.00	2,519,946.46	0.00	\$2,519,946.46
517 Gas System Reserve Fund	1,033,000.00	0.00	0.00	0.00	1,033,000.00	0.00	\$1,033,000.00
518 Gas Bond Service Fund	0.00	33,268.66	0.00	(33,268.66)	0.00	0.00	\$0.00
Sub-Total - Gas	\$6,895,481.09	\$1,040,578.36	\$1,377,556.61	\$2,611.01	\$6,561,113.85	\$938,829.30	\$5,622,284.55
ENTERPRISE - ELECTRIC							
502 Electric Utility	7,236,898.56	7,039,468.06	6,158,241.65	(103,052.91)	8,015,072.06	1,314,033.96	\$6,701,038.10
520 Elec Sys Spec Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
522 Electric Construction Fd	266,896.07	0.00	0.00	0.00	266,896.07	228,255.98	\$38,640.09
523 Boiler No. 9 Scrubber Prj	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
524 Hydroelectric Oprtns Fund	2,430,311.90	162,319.38	148,622.92	191.80	2,444,200.16	33,390.33	\$2,410,809.83
525 Electric Cap Imprvmt Fund	1,334,132.30	750.00	224,201.10	(6,750.82)	1,103,930.28	2,686,842.71	(\$1,582,912.43)
526 Elec Rate Stablztn Fund	4,021,761.61	1,318.61	0.00	0.00	4,023,080.22	0.00	\$4,023,080.22
527 Elec System Reserve Fund	38,051,312.88	7,756.89	187.39	0.00	38,058,882.38	0.00	\$38,058,882.38
528 92 Electric Bd Service Fd	0.00	336,879.10	0.00	(336,879.10)	0.00	0.00	\$0.00
529 Electric Debt Rductn Resv	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Electric	\$53,341,313.32	\$7,548,492.04	\$6,531,253.06	(\$446,491.13)	\$53,912,061.17	\$4,262,522.98	\$49,649,538.19
ENTERPRISE - WATER							
503 Water Utility	2,716,368.43	1,168,491.79	1,041,574.06	7,616.30	2,850,902.46	886,311.02	\$1,964,591.44
530 Water Sys Spec. Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
531 Water Construction Fund	128,782.65	0.00	0.00	0.00	128,782.65	23,553.36	\$105,229.29
535 Water Cap Imprmt Fund	4,949,383.52	540.00	635,058.00	19,470.00	4,334,335.52	3,015,593.83	\$1,318,741.69
536 Water Rate Stablztn Fund	1,586,114.60	520.04	0.00	0.00	1,586,634.64	0.00	\$1,586,634.64
537 Water System Reserve Fund	2,470,283.94	0.00	0.00	0.00	2,470,283.94	0.00	\$2,470,283.94
Sub-Total - Water	\$11,850,933.14	\$1,169,551.83	\$1,676,632.06	\$27,086.30	\$11,370,939.21	\$3,925,458.21	\$7,445,481.00
ENTERPRISE - WASTEWATER							
504 Wastewater Utility	1,759,394.16	12,184,197.41	854,373.05	(11,212,233.02)	1,876,985.50	534,862.36	\$1,342,123.14
540 Wastewater Sp Proj fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
541 Wastewater Constructn Fd	7,986,306.89	189,176.59	197,573.03	0.00	7,977,910.45	3,888,858.29	\$4,089,052.16
542 Wwater Debt Procds-Const	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
543 Riverside Nature Area Con	24,856.76	9.95	0.00	0.00	24,866.71	0.00	\$24,866.71
545 Wastewater Cap Imprvmt Fd	4,909,116.33	5,636.00	10,688.36	0.00	4,904,063.97	1,312,245.71	\$3,591,818.26
546 Wastewtr Rate Stablztn Fd	2,038,494.92	668.36	0.00	0.00	2,039,163.28	0.00	\$2,039,163.28
547 Wastewater Sys Reserve Fd	3,230,000.00	0.00	0.00	0.00	3,230,000.00	0.00	\$3,230,000.00
548 Wastewater Bond Service	0.00	472,820.52	0.00	(472,820.52)	0.00	0.00	\$0.00
Sub-Total - Wastewater	\$19,948,169.06	\$12,852,508.83	\$1,062,634.44	(\$11,685,053.54)	\$20,052,989.91	\$5,735,966.36	\$14,317,023.55
ENTERPRISE - OTHER							
550 Parking Fund	188,597.96	27,794.80	20,652.55	99.04	195,839.25	8,849.18	\$186,990.07
551 Pkg Capital Imprvmt Fund	1,245,047.55	0.00	173,527.65	0.00	1,071,519.90	987,668.89	\$83,851.01
560 Golf Fund	346,471.01	111,751.82	99,306.73	857.95	359,774.05	147,275.07	\$212,498.98
561 Golf Rate Stablztn Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
570 Central Park Sports Arena	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Other	\$1,780,116.52	\$139,546.62	\$293,486.93	\$956.99	\$1,627,133.20	\$1,143,793.14	\$483,340.06
Total - Enterprise	\$93,816,013.13	\$22,750,677.68	\$10,941,563.10	(\$12,100,890.37)	\$93,524,237.34	\$16,006,569.99	\$77,517,667.35
INTERNAL SERVICES							
610 Fleet Maintenance Fund	212,927.05	191,239.23	151,088.61	(23.59)	253,054.08	241,524.42	\$11,529.66
620 Central Services	5,912.73	582,547.10	580,887.78	17,433.07	25,005.12	745,920.16	(\$720,915.04)
640 Central Benefits Fund	1,611,800.63	0.00	0.00	0.00	1,611,800.63	0.00	\$1,611,800.63
650 Economic Budget Stabilization	493,978.00	0.00	0.00	0.00	493,978.00	0.00	\$493,978.00
Total - Internal Services	\$2,324,618.41	\$773,786.33	\$731,976.39	\$17,409.48	\$2,383,837.83	\$987,444.58	\$1,396,393.25
TRUST AND AGENCY							
700 Travel Advance Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
710 Employee Txs & Brnfts Fund	1,420,814.87	0.00	0.00	5,695.68	1,426,510.55	0.00	\$1,426,510.55
711 Building Stds Fee Assmt Fu	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
712 Misc Collectn For Others	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
715 Unclaimed Monies Fund	100,116.19	0.00	0.00	0.00	100,116.19	0.00	\$100,116.19
720 West Milton Tax Collectn	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
721 New Miami Tax Collectn Fu	28,460.63	0.00	0.00	(52.59)	28,408.04	0.00	\$28,408.04
722 Oxford Tax Collectn Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
723 Eaton Tax Collection Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
724 Monroe Tax Collection Fur	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
726 Butler Cty Annex Tax Fund	34,485.10	0.00	0.00	6,632.72	41,117.82	0.00	\$41,117.82
727 Ham Cen Bus Sp Imprv Dst	0.00	0.00	0.00	1,310.93	1,310.93	0.00	\$1,310.93
728 Joint Econmic Dvlp Dstrc I	19,566.67	0.00	0.00	4,559.01	24,125.68	0.00	\$24,125.68
729 Phillipsburg Tax Collectn	5,443.09	0.00	0.00	876.21	6,319.30	0.00	\$6,319.30
730 Benninghoffen Trust Fund	75,000.00	452.95	0.00	0.00	75,452.95	0.00	\$75,452.95
731 Joint Econmic Dvlp Dist II	58,981.27	0.00	0.00	9,294.00	68,275.27	0.00	\$68,275.27
732 Village of New Paris Tax Collect	9,798.77	0.00	0.00	(3,729.67)	6,069.10	0.00	\$6,069.10
740 Fire Damage Dep Escrow Fu	105,586.36	0.00	0.00	0.00	105,586.36	0.00	\$105,586.36
745 Police Prop Rm Forfeiture	236,029.62	0.00	0.00	0.00	236,029.62	0.00	\$236,029.62
752 Municipal Court Cash	259,710.45	0.00	0.00	0.00	259,710.45	0.00	\$259,710.45
760 Treasury Investment Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
775 Sinking Fund	0.00	55,097.28	55,097.28	0.00	0.00	0.00	\$0.00
Total - Trust and Agency	\$2,353,993.02	\$55,550.23	\$55,097.28	\$24,586.29	\$2,379,032.26	\$0.00	\$2,379,032.26
TOTAL	\$116,464,620.57	\$32,128,598.06	\$18,949,059.64	(\$12,046,409.00)	\$117,597,749.99	\$25,588,716.55	\$92,009,033.44

*Zero Balance Due to Funds Restricted for Future Bond Payments

Summary of Cash Basis Activity
For the Nine Months Period Ending September 30, 2016

	Balance Jan. 1, 2016	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Sept 30, 2016	Purchase Orders Outstanding	Unencumbered Cash
GENERAL							
100 General	\$7,561,294.13	\$35,540,680.24	\$35,384,281.90	\$53,884.87	\$7,771,577.34	\$1,874,827.47	\$5,896,749.87
SPECIAL REVENUE							
200 One Renaissance Center Fd	1,174,290.02	1,602,445.30	793,786.14	0.00	1,982,949.18	137,877.16	\$1,845,072.02
2013 HOME FUND 2013	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
2014 HOME FUND 2014	19,424.00	45,702.65	45,702.65	0.00	19,424.00	89,424.00	(\$70,000.00)
2015 Home Fund 2015	31,310.27	62,311.23	62,311.23	0.00	31,310.27	52,300.68	(\$20,990.41)
205 Fed. Emg Mgmt Fund (FEMA)	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
206 Youthbuild Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
207 Hamilton Court Sec Proj	29,551.90	44,427.46	0.00	0.00	73,979.36	0.00	\$73,979.36
208 Hamilton Court Sp Proj Fd	125,055.06	22,322.75	13,500.00	0.00	133,877.81	9,625.00	\$124,252.81
210 Pub Safety/Health Inc Tax	358,239.35	2,569,116.53	2,461,849.58	0.00	465,506.30	0.00	\$465,506.30
211 Rounding Up Util Acct Trs	377.23	972.37	0.00	0.00	1,349.60	377.23	\$972.37
212 Hamilton Mun Ct Cap Imp	31,420.68	88,717.90	62,531.15	0.00	57,607.43	8,499.50	\$49,107.93
213 MIT Aggregatn/Verificn Fd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
215 Hamltn Cap Imp Debt Serv	2,829,990.47	3,242,523.59	3,011,611.93	0.00	3,060,902.13	737,180.19	\$2,323,721.94
218 Brownfield Red Pilot Proj	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
219 Brownfields Job Trng Init	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
220 Weed & Seed Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
221 Dispute Resolutn Proc Fd	16,469.40	6,291.00	3,780.47	0.00	18,979.93	0.00	\$18,979.93
222 DOJ Forfeiture Prog Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
223 Brownfields Rev Loan Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
224 GREAT Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
225 Justice Assistance Grant	4,495.67	25,698.00	30,193.67	0.00	0.00	9,219.00	(\$9,219.00)
226 Weed & Seed Grnt Exp Site	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
227 Land Reutilization Fund	62,824.23	110,000.00	88,492.98	0.00	84,331.25	79,884.10	\$4,447.15
230 Targeted Oriented Policing	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
231 Law Enforcement Trust	89,185.41	22,003.19	17,096.76	0.00	94,091.84	0.00	\$94,091.84
232 Safety Helmet Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
233 Safety Seat Belt Grant	14.97	0.00	0.00	0.00	14.97	0.00	\$14.97
235 Public Safety Spec Proj	122,610.34	29,046.00	31,076.00	0.00	120,580.34	3,578.51	\$117,001.83
237 Police Hiring Supp Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
238 Probation Services Fund	155,545.92	156,082.69	180,686.50	0.00	130,942.11	360.71	\$130,581.40
239 Dare Program	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
240 Drug Law Enforcmt Trust	13,985.51	87,433.10	35,649.25	351.61	66,120.97	2,500.42	\$63,620.55
241 Dui Enfrmt & Educatn Trst	4,848.51	2,138.05	3,152.68	0.00	3,833.88	0.00	\$3,833.88
242 Indignt Drvrs Alcohol Trt	152,356.69	16,528.19	0.00	0.00	168,884.88	10,000.00	\$158,884.88
244 Metro Housing Auth Pol Gr	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
245 Police K-9 Unit Fund	100.00	0.00	0.00	0.00	100.00	0.00	\$100.00
246 Police Pension Fund	13.79	214,330.49	214,343.99	(0.00)	0.29	0.00	\$0.29
247 CDBG Police Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
248 COPS MORE Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
249 Police Levy Fund	10,238.42	675,526.07	685,764.49	(0.00)	0.00	0.00	\$0.00
250 Firemen's Pension Fund	99.91	211,221.85	211,321.11	(0.00)	0.65	0.00	\$0.65
251 Emergency Med Serv Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
252 Charter Fire Force Fund	102.59	704,072.89	704,174.94	(0.00)	0.54	0.00	\$0.54
253 Fire EMS Levy Fund	6,435.56	675,526.07	681,961.63	(0.00)	0.00	0.00	\$0.00
254 Technology Initiative Fnd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
255 Energy Effic Block Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
256 Local Energy Assur Plng	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
260 Immunizatn Actn Plan Gran	201,756.77	32,471.36	47,363.00	0.00	186,865.13	9,439.00	\$177,426.13
261 Kathryn Weiland Trust Inc	3,927.85	1,453.53	389.55	0.00	4,991.83	610.45	\$4,381.38
262 Clinical Services Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
270 Str & Pks Beautification	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
279 Stormwater Mgmt. Fund	1,898,722.40	1,630,145.05	1,493,429.55	(1,931.03)	2,033,506.87	819,180.39	\$1,214,326.48
280 Refuse Fund	1,788,351.73	3,010,653.40	3,272,074.99	(31,667.81)	1,495,262.33	902,322.36	\$592,939.97
281 Street Maintenance Fund	236,148.03	2,011,784.07	1,857,538.78	646.41	391,039.73	169,879.41	\$221,160.32
282 Transit System	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
283 Convntn & Vistrs Bur Fund	27,152.92	72,230.41	72,006.00	0.00	27,377.33	0.00	\$27,377.33
284 Miami Conservancy Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
800 CDBG - Revolving Loan Fd	16,701.58	30,856.71	4,239.64	0.00	43,318.65	0.00	\$43,318.65
801 HOME - Revolving Loan Fnd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
802 Neighborhood Stabl Prgm	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
803 HPRP Grant Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
804 Neighborhood Stabl. Program 3	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
913 CDBG 2012 - 2013	76,482.64	0.00	0.00	0.00	76,482.64	0.00	\$76,482.64
914 CDBG FUND 2014	28,207.09	0.00	0.00	0.00	28,207.09	0.00	\$28,207.09
915 CDBG FUND 915	45,741.10	56,196.41	56,196.41	0.00	45,741.10	36,949.20	\$8,791.90
916 CDBG Fund 2015-2016	43,746.76	488,038.43	498,643.76	0.00	33,141.43	65,787.63	(\$32,646.20)
Total Special Revenue	\$9,605,924.77	\$17,948,266.74	\$16,640,868.83	(\$32,600.82)	\$10,880,721.86	\$3,144,994.94	\$7,735,726.92
CAPITAL PROJECTS							
300 Capital Projects Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
301 Special Assessments	360,137.98	452,533.60	217,688.74	0.00	594,982.84	724,308.41	(\$129,325.57)
302 High Street Property	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
303 Lowes MITIE Talawanda Fund	2,117.09	103,384.34	97,578.67	0.00	7,922.76	0.00	\$7,922.76
304 Walmart MITIE Hamilton Fund	1,553.99	185,727.80	172,364.13	0.00	14,917.66	0.00	\$14,917.66
305 Hamilton Enterprise Park	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
306 Hamilton Streetscape Imp	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
307 Issue II Project Fund	0.00	271,446.89	271,446.89	0.00	0.00	883,683.00	(\$883,683.00)
308 Matandy Steel MPITIE Fund	18,478.93	49,758.26	32,116.55	0.00	36,120.54	0.00	\$36,120.54
309 Robinson Schwann MPITIE Fund	881.48	4,504.38	4,128.06	0.00	1,257.80	0.00	\$1,257.80
310 Clean Ohio Grants Program	0.00	116,650.13	109,300.53	0.00	7,349.60	0.00	\$7,349.60
311 Infrastructure Renwl Prgm	951,883.75	3,157,627.24	4,148,360.53	10,468.64	(28,380.90)	1,966,888.16	(\$1,995,269.06)
348 RIDs - MPITIE Citywide District	881.97	396,977.36	397,859.33	0.00	0.00	0.00	\$0.00
349 RIDs - MPITIE North District	3,426.10	17,306.30	17,150.77	0.00	3,581.63	0.00	\$3,581.63
350 RIDs - MPITIE South District	801.74	36,381.22	35,711.43	0.00	1,471.53	0.00	\$1,471.53
351 Quality Publishing MPITIE Fund	5,306.07	10,598.40	7,928.52	0.00	7,975.95	0.00	\$7,975.95
352 Shoppes @ Hamilton MPITIE Fund	34.67	142,832.56	136,447.06	(0.00)	6,420.17	0.00	\$6,420.17
353 Historic Developers (Mercantile)	3,988.19	28,150.14	28,155.21	0.00	3,983.12	0.00	\$3,983.12
354 Tippman Properties MPITIE Fund	24.44	2,652.42	1,936.20	0.00	740.66	0.00	\$740.66
355 Neturen Manufacturing TIF	0.00	80,865.28	80,865.28	0.00	0.00	0.00	\$0.00
Total Capital Projects	\$1,349,516.40	\$5,037,396.32	\$5,739,038.00	\$10,468.64	\$658,343.36	\$3,574,879.57	(\$2,916,536.21)

Summary of Cash Basis Activity
For the Nine Months Period Ending September 30, 2016

	Balance Jan. 1, 2016	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Sept 30, 2016	Purchase Orders Outstanding	Unencumbered Cash
ENTERPRISE - GAS							
501 Gas Utility	1,071,822.13	15,062,624.72	14,209,536.18	738,825.40	2,663,736.07	575,310.60	\$2,088,425.47
510 Gas Sys Special Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
512 Gas Construction Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
515 Gas Cap Imprmt Fund	1,376,216.91	20,859.00	1,056,691.39	4,046.80	344,431.32	363,518.70	(\$19,087.38)
516 Gas Rate Stabilization Fd	2,512,451.11	7,495.35	0.00	0.00	2,519,946.46	0.00	\$2,519,946.46
517 Gas System Reserve Fund	1,033,000.00	0.00	0.00	0.00	1,033,000.00	0.00	\$1,033,000.00
518 Gas Bond Service Fund	0.00	287,282.40	91,462.50	(195,819.90)	0.00	0.00	\$0.00
Sub-Total - Gas	\$5,993,490.15	\$15,378,261.47	\$15,357,690.07	\$547,052.30	\$6,561,113.85	\$938,829.30	\$5,622,284.55
ENTERPRISE - ELECTRIC							
502 Electric Utility	7,610,880.19	189,378,359.49	186,678,474.52	(2,295,693.10)	8,015,072.06	1,314,033.96	\$6,701,038.10
520 Elec Sys Spec Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
522 Electric Construction Fd	685,234.78	0.00	418,338.71	0.00	266,896.07	228,255.98	\$38,640.09
523 Boiler No. 9 Scrubber Prj	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
524 Hydroelectric Oprtns Fund	2,278,132.19	1,617,108.35	1,451,232.18	191.80	2,444,200.16	33,390.33	\$2,410,809.83
525 Electric Cap Imprvmt Fund	1,356,766.53	3,774,990.00	4,027,826.25	(0.00)	1,103,930.28	2,686,842.71	(\$1,582,912.43)
526 Elec Rate Stablztn Fund	4,011,113.91	11,966.31	0.00	0.00	4,023,080.22	0.00	\$4,023,080.22
527 Elec System Reserve Fund	3,005,794.24	35,053,563.27	475.13	0.00	38,058,882.38	0.00	\$38,058,882.38
528 92 Electric Bd Service Fd	0.00	1,829,618.22	820,291.88	(1,009,326.34)	0.00	0.00	\$0.00
529 Electric Debt Rductn Resv	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Electric	\$18,947,921.84	\$231,665,605.64	\$193,396,638.67	(\$3,304,827.64)	\$53,912,061.17	\$4,262,522.98	\$49,649,538.19
ENTERPRISE - WATER							
503 Water Utility	1,843,464.78	10,162,117.85	9,052,392.80	(102,287.37)	2,850,902.46	886,311.02	\$1,964,591.44
530 Water Sys Spec. Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
531 Water Construction Fund	319,489.85	0.00	190,707.20	0.00	128,782.65	23,553.36	\$105,229.29
535 Water Cap Imprmt Fund	5,323,289.48	5,790.00	1,014,213.96	19,470.00	4,334,335.52	3,015,593.83	\$1,318,741.69
536 Water Rate Stablztn Fund	1,581,915.33	4,719.31	0.00	0.00	1,586,634.64	0.00	\$1,586,634.64
537 Water System Reserve Fund	2,470,283.94	0.00	0.00	0.00	2,470,283.94	0.00	\$2,470,283.94
Sub-Total - Water	\$11,538,443.38	\$10,172,627.16	\$10,257,313.96	(\$82,817.37)	\$11,370,939.21	\$3,925,458.21	\$7,445,481.00
ENTERPRISE - WASTEWATER							
504 Wastewater Utility	1,258,909.99	20,374,718.54	8,544,431.71	(11,212,211.32)	1,876,985.50	534,862.36	\$1,342,123.14
540 Wastewater Sp Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
541 Wastewater Constructn Fd	9,181,657.01	1,859,202.26	3,062,948.82	0.00	7,977,910.45	3,888,858.29	\$4,089,052.16
542 Wwater Debt Procds-Const	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
543 Riverside Nature Area Con	24,757.05	109.66	0.00	0.00	24,866.71	0.00	\$24,866.71
545 Wastewater Cap Imprvmt Fd	6,267,710.23	121,153.00	1,484,799.26	0.00	4,904,063.97	1,312,245.71	\$3,591,818.26
546 Wastewtr Rate Stablztn Fd	2,033,097.98	6,065.30	0.00	0.00	2,039,163.28	0.00	\$2,039,163.28
547 Wastewater Sys Reserve Fd	3,230,000.00	0.00	0.00	0.00	3,230,000.00	0.00	\$3,230,000.00
548 Wastewater Bond Service	0.00	3,748,992.14	1,273,160.13	(2,475,832.01)	0.00	0.00	\$0.00
Sub-Total - Wastewater	\$21,996,132.26	\$26,110,240.90	\$14,365,339.92	(\$13,688,043.33)	\$20,052,989.91	\$5,735,966.36	\$14,317,023.55
ENTERPRISE - OTHER							
550 Parking Fund	158,151.36	262,546.92	225,040.78	181.75	195,839.25	8,849.18	\$186,990.07
551 Pkg Capital Imprvmt Fund	0.00	1,500,000.00	428,480.10	0.00	1,071,519.90	987,668.89	\$83,851.01
560 Golf Fund	323,253.57	930,325.03	899,763.46	5,958.91	359,774.05	147,275.07	\$212,498.98
561 Golf Rate Stablztn Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
570 Central Park Sports Arena	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Other	\$481,404.93	\$2,692,871.95	\$1,553,284.34	\$6,140.66	\$1,627,133.20	\$1,143,793.14	\$483,340.06
Total - Enterprise	\$58,957,392.56	\$286,019,607.12	\$234,930,266.96	(\$16,522,495.38)	\$93,524,237.34	16,008,569.99	\$77,517,687.35
INTERNAL SERVICES							
610 Fleet Maintenance Fund	374,552.97	1,824,361.18	1,945,860.07	0.00	253,054.08	241,524.42	\$11,529.66
620 Central Services	7,874.52	5,302,716.71	5,305,860.14	20,274.03	25,005.12	745,920.16	(\$720,915.04)
640 Central Benefits Fund	1,611,800.63	0.00	0.00	0.00	1,611,800.63	0.00	\$1,611,800.63
650 Economic Budget Stabilization	177,955.00	316,023.00	0.00	0.00	493,978.00	0.00	\$493,978.00
Total - Internal Services	\$2,172,183.12	\$7,443,100.89	\$7,251,720.21	\$20,274.03	\$2,383,837.83	\$987,444.58	\$1,396,393.25
TRUST AND AGENCY							
700 Travel Advance Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
710 Employee Txs & Bnfts Fund	897,554.93	0.00	0.00	528,955.62	1,426,510.55	0.00	\$1,426,510.55
711 Building Stds Fee Assmt Fu	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
712 Misc Collectn For Others	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
715 Unclaimed Monies Fund	100,610.42	0.00	494.23	0.00	100,116.19	0.00	\$100,116.19
720 West Milton Tax Collectn	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
721 New Miami Tax Collectn Fu	21,205.59	0.00	0.00	7,202.45	28,408.04	0.00	\$28,408.04
722 Oxford Tax Collectn Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
723 Eaton Tax Collection Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
724 Monroe Tax Collection Fun	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
726 Butler Cty Annex Tax Fund	53,473.90	0.00	0.00	(12,356.08)	41,117.82	0.00	\$41,117.82
727 Ham Cen.Bus.Sp.Imprv Dst	358.69	0.00	0.00	952.24	1,310.93	0.00	\$1,310.93
728 Joint Econmic Dvlp Dstrc I	22,379.16	0.00	0.00	1,746.52	24,125.68	0.00	\$24,125.68
729 Phillipsburg Tax Collectn	4,189.01	0.00	0.00	2,130.29	6,319.30	0.00	\$6,319.30
730 Benninghoffen Trust Fund	75,000.00	452.95	0.00	0.00	75,452.95	0.00	\$75,452.95
731 Joint Econmic Dvlp Dist II	46,869.00	0.00	0.00	21,406.27	68,275.27	0.00	\$68,275.27
732 Village of New Paris Tax Collect	10,186.15	0.00	0.00	(4,117.05)	6,069.10	0.00	\$6,069.10
740 Fire Damage Dep Escrow Fu	88,786.36	0.00	0.00	16,800.00	105,586.36	0.00	\$105,586.36
745 Police Prop.Rm Forfeiture	419,582.62	0.00	0.00	(183,553.00)	236,029.62	0.00	\$236,029.62
752 Municipal Court Cash	259,710.45	0.00	0.00	0.00	259,710.45	0.00	\$259,710.45
760 Treasury Investment Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
775 Sinking Fund	0.00	947,735.52	947,735.52	(0.00)	0.00	0.00	\$0.00
Total - Trust and Agency	\$1,999,906.28	\$948,188.47	\$948,229.75	\$379,167.26	\$2,379,032.26	\$0.00	\$2,379,032.26
TOTAL	\$81,646,217.26	\$352,937,239.78	\$300,894,405.65	(\$16,091,301.40)	\$117,597,749.99	\$25,588,716.55	\$92,009,033.44

*Zero Balance Due to Funds Restricted for Future Bond Payments

City of Hamilton

Monthly Investment Portfolio Report

SEPTEMBER 2016



United American Capital Corporation
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This investment portfolio report has been issued by United American Capital Corporation (UACC). UACC does not hold the funds or securities identified in this report. You should receive a separate statement of your account assets directly from your custodian or safekeeping agent. UACC strongly urges you to compare this report with the account statement you receive from your custodian or safekeeping agent.

United American Capital Corporation – A Leader in Public Funds Investment Management

City of Hamilton
Portfolio Management
Investment Status Report - Investments
September 30, 2016

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency - Coupon (NC)												
3130A4K27	16-0006	FHLB	1,000,000.00	0.720	03/06/2017	01/12/2016	156	0.860	1,000,921.00	Received	998,400.00	998,400.00
3134G62A0	16-0018	FHLMC	1,000,000.00	0.875	06/16/2017	01/15/2016	258	0.889	1,001,335.00	Received	999,800.00	999,800.00
3130A62S5	16-0023	FHLB	1,085,000.00	0.750	08/28/2017	01/20/2016	331	0.890	1,085,881.02	Received	1,082,580.45	1,082,580.45
313380EC7	16-0061	FHLB	400,000.00	0.750	09/08/2017	05/25/2016	342	0.912	399,990.00	Received	399,172.00	399,172.00
3133EAA32	16-0005	FFCB	1,072,000.00	0.900	11/15/2017	01/11/2016	410	1.036	1,073,514.74	Received	1,069,341.44	1,069,341.44
3133EGKQ7	16-0086	FFCB	1,000,000.00	0.700	04/06/2018	07/13/2016	552	0.766	997,986.00	136.11	998,870.00	999,006.11
3134G3T26	16-0004	FHLMC	1,000,000.00	1.000	05/14/2018	01/11/2016	590	1.153	1,001,637.00	Received	996,470.00	996,470.00
3136G1CF4	16-0007	FNMA	2,000,000.00	1.000	07/30/2018	01/12/2016	667	1.166	2,004,190.00	Received	1,991,680.00	1,991,680.00
3130A8PK3	16-0081	FHLB	1,000,000.00	0.625	08/07/2018	07/08/2016	675	0.726	996,102.00		997,920.00	997,920.00
3130A45D0	16-0021	FHLB	1,000,000.00	1.250	02/20/2019	01/15/2016	872	1.266	1,005,387.00	Received	999,510.00	999,510.00
3137EADZ9	16-0045	FHLMC	1,000,000.00	1.125	04/15/2019	03/24/2016	926	1.164	1,004,441.00	93.75	998,830.00	998,923.75
3133EF4Y0	16-0056	FFCB	1,000,000.00	1.000	04/26/2019	04/26/2016	937	1.099	1,000,611.00		997,090.00	997,090.00
3137EADM8	16-0012	FHLMC	1,000,000.00	1.250	10/02/2019	01/14/2016	1,096	1.459	1,007,060.00	Received	992,460.00	992,460.00
313381C94	16-0032	FHLB	1,000,000.00	1.250	12/13/2019	01/25/2016	1,168	1.371	1,003,957.00	Received	995,447.00	995,447.00
3133EGJD8	16-0078	FFCB	500,000.00	1.140	06/29/2020	06/29/2016	1,367	1.200	499,580.00		498,838.00	498,838.00
3130A8QS5	16-0088	FHLB	1,000,000.00	1.125	07/14/2021	07/15/2016	1,747	1.269	992,654.00	31.25	993,050.00	993,081.25
Federal Agency - Coupon (NC) Totals			16,057,000.00				742	1.083	16,075,246.76	261.11	16,009,458.89	16,009,720.00
Commercial Paper - Discount												
46640PKB8	16-0050	JPM	450,000.00	0.840	10/11/2016	04/14/2016	10	0.855	448,110.00		448,110.00	448,110.00
89233GKB1	16-0051	TOY	950,000.00	0.760	10/11/2016	04/14/2016	10	0.773	946,390.00		946,390.00	946,390.00
46640PKM4	16-0052	JPM	250,000.00	0.840	10/21/2016	04/25/2016	20	0.855	248,955.83		248,955.83	248,955.83
89233GKM7	16-0055	TOY	250,000.00	0.780	10/21/2016	04/25/2016	20	0.794	249,030.42		249,030.42	249,030.42
06538BLR2	16-0063	BTOKYO	500,000.00	0.920	11/25/2016	05/31/2016	55	0.937	497,725.56		497,725.56	497,725.56
46640PM75	16-0065	JPM	500,000.00	0.840	12/07/2016	06/10/2016	67	0.855	497,900.00		497,900.00	497,900.00
4497W0NR5	16-0095	ING	1,250,000.00	1.050	01/25/2017	07/29/2016	116	1.070	1,243,437.50		1,243,437.50	1,243,437.50
63873JQU7	16-0106	NATIX	565,000.00	1.190	03/28/2017	09/30/2016	178	1.214	561,656.92		561,656.92	561,656.92
Commercial Paper - Discount Totals			4,715,000.00				70	0.944	4,693,206.23	0.00	4,693,206.23	4,693,206.23
Federal Agency - Coupon (Callable)												
3136G0Y47	16-0022	FNMA	1,000,000.00	1.060	04/30/2018	01/15/2016	576	1.130	1,000,003.00	Received	998,410.00	998,410.00
3135G0XD0	16-0019	FNMA	250,000.00	1.000	05/21/2018	01/15/2016	597	1.195	249,895.75	Received	248,875.00	248,875.00
3130A7HV0	16-0094	FHLB	250,000.00	1.125	09/28/2018	07/27/2016	727	1.125	249,854.50	Received	250,000.00	250,000.00
3136G2PX9	16-0046	FNMA	1,000,000.00	1.060	10/26/2018	03/31/2016	755	1.070	1,000,048.00	Received	999,750.00	999,750.00
3134G9MS3	16-0072	FHLMC	635,000.00	1.100	12/21/2018	06/16/2016	811	1.100	634,944.76	368.65	635,000.00	635,368.65
3136G15R6	16-0014	FNMA	500,000.00	1.000	12/27/2018	01/14/2016	817	1.350	499,086.50	Received	494,950.00	494,950.00
3136G2YF8	16-0038	FNMA	750,000.00	1.150	05/24/2019	02/26/2016	965	1.150	750,291.75	Received	750,000.00	750,000.00

City of Hamilton
Portfolio Management
Investment Status Report - Investments
September 30, 2016

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency - Coupon (Callable)												
3135G0K93	16-0067	FNMA	1,000,000.00	1.250	06/28/2019	06/28/2016	1,000	1.250	1,000,015.00		1,000,000.00	1,000,000.00
3135G0M26	16-0085	FNMA	1,000,000.00	1.000	07/26/2019	07/26/2016	1,028	1.020	996,043.00		999,400.00	999,400.00
3135G0N58	16-0096	FNMA	275,000.00	1.200	08/16/2019	08/16/2016	1,049	1.200	274,830.60		275,000.00	275,000.00
3133EGAW5	16-0062	FFCB	500,000.00	1.250	08/19/2019	05/25/2016	1,052	1.337	497,637.50	Received	498,635.00	498,635.00
3136G3CD5	16-0039	FNMA	950,000.00	1.350	08/26/2019	02/29/2016	1,059	1.350	950,256.50	Received	950,000.00	950,000.00
3136G35K7	16-0102	FNMA	1,000,000.00	1.125	08/28/2019	08/31/2016	1,061	1.160	999,354.00		999,000.00	999,000.00
3135G0J95	16-0058	FNMA	400,000.00	1.350	10/28/2019	04/29/2016	1,122	1.412	400,017.20	15.00	399,160.00	399,175.00
313381HA6	16-0036	FHLB	500,000.00	1.400	12/13/2019	02/18/2016	1,168	1.448	499,516.50	Received	499,100.00	499,100.00
3134G8XR5	16-0049	FHLMC	1,000,000.00	1.300	01/27/2020	04/27/2016	1,213	1.300	1,000,393.00		1,000,000.00	1,000,000.00
3136G3M85	16-0091	FNMA	500,000.00	1.200	01/27/2020	07/27/2016	1,213	1.200	499,041.00		500,000.00	500,000.00
3136G32E4	16-0100	FNMA	1,000,000.00	1.200	02/25/2020	08/25/2016	1,242	1.200	999,384.00		1,000,000.00	1,000,000.00
3136G4CG6	16-0104	FNMA	1,000,000.00	1.200	03/27/2020	09/28/2016	1,273	1.200	998,480.00	33.33	1,000,000.00	1,000,033.33
3134G8TY5	16-0044	FHLMC	500,000.00	1.420	03/30/2020	03/30/2016	1,276	1.424	500,583.50		499,925.00	499,925.00
3134G9E60	16-0080	FHLMC	500,000.00	1.180	03/30/2020	06/30/2016	1,276	1.180	497,684.50		500,000.00	500,000.00
3134G9DP9	16-0059	FHLMC	775,000.00	1.375	04/27/2020	04/29/2016	1,304	1.381	775,909.08	59.20	774,808.58	774,867.78
3136G3TY1	16-0074	FNMA	500,000.00	1.250	06/30/2020	06/30/2016	1,368	1.295	497,612.00		499,125.00	499,125.00
3135G0N66	16-0099	FNMA	1,000,000.00	1.400	08/24/2020	08/24/2016	1,423	1.406	1,000,085.00		999,750.00	999,750.00
3136G35C5	16-0101	FNMA	1,000,000.00	1.400	08/28/2020	08/30/2016	1,427	1.400	998,338.00		1,000,000.00	1,000,000.00
3130A9GQ8	16-0103	FHLB	500,000.00	1.500	09/23/2020	09/23/2016	1,453	1.500	500,082.50		500,000.00	500,000.00
3134G9QB6	16-0060	FHLMC	500,000.00	1.500	11/25/2020	05/25/2016	1,516	1.500	500,834.00		500,000.00	500,000.00
3134G9X77	16-0092	FHLMC	800,000.00	1.470	01/27/2021	07/27/2016	1,579	1.470	800,000.00		800,000.00	800,000.00
3134GAEE0	16-0105	FHLMC	1,000,000.00	1.500	03/30/2021	09/30/2016	1,641	1.500	997,169.00		1,000,000.00	1,000,000.00
Federal Agency - Coupon (Callable) Totals			20,585,000.00				1,156	1.279	20,567,390.14	476.18	20,570,888.58	20,571,364.76
Federal Agency - Discount												
313385AF3	16-0017	FHLB	1,000,000.00	0.750	01/06/2017	01/14/2016	97	0.767	999,287.00		992,541.66	992,541.66
Federal Agency - Discount Totals			1,000,000.00				97	0.767	999,287.00	0.00	992,541.66	992,541.66
Treasury Securities - Coupon												
912828UE8	16-0029	USTN	1,000,000.00	0.750	12/31/2017	01/22/2016	456	0.868	1,000,430.00	Received	997,734.37	997,734.37
912828UZ1	16-0025	USTN	1,000,000.00	0.625	04/30/2018	01/20/2016	576	0.969	998,359.00	Received	992,265.63	992,265.63
912828R93	16-0083	USTN	1,000,000.00	0.625	06/30/2018	07/12/2016	637	0.645	997,812.00	203.80	999,609.38	999,813.18
912828L81	16-0030	USTN	1,000,000.00	0.875	10/15/2018	01/25/2016	744	1.065	1,001,641.00	Received	994,921.87	994,921.87
912828P53	16-0053	USTN	1,000,000.00	0.750	02/15/2019	04/25/2016	867	0.955	998,086.00	Received	994,335.94	994,335.94
912828SX9	16-0033	USTN	1,050,000.00	1.125	05/31/2019	01/28/2016	972	1.197	1,057,793.10	Received	1,047,539.06	1,047,539.06
912828S43	16-0089	USTN	500,000.00	0.750	07/15/2019	07/18/2016	1,017	0.859	498,379.00	30.57	498,398.44	498,429.01
912828TH3	16-0008	USTN	1,000,000.00	0.875	07/31/2019	01/12/2016	1,033	1.368	1,000,234.00	Received	982,968.75	982,968.75

**City of Hamilton
Portfolio Management
Investment Status Report - Investments
September 30, 2016**

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Treasury Securities - Coupon												
912828TR1	16-0031	USTN	1,000,000.00	1.000	09/30/2019	01/25/2016	1,094	1.288	1,003,047.00	Received	989,687.50	989,687.50
912828UB4	16-0057	USTN	1,000,000.00	1.000	11/30/2019	04/26/2016	1,155	1.140	1,001,992.00	Received	995,078.13	995,078.13
912828VA5	16-0041	USTN	1,000,000.00	1.125	04/30/2020	03/22/2016	1,307	1.270	1,004,258.00	Received	994,218.75	994,218.75
Treasury Securities - Coupon Totals			10,550,000.00				890	1.066	10,562,031.10	234.37	10,486,757.82	10,486,992.19
Investment Totals			52,907,000.00				861	1.138	52,897,161.23	971.66	52,752,853.18	52,753,824.84

**City of Hamilton
Purchases Report
Sorted by Purchase Date - Fund
September 1, 2016 - September 30, 2016**

CUSIP	Investment #	Fund	Sec. Type	Issuer	Original Par Value	Purchase Date	Payment Periods	Principal Purchased	Accrued Interest at Purchase	Rate at Purchase	Maturity Date	YTM	Ending Book Value
3130A9GQ8	16-0103	OP	FAC	FHLB	500,000.00	09/23/2016	03/23 - 09/23	500,000.00		1.500	09/23/2020	1.500	500,000.00
3136G4CG6	16-0104	OP	FAC	FNMA	1,000,000.00	09/28/2016	03/27 - 09/27	1,000,000.00	33.33	1.200	03/27/2020	1.200	1,000,033.33
3134GAEE0	16-0105	OP	FAC	FHLMC	1,000,000.00	09/30/2016	03/30 - 09/30	1,000,000.00		1.500	03/30/2021	1.500	1,000,000.00
63873JQU7	16-0106	OP	COM	NATIX	565,000.00	09/30/2016	03/28 - At Maturity	561,656.92		1.190	03/28/2017	1.214	561,656.92
Total Purchases					3,065,000.00			3,061,656.92	33.33				3,061,690.25

**City of Hamilton
Sales/Call Report
Sorted by Redemption Date - Fund
September 1, 2016 - September 30, 2016**

CUSIP	Investment #	Fund	Issuer Sec. Type	Purchase Date	Redem. Date Matur. Date	Par Value	Rate at Redem.	Book Value at Redem.	Redemption Principal	Redemption Interest	Total Amount	Net Income
3130A7HR9	16-0043	OP	FHLB FAC	03/28/2016	09/28/2016 06/28/2019	1,000,000.00	1.300	1,000,000.00	1,000,000.00	3,250.00	1,003,250.00 Call	3,250.00
Total Sales						1,000,000.00		1,000,000.00	1,000,000.00	3,250.00	1,003,250.00	3,250.00

**City of Hamilton
Interest History
Sorted by Fund
September 1, 2016 - September 30, 2016**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	Amount Received
Federal Home Loan Bank										
3130A4K27	16-0006	OP	Federal Agency - Coupon (NC)	1,000,000.00	03/06/2017	0.720	09/06/2016	3,600.00	09/06/2016	3,600.00
			Subtotal	1,000,000.00		0.720		3,600.00		3,600.00
313380EC7	16-0061		Federal Agency - Coupon (NC)	400,000.00	09/08/2017	0.750	09/08/2016	1,500.00	09/08/2016	1,500.00
							09/08/2016	-641.67	09/08/2016	-641.67
			Subtotal	400,000.00		0.750		858.33		858.33
3130A7HR9	16-0043		Federal Agency - Coupon (Callable)	0.00	06/28/2019	1.300	09/28/2016	3,250.00	09/28/2016	3,250.00
			Subtotal	0.00		1.300		3,250.00		3,250.00
3130A7HV0	16-0094		Federal Agency - Coupon (Callable)	250,000.00	09/28/2018	1.125	09/28/2016	1,406.25	09/28/2016	1,406.25
							09/28/2016	-929.69	09/28/2016	-929.69
			Subtotal	250,000.00		1.125		476.56		476.56
			Federal Home Loan Bank Total	1,650,000.00				8,184.89		8,184.89
Federal Home Loan Mortgage Crp										
3134G8TY5	16-0044	OP	Federal Agency - Coupon (Callable)	500,000.00	03/30/2020	1.420	09/30/2016	3,550.00	09/30/2016	3,550.00
			Subtotal	500,000.00		1.420		3,550.00		3,550.00
3134G9E60	16-0080		Federal Agency - Coupon (Callable)	500,000.00	03/30/2020	1.180	09/30/2016	1,475.00	09/30/2016	1,475.00
			Subtotal	500,000.00		1.180		1,475.00		1,475.00
			Federal Home Loan Mortgage Crp Total	1,000,000.00				5,025.00		5,025.00
Toyota Motor Credit Corp.										
89233GJE7	16-0040	OP	Commercial Paper - Discount	0.00	09/14/2016	0.760	09/14/2016	1,868.33	09/14/2016	1,868.33
			Subtotal	0.00		0.760		1,868.33		1,868.33
			Toyota Motor Credit Corp. Total	0.00				1,868.33		1,868.33
U.S. Treasury Note										
912828TR1	16-0031	OP	Treasury Securities - Coupon	1,000,000.00	09/30/2019	1.000	09/30/2016	5,000.00	09/30/2016	5,000.00
			Subtotal	1,000,000.00		1.000		5,000.00		5,000.00
			U.S. Treasury Note Total	1,000,000.00				5,000.00		5,000.00
			Total	3,650,000.00				20,078.22		20,078.22

GREENUP PROCEEDS FUND

**City of Hamilton-Greenup Proc
Portfolio Management
Investment Status Report - Investments
September 30, 2016**

CUSIP	Investment #	Issuer	Par Value	Stated Rate	Maturity Date	Purchase Date	Days to Maturity	YTM	Market Value	Accrued Interest At Purchase	Current Principal	Book Value
Federal Agency - Coupon (NC)												
3133EGKQ7	16-0087	FFCB	1,000,000.00	0.700	04/06/2018	07/13/2016	552	0.766	997,986.00	136.11	998,870.00	999,006.11
3130A8U50	16-0093	FHLB	1,000,000.00	0.830	07/25/2018	07/25/2016	662	0.860	999,464.00		999,400.00	999,400.00
3130A8PK3	16-0082	FHLB	1,000,000.00	0.625	08/07/2018	07/08/2016	675	0.726	996,102.00		997,920.00	997,920.00
3133EGJD8	16-0079	FFCB	1,000,000.00	1.140	06/29/2020	06/29/2016	1,367	1.200	999,160.00		997,676.00	997,676.00
Federal Agency - Coupon (NC) Totals			4,000,000.00				814	0.888	3,992,712.00	136.11	3,993,866.00	3,994,002.11
Commercial Paper - Discount												
46640PMC4	16-0069	JPM	500,000.00	0.840	12/12/2016	06/16/2016	72	0.855	497,911.67		497,911.67	497,911.67
06538BMD2	16-0073	BTOKYO	1,000,000.00	0.910	12/13/2016	06/16/2016	73	0.927	995,450.00		995,450.00	995,450.00
Commercial Paper - Discount Totals			1,500,000.00				73	0.903	1,493,361.67	0.00	1,493,361.67	1,493,361.67
Federal Agency - Coupon (Callable)												
3134G9UY1	16-0071	FHLMC	1,000,000.00	1.000	06/29/2018	06/29/2016	636	1.000	999,008.00		1,000,000.00	1,000,000.00
3134G9XB8	16-0076	FHLMC	1,000,000.00	1.000	12/28/2018	06/28/2016	818	1.030	998,704.00		999,250.00	999,250.00
3130A87G2	16-0077	FHLB	500,000.00	1.200	05/24/2019	06/24/2016	965	1.200	500,090.50	500.00	500,000.00	500,500.00
3135G0K93	16-0068	FNMA	1,000,000.00	1.250	06/28/2019	06/28/2016	1,000	1.250	1,000,015.00		1,000,000.00	1,000,000.00
3135G0N58	16-0097	FNMA	1,025,000.00	1.200	08/16/2019	08/16/2016	1,049	1.200	1,024,368.60		1,025,000.00	1,025,000.00
Federal Agency - Coupon (Callable) Totals			4,525,000.00				887	1.129	4,522,186.10	500.00	4,524,250.00	4,524,750.00
Federal Agency - Discount												
313385GH3	16-0075	FHLB	2,000,000.00	0.630	06/01/2017	06/21/2016	243	0.642	1,993,574.00		1,987,925.00	1,987,925.00
Federal Agency - Discount Totals			2,000,000.00				243	0.642	1,993,574.00	0.00	1,987,925.00	1,987,925.00
Treasury Securities - Coupon												
912828R93	16-0084	USTN	1,000,000.00	0.625	06/30/2018	07/12/2016	637	0.645	997,812.00	203.80	999,609.38	999,813.18
912828S43	16-0090	USTN	1,000,000.00	0.750	07/15/2019	07/18/2016	1,017	0.859	996,758.00	61.14	996,796.87	996,858.01
912828B5	16-0098	USTN	1,000,000.00	0.750	08/15/2019	08/15/2016	1,048	0.874	996,523.00		996,328.13	996,328.13
Treasury Securities - Coupon Totals			3,000,000.00				900	0.792	2,991,093.00	264.94	2,992,734.38	2,992,999.32
Investment Totals			15,025,000.00				704	0.911	14,992,926.77	901.05	14,992,137.05	14,993,038.10

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Application for a Liquor Permit Transfer from Lobill Foods LLC to Marsh Supermarkets LLC dba Marsh Supermarket 338, 1500 Plaza Dr., Hamilton, Ohio 45013

Dear Mayor and Members of Council:

Notification has been received from the Ohio Department of Liquor Control relative to a request for a Liquor Permit transfer from Lobill Foods LLC, dba Marsh #338, 1500 Plaza Dr., Hamilton, OH 45013 to Marsh Supermarkets LLC, dba Marsh Supermarket #338, 1500 Plaza Dr., Hamilton, OH 45013.

The holder of this type of permit, C2, C2X, is the owner or operator of a retail store to sell beer, wine and prepared and bottled cocktails, cordials, and other mixed beverages in original packages and not for consumption on the premises where sold. Alcohol contains no less than four per cent by volume and not more than twenty-one per cent of alcohol by volume in original containers having a capacity of not more than five and one-sixth gallons.

The appropriate city departments have investigated this request and have no objections to this request. I recommend that Council direct the City Clerk to notify the Ohio Department of Liquor Control that the City has no objection to this request.

It is the recommendation of this office that Council receives this report and concurs in the recommendation.

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
 City Manager

Amy K. Bach
 City Manager's Office

Choose Strategic Goal(s)

- R** Realize \$150 million of new private industrial/commercial investment
- A** Add 2,000 new jobs
- I** Increase residential property values by CPI + 5%
- D** Decrease vacant residential structures by 30% (1,000 total)
- G** Generate \$20 M in investment for recreational amenities with \$10 M around the Great Miami River
- E** Engage 50,000 participants annually in special events, arts and recreation activities
- O** General Operations/ Government Business



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Issuance of a New Liquor Permit for Arada Properties & Investments LLC dba Dream, **2536 Dixie Hwy.**, Unit R, Hamilton, OH 45015

Dear Mayor and Members of Council:

Notification has been received from the Ohio Division of Liquor Control relative to a request for a new D5 liquor permit for Arada Properties & Investments LLC dba Dream, 2536 Dixie Hwy. Unit R, Hamilton, Ohio 45015.

The holder of this type of permit, D5, is the owner or operator of a retail food establishment that operates as a restaurant or night club, to sell beer and any intoxicating liquor at retail, only by the individual drink in glass and from the container for consumption on the premises where sold.

The appropriate city departments have investigated this request and found no valid reason to object to this request. I recommend that Council direct the City Clerk to notify the Ohio Division of Liquor Control that the City has no objection to this new permit.

It is the recommendation of this office that Council receives this report and concurs in the recommendation.

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
 City Manager

Amy K. Bach
 City Manager's Office

Choose Strategic Goal(s)	
<input type="checkbox"/>	R Realize \$150 million of new private industrial/commercial investment
<input type="checkbox"/>	A Add 2,000 new jobs
<input type="checkbox"/>	I Increase residential property values by CPI + 5%
<input type="checkbox"/>	D Decrease vacant residential structures by 30% (1,000 total)
<input type="checkbox"/>	G Generate \$20 M in investment for recreational amenities with \$10 M around the Great Miami River
<input type="checkbox"/>	E Engage 50,000 participants annually in special events, arts and recreation activities
<input checked="" type="checkbox"/>	O General Operations/ Government Business



City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: John Creech, Senior Planner

Agenda Item: Request to Rezone 759 Park Avenue (City Lot No. 6531), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two Family Residence District (Laming Properties, Applicant/Owner).

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> A Add new jobs <input type="checkbox"/> R Realize new investments <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 10-12-2016 <input checked="" type="checkbox"/> 2 nd Reading Date: 10-26-2016 <input checked="" type="checkbox"/> Public Hearing Date: 10-12-2016	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other): Planning Commission: 09-06-2016	
Contract	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: No	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	General Fund: \$200.00	
	Other Funds: \$ 0.00	

Policy Issue

Does City Council wish to approve the rezoning of 759 Park Avenue from R-1 Single Family Residence District to R-2A Two Family Residence District?

Policy Alternative(s)

Council may choose to not approve the rezoning of 759 Park Avenue from R-1 Single Family Residence District to R-2A Two Family Residence District.

Staff Recommendation

It is the recommendation of this office that Council receives this report, concurs in the Recommendation of the Planning Commission, and adopts the necessary legislation to approve rezoning of 759 Park Avenue from R-1 Single Family Residence District to R-2A Two Family Residence District.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the request to rezone the property located at 759 Park Avenue from R-1 Single Family Residence District to R-2A Two Family Residence District estimated at approximately \$200.00.

INTRODUCTION

Laming Properties has submitted an application for the rezoning of 759 Park Avenue (City Lot No. 6531). The property is currently zoned R-1 Single Family Residence District. The applicant is proposing a zoning change from R-1 Single Family Residence District to R-2A Two Family Residence District. The property is currently being used as a two-family residence (see attached photographs). According to Butler County Auditor records the house was built in 1925. According to the Applicant, the reason for the rezoning request is to make the existing two-family dwelling a permitted use. Currently, the two-family dwelling is a non-conforming (grandfathered) land use in the R-1 zoning district and allowed to continue as long as it remains and the use does not cease for more than six (6) months, per Section 1109.33 of the Hamilton Zoning ordinance. A two-family dwelling is not permitted in the R-1 Single Family Residence District but is a permitted use in R-2A Two Family Residence District

PLAN/PROPOSAL ANALYSIS

There is one (1) parcel associated with this request. The property is currently zoned R-1 Single Family Residence District. If the current structure were destroyed the rebuilding the same structure in the current R-1 zoning classification would not be permitted. Section 1109.42 of the Hamilton Zoning Ordinance states that "Should such structure be destroyed by any means to an extent of more than fifty (50) percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance." The Planning Commission held a public hearing and reviewed the rezoning application on September 6, 2016 and recommend approval of the rezoning.

The property located at 759 Park Avenue is currently zoned R-1 Single Family Residence District. The area surrounding 759 Park Avenue is currently a mix of R-1 Single Family zoning and R-3 One to Four Family Residence. The existing property has a total of approximately 50 feet of frontage along Park Avenue. There is one (1) parcel associated with this request.

PUBLIC NOTIFICATION

A total of one-hundred and eighteen (118) public hearing notices were mailed to property owners within 500 feet of the subject property. There were no objections expressed to the proposed rezoning request.

RECOMMENDATION

The Planning Commission held a public hearing and reviewed the proposed rezoning of the property located at 759 Park Avenue on September 6, 2016. After consideration, the Planning Commission approved the request to rezone the subject property and recommend approval by City Council.

It is the recommendation of this office that Council receives this report, concurs in the recommendation of the Planning Commission, and directs the preparation of the necessary legislation to rezone 759 Park Avenue (City Lot No. 6531), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two Family Residence District (Laming Properties, Applicants).



Attached Information

1. Public Hearing Notification Map
2. Area Zoning Map
3. Photographs of Property



759 PARK AVE.
PUBLIC HEARING MAP



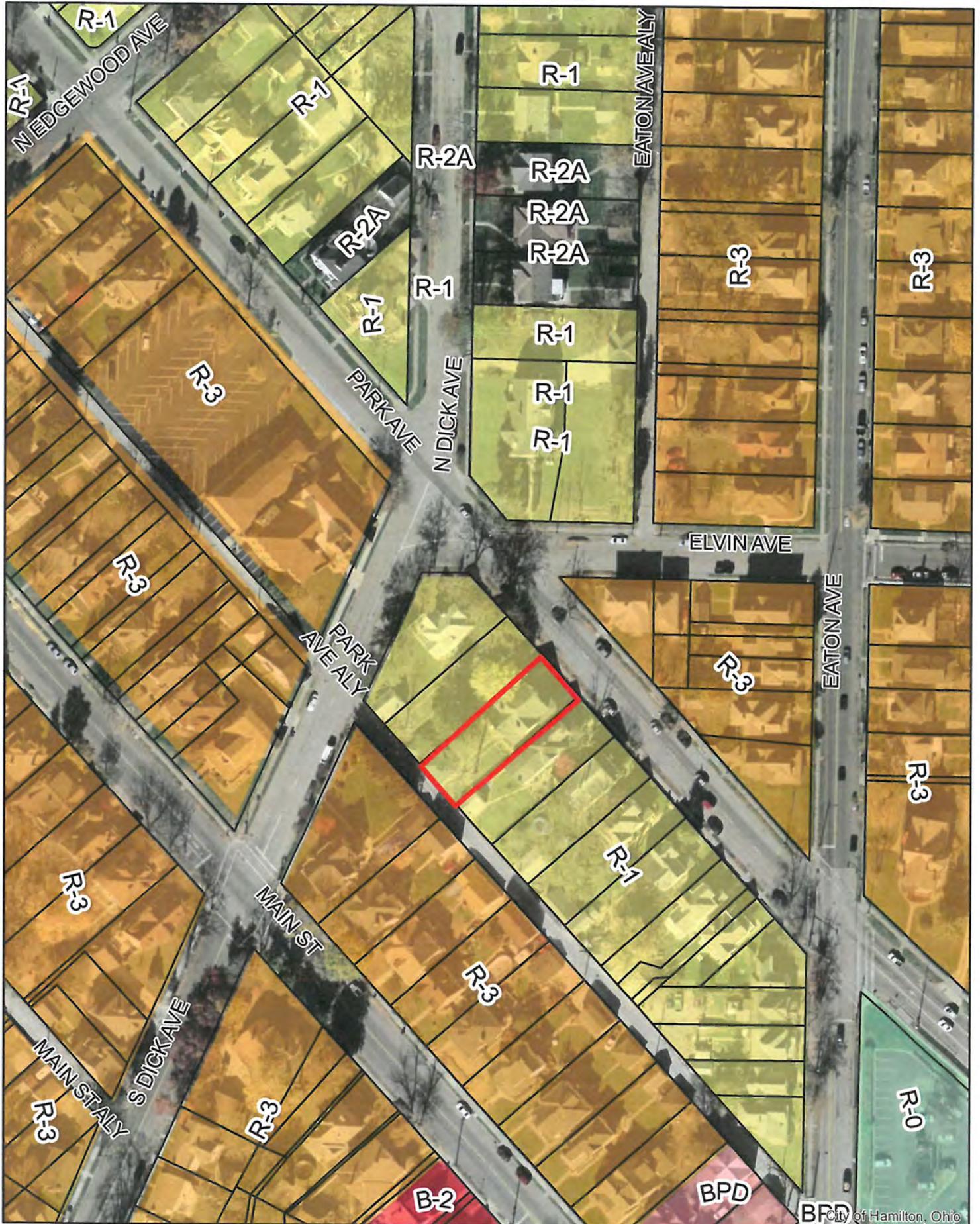
City of Hamilton, Ohio

 759 Park Avenue

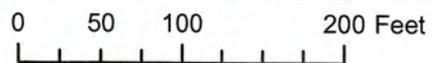
0 35 70 140 Feet



759 PARK AVE.
PUBLIC HEARING MAP



 759 Park Avenue



**759 Park Avenue Rezoning Request
Photographs of the Subject Property**



ORDINANCE NO. _____

AN ORDINANCE AMENDING ZONING ORDINANCE NO. 7503 BY CHANGING THE ZONING OF THE PROPERTY LOCATED AT 759 PARK AVENUE (CITY LOT NO. 6531), LOCATED IN THE CITY OF HAMILTON, FIRST WARD NORTH SIDE, FROM R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO R-2A TWO-FAMILY RESIDENCE DISTRICT (Laming Properties, Applicant/Owner).

WHEREAS, the Administration of the City of Hamilton, Ohio, has received request from Laming Properties, for the property located at 759 Park Avenue (City Lot No. 6531) for a change in the zoning designation for said property, located in the First Ward North Side, from "R-1" Single-Family Residence District to "R-2A" Two-Family Residence District; and

WHEREAS, Laming Properties has proposed the rezoning from "R-1" to "R-2A" in order to make the existing two-family dwelling a permitted use, and

WHEREAS, the City Planning Commission held a public hearing and reviewed the rezoning request at their September 6, 2016 meeting and property owners within 500 feet of the subject property were notified by mail of the public hearing before the City Planning Commission; and

WHEREAS, after holding a public hearing and reviewing the rezoning request, the City Planning Commission approved the request to rezone the subject property located 759 Park Avenue (City Lot No. 6531) from "R-1" to "R-2A"; and

WHEREAS, the City Planning Commission reviewed the proposed rezoning on September 6, 2016 and after holding a public hearing and consideration, the Planning Commission approved the rezoning request and recommends that City Council approve the request to rezone the property located at 759 Park Avenue (City Lot No. 6531), located in the First Ward North Side, City of Hamilton, Butler County, Ohio.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That the zoning of the following described lot, to-wit:

- (1) property located at 759 Park Avenue (City Lot No. 6531), located in the First Ward North Side, City of Hamilton, Butler County, Ohio

as the same are known and designated on the revised list of lots in the First Ward North Side of the City of Hamilton, Butler County, Ohio, and as set forth in detail in Exhibit No. 1, attached hereto, made a part hereof and incorporated herein by reference, be and are hereby changed from "R-1" Single-Family Residence District to "R-2A" Two-Family Residence District, and the District Map provided by Section 1103.00 of the Zoning Ordinance No. 7503 shall be altered to show such changes.

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Effective Date: _____

ATTEST: _____

City Clerk

Mayor

Ordinance No. _____ (cont'd)

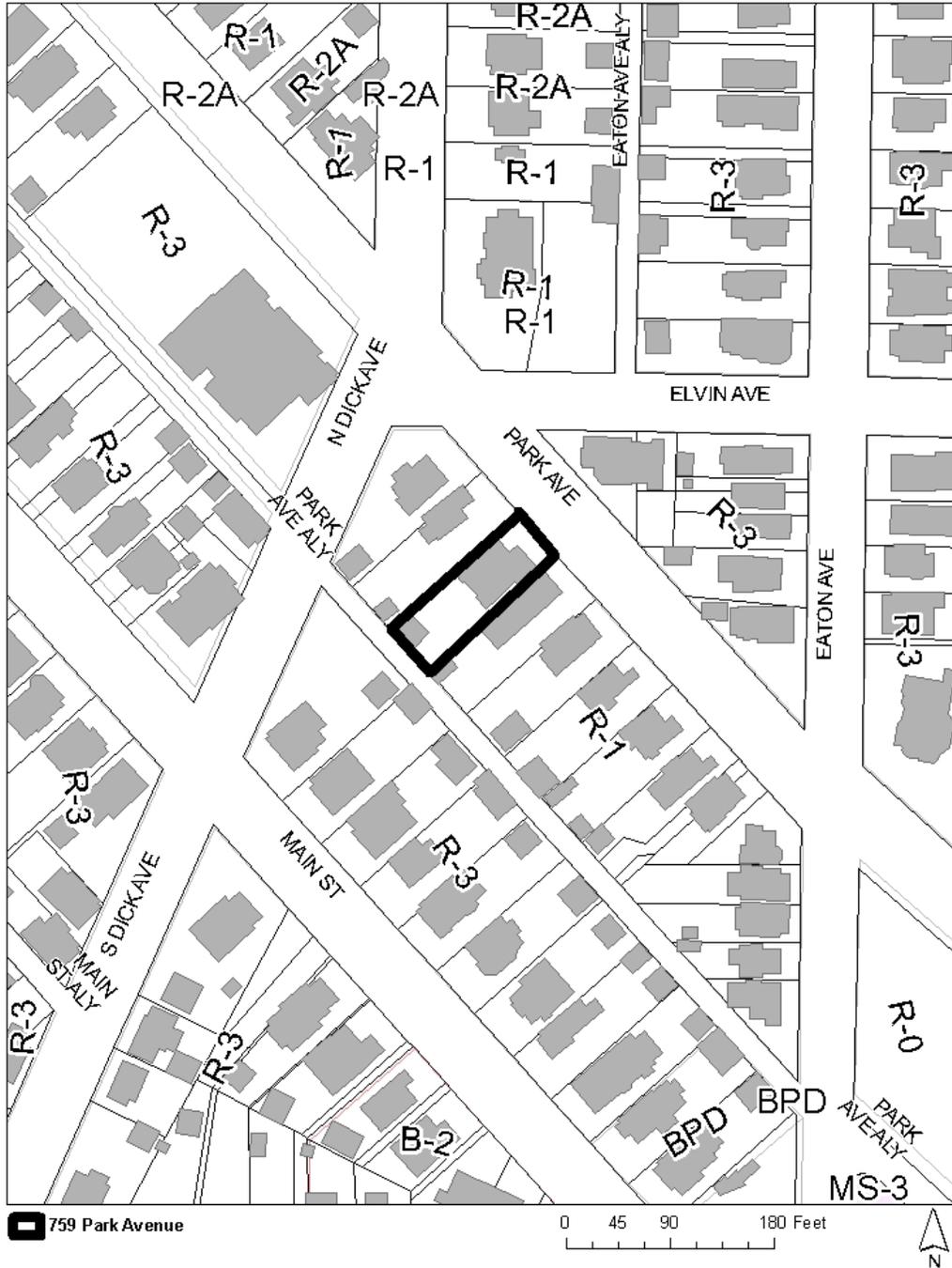
CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided in Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1

**759 Park Avenue
PUBLIC HEARING MAP**



City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Kevin Maynard, Director of Public Utilities

Agenda Item: Report regarding an ordinance amending Schedule “A” to add the new classification of Customer Service Superintendent

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input type="checkbox"/> R Realize new investments <input type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<p>1st Reading Date: 10-12-16 2nd Reading Date: 10-26-16 Public Hearing Date:</p>	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other):</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: 2016 Expenditure: See Summary Below Source Funds: Electric Fund 50%; Natural Gas Fund 30%, Water Fund 10%; Wastewater Fund 10%</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>

Policy Issue

Does City Council wish to adopt legislation to amend and supplement Schedule A of the City’s Classification and Compensation Plan to establish the new classification of Customer Service Superintendent?

Policy Alternative(s)

Council may choose not to adopt such legislation to amend and supplement Schedule “A” of the City’s Classification and compensation plan.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary legislation to adopt an ordinance to amend and supplement existing Schedule “A” of the City’s Classification and Compensation Plan as set forth in Emergency Ordinance No. EOR2016-1-14, adopted January 13, 2016, by adding thereto the new classification of Customer Service Superintendent.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.



Fiscal Impact Summary

N/A

Background Information

As part of the 2015 Utility reorganization plan approved by City manager Joshua Smith, Ms. Darla Bokeno has assumed the responsibility of overseeing and directing Customer Service Staff. Attached is a position description for this function for council consideration. On December 3, 2015, Ms. Bokeno was recommended and approved by the Civil Service Commission to be promoted from her then present classification of Administrative Specialist III to that of Administrative Specialist IV to reflect the additional responsibilities she has assumed. The proposed position of Customer Service Superintendent, described below, has a recommended pay range equal to the Administrative Specialist IV position.

The Customer Service Superintendent position will include the following responsibilities:

1. Supervises and coordinates Customer Service staff in timely, accurate collection of utility bills
2. Prepares customer service statistics and billing and collection reporting
3. Develops programs to monitor accurate and timely utility billing and collection
4. Prepares reports to monitor accurate metering and billing of key accounts
5. Oversees billing system implementation of rate changes and monitors for accuracy

Attached Information

- Classification Description

Copies Provided to:

N/A



CLASS TITLE	CUSTOMER SERVICE SUPERINTENDENT
CLASS CODE NUMBER	2092
ADMINISTRATIVE SERVICE CATEGORY	Classified Service
ADOPTED	
REVISED	
PROBATIONARY PERIOD	One (1) Year

GENERAL DESCRIPTION OF DUTIES

This is difficult professional and administrative work responsible for overseeing establishing and billing municipal utility (electric, gas and water, wastewater) accounts, account customer service, collection of utility and refuse accounts from customers and auditing billing and account data. Work is performed under the general supervision of the Utility Business Manager but considerable leeway is granted for the exercise of independent judgment. Supervision is exercised over the work of the Customer Service Administrator and assigned technical and clerical personnel.

ESSENTIAL JOB FUNCTIONS

- Plans, organizes, directs and supervises the operations and activities of utility customer service staff;
- Supervises, oversees and coordinates personnel in timely, accurate collection of utility bills, special holds, letters of credit, disconnects for nonpayment, delinquent accounts and related activities;
- Assigns work activities to achieve productivity and efficiency;
- Evaluates equipment or personnel needs and drafts recommendations;
- Receives and responds to customer service inquires and complaints;
- Reviews and recommends updates to procedures and standards for the work of the division, develops and maintains policy and procedure manuals;
- Initiates requisitions for materials and supplies and approves payments;
- Prepares customer service statistics and billing and collection reporting;
- Oversees billing system implementation of rate changes and monitors for accuracy;
- Develops programs to monitor accurate and timely utility billing and collection;
- Prepares reports to monitor accurate metering and billing of key accounts;
- Maintains liaison with other departments and coordinates relevant policies;
- Makes recommendations for both short and long term planning, implementing plans when approved;
- Monitors and evaluates current program effectiveness and initiates changes as needed;
- Interacts with outside agencies to coordinate programs and policies, administer City's collection and disconnect policies, provide data and/or assistance and achieve mutual goals;
- Prepares division budget and monitors expenditures;
- Performs related work as required.

SKILLS/KNOWLEDGES/ABILITIES

- Thorough knowledge of utility billing, meter reading, credit and collections and customer service principles and practices;
- Thorough knowledge of modern office management practices and procedures and of

computerized billing procedures;

2090

- Good knowledge of generally accepted accounting principles as applied to revenue accounting and credit and collection activities;
- Good knowledge of computer spreadsheet, word processing, database, email and utility billing applications, preferably those currently in use by the department;;
- Good knowledge of the methods, principles and practices of electronic data processing equipment and programs;
- Skill in tactfully dealing with difficult customer service situations;
- Ability to accurately maintain varied and complex records and filing systems;
- Ability to prepare complex statistical reports;
- Ability to perform work with speed, accuracy and attention to detail;
- Ability to make decisions in accordance with established policies and procedures;
- Ability to independently solve problems within assigned areas of responsibility;
- Ability to organize, prioritize, motivate, supervise and evaluate the work of others;
- Ability to establish and maintain effective working relationships with other City employees, Department Heads, Division Heads, other supervisory personnel, banks, credit bureaus, social service agencies and the general public;
- Ability to communicate well with others, both orally and in writing;
- Ability to handle confidential employee and administrative information with tact and discretion;
- Effective working knowledge of financial internal control procedures.

TRAINING/EDUCATION/QUALIFICATIONS

- Graduation from a college or university of recognized standing with a Bachelor's Degree in Business Administration, Accounting or a related field preferred; and
- Considerable progressively responsible experience in credit and collections, customer service, utility billing, and data processing systems including some supervisory experience; or
- Any equivalent combination of experience and training which provides the necessary knowledge, skills and abilities to perform the work.

ESSENTIAL SPECIAL REQUIREMENTS

- Ability to be bonded.

ESSENTIAL PHYSICAL ABILITIES

- Clarity of speech and hearing which permits the employee to communicate well with other City Department and Division Heads, banks, credit bureaus, social service agencies, employees and the general public;
- Sufficient vision, with or without correction, which permits the employee to produce and review a wide variety of reports and related materials;
- Sufficient manual dexterity which permits the employee to operate a keyboard and produce hand-written materials and notations;
- Sufficient personal mobility which permits the employee to visit and inspect other City and field work locations.

. . . END . . .

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING SCHEDULE "A" OF THE CITY'S CLASSIFICATION AND COMPENSATION PLAN AS SET FORTH IN EMERGENCY ORDINANCE NO. EOR2016-1-4, ADOPTED JANUARY 13, 2016, AND AS AMENDED FROM TIME TO TIME, RELATIVE TO THE NEW CLASSIFICATION OF CUSTOMER SERVICE SUPERINTENDENT.

WHEREAS, the Administration of the City of Hamilton, Ohio recommends that the new classification of Customer Service Superintendent be added to Schedule "A" of the City's Classification and Compensation Plan; and

WHEREAS, this position will report directly to the Utility Business Manager overseeing and coordinating customer service personnel in timely and accurate collection of utility bills; and

WHEREAS, to accomplish the aforesaid it is necessary to amend and supplement existing Schedule "A" of the City's Classification and Compensation Plan; and

WHEREAS, this Council desires that said amendment be made.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That Schedule "A" of the City's Classification and Compensation Plan be and is hereby amended and supplemented to add the new classification of Customer Service Superintendent as set forth in detail below.

<u>Class Code</u>	<u>Title</u>	<u>Pay Range</u>	<u>Annual Salary Minimum – Maximum</u>
2092	Customer Service Superintendent	51	\$68,162– \$87,422

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Effective Date: _____

Mayor

ATTEST: _____

City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk for the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Joshua A. Smith, City Manager

Agenda Item: A report regarding an ordinance authorizing and ratifying the purchase of 21 South C Street, Hamilton, OH 45013

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input checked="" type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> A Add new jobs <input type="checkbox"/> R Realize new investments <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Ordinance</i>	<input type="checkbox"/> 1 st Reading Date: 10/12/16 <input type="checkbox"/> 2 nd Reading Date: 10/26/16 <input type="checkbox"/> Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other):	
Contract	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: Yes Expenditure: \$43,700 Source Funds: Hamilton Capital Improvement & Debt Service Fund (215)	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to adopt legislation to authorize and ratify the purchase of 21 South C Street, Hamilton, Ohio 45013?

Policy Alternative(s)

Council may choose not to adopt such legislation to purchase the property at 21 South C Street, Hamilton, Ohio which will be used for economic revitalization and repurposing. The property would remain as it stands now.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to authorize and ratify the purchase of 21 South C Street, Hamilton, Ohio 45013. Adopting this legislation will allow for economic revitalization and repurposing.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.



Fiscal Impact Summary

The City agrees to purchase 21 South C Street for \$43,700 out of the Hamilton Capital Improvement and Debt Service Fund (215.199.700.389). The plan is for the purchase price expensed out of the Hamilton Cap & Debt Service Fund (215) to be reimbursed with the proceeds from the internal note with the Electric System Reserve Fund (527). Debt service will eventually be paid of the Hamilton Cap & Debt Service Fund (215) at a rate not to exceed 1.5% to the Electric System Reserve Fund (527).

Background Information

The City of Hamilton, Ohio desires to purchase property located at 21 South C Street, Parcel P6412102000032 which is currently owned by Vintage Homes. Vintage Homes is owned by Steve Packo.

Attached Information

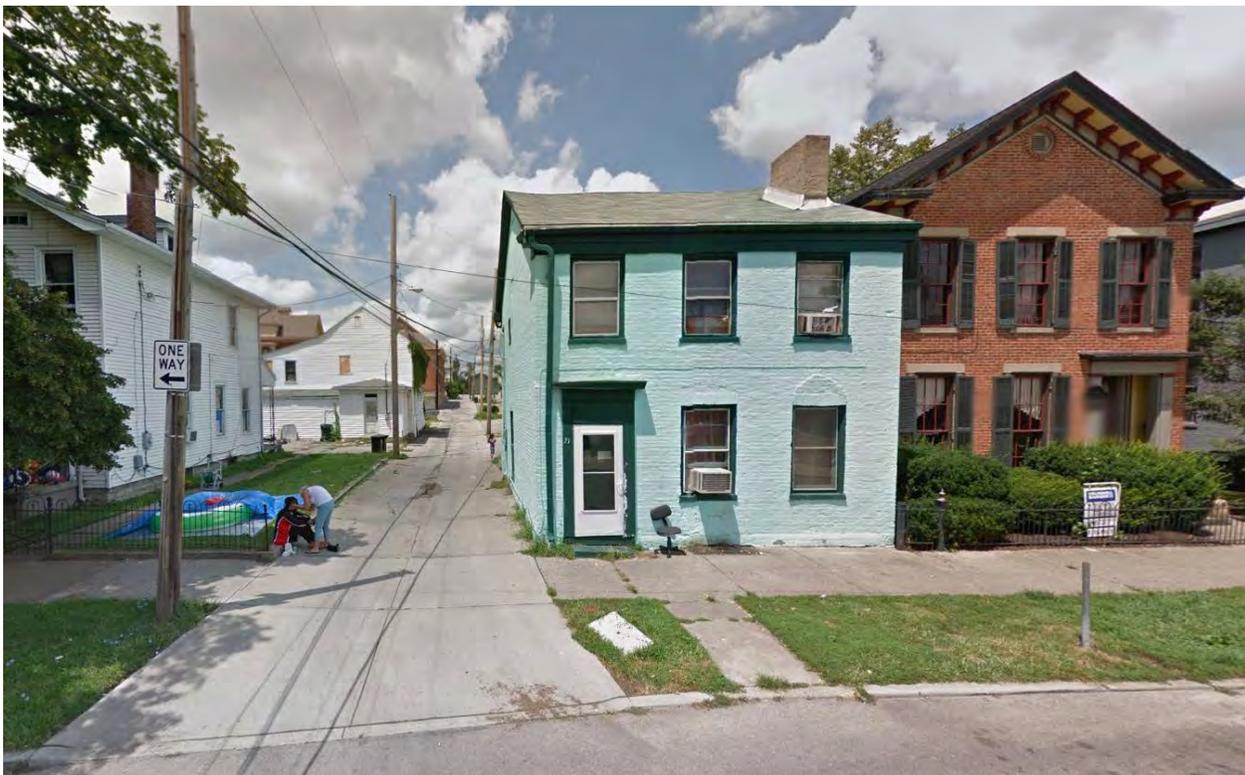
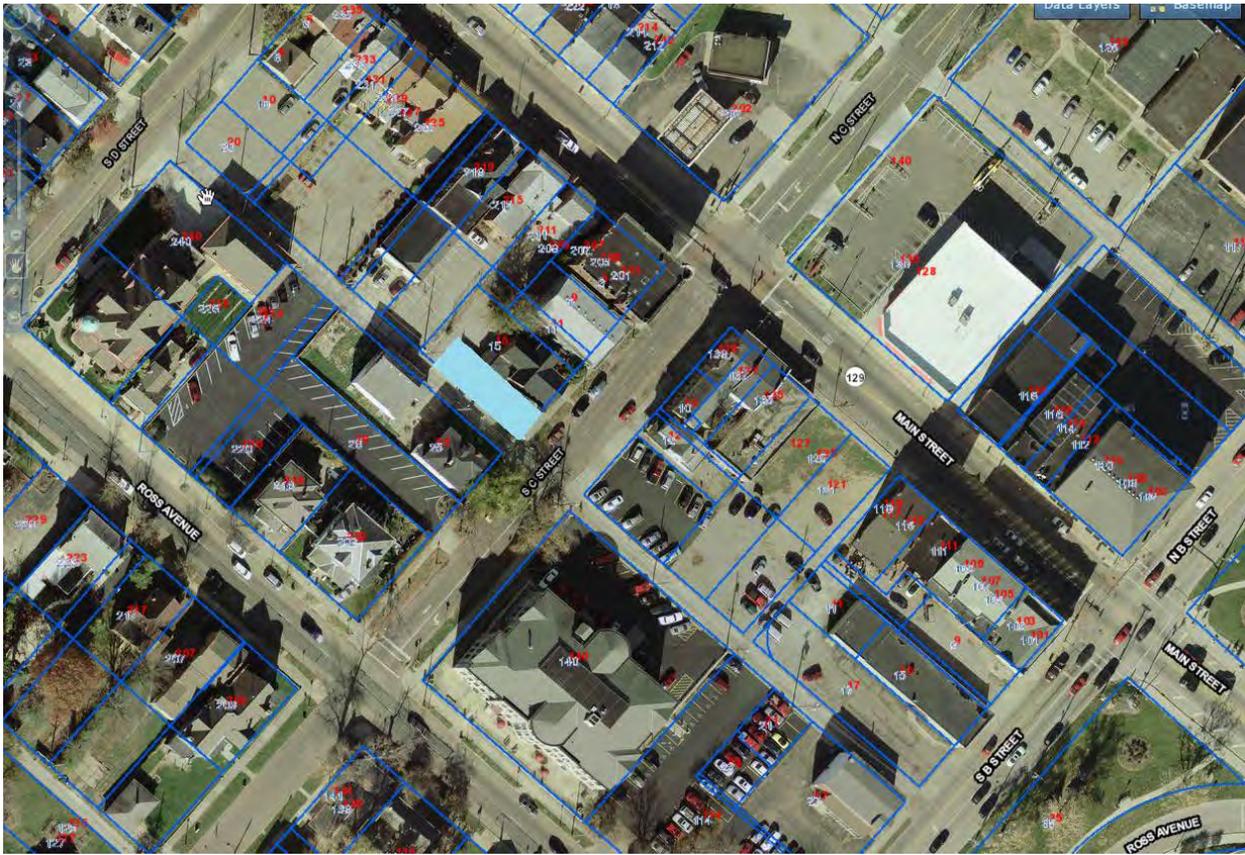
A depiction of parcel P6412102000032 being purchased is attached.

Copies Provided to:

N/A



21 South C Street



ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND RATIFYING THE PURCHASE OF 21 SOUTH C STREET, HAMILTON, OHIO 45013. (Vintage Homes of Ohio, LTD, Owner).

WHEREAS, on September 29, 2016, Vintage Homes of Ohio, LTD, the owner of the real estate located at 21 South C Street (the "Property"), entered into a Purchase and Sale Agreement ("Purchase Agreement") for the purchase of the Property by the City of Hamilton for Forty-Three Thousand Seven Hundred Dollars (\$43,700.00) and is attached as Exhibit No. 1; and

WHEREAS, the Administration finds that it would be beneficial for Council to ratify the purchase of the Property for a total of Forty-Three Thousand Seven Hundred Dollars (\$43,700.00); and

WHEREAS, the Property is located near the Main Street Redevelopment Area, and purchase of this Property would serve to allow control of the Property for economic revitalization and redevelopment; and

WHEREAS, Council finds there is a public interest to be served by the purchase of the Property by enhancing the City's economic development efforts in the Main Street Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That any and all actions taken by the City Manager relating to the Purchase Agreement and the Property, for a total of Forty-Three Thousand Seven Hundred Dollars (\$43,700.00), shall be and hereby are authorized and ratified.

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____.

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT ("Agreement") is made and entered into as of this 29th day of September, 2016 ("Effective Date"), by and between Vintage Homes of Ohio, LTD., ("Seller"), and the City of Hamilton, Ohio, an Ohio municipal corporation ("Purchaser").

WITNESSETH:

WHEREAS, Seller owns the real estate located at 21 South C in Hamilton, Butler County, Ohio, which Seller desires to sell to Purchaser; and

WHEREAS, Purchaser and Seller desire to set forth the terms and conditions for the sale of the property in this Agreement.

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

ARTICLE I – PURCHASE AND SALE

1.1 Agreement of Purchase and Sale. Subject to the terms and conditions set forth in this Agreement, Seller agrees to sell and convey to Purchaser, and Purchaser agrees to buy from Seller, that certain real property described on Exhibit A attached hereto, together with all easements and privileges appurtenant thereto, all reservations, rights of way, strips and gores of land, mineral rights, water rights and remainders in any way belonging, remaining or appertaining thereto; and all improvements, fixtures, trees and minerals located thereon (collectively, hereinafter referred to as the "Property").

1.2 Excluded Property. Except as hereinafter provided, title to all of the personal property (collectively, the "Personal Property"), improvements and fixtures on the Property shall be transferred to Purchaser at the Closing, free and clear of all liens, encumbrances or claims from Seller. Notwithstanding the provisions of the preceding sentence, Seller shall retain, as its own, the personal property set forth on Exhibit B attached hereto (collectively, the "Excluded Property"). Seller agrees that all of the Excluded Property will be removed from the Property by Seller, at its sole cost and expense, prior to the Closing.

1.3 Transfer. The Property will be transferred to Purchaser at the Closing (defined below) in broom-clean condition, free and clear of all of: (a) the rights of any tenant under any recorded or unrecorded lease or other agreement or understanding; (b) all of the Excluded Property; and (c) all of the personal property belonging to any former tenant or occupant of the Property. Any Excluded Property that has not been removed from the Property prior to the Closing shall be deemed to have been abandoned by Seller and title thereto shall pass to Purchaser at the Closing for no additional consideration other than the Purchase Price (defined below). The provisions of this Section shall survive the Closing.

ARTICLE II – EARNEST MONEY AND PURCHASE PRICE

2.1 **Earnest Money.** Within five (5) calendar days after its execution of this Agreement, Purchaser will deposit with Jonathan O. Nerenberg, Esq., as agent for Ohio Bar Title Insurance Company (the “Escrow Agent”), the sum of Five Hundred and 00/100 (\$500.00) Dollars as the earnest money (the “Earnest Money”) under this Agreement. The Earnest Money shall be held and disbursed by Escrow Agent as provided for in this Agreement.

2.2 **Escrow Agent.** Escrow Agent shall hold and dispose of the Earnest Money in accordance with the terms of this Agreement. Seller and Purchaser agree that the duties of Escrow Agent hereunder are purely ministerial in nature and shall be expressly limited to the safekeeping and disposition of the Earnest Money in accordance with this Agreement. Escrow Agent shall incur no liability in connection with the safekeeping or disposition of the Earnest Money for any reason other than Escrow Agent’s willful misconduct or gross negligence. In the event that Escrow Agent shall be in doubt as to its duties or obligations with regard to the Earnest Money, or in the event that Escrow Agent receives conflicting instructions from Purchaser and Seller with respect to the Earnest Money, Escrow Agent shall not be required to disburse the Earnest Money and may, at its option, continue to hold the Earnest Money until both Purchaser and Seller agree as to its disposition, or until a final judgment is entered by the Common Pleas Court in Butler County, Ohio directing its disposition.

Escrow Agent shall not be responsible for any interest on the Earnest Money except as is actually earned, or for the loss of any interest resulting from the withdrawal of the Earnest Money prior to the date interest is posted thereon.

2.3 **Purchase Price.** The purchase price (“Purchase Price”) for the Property and the Personal Property shall be: Forty-Three Thousand Seven Hundred and 00/100 (\$43,700.00) Dollars. The Earnest Money, unless otherwise disbursed by the terms of this Agreement, shall be applied to the Purchase Price at the Closing as a portion of the Purchase Price. The Purchase Price, less the Earnest Money and the prorations provided for in Section 4.4 hereof, shall be paid by Purchaser to Seller at Closing.

ARTICLE III – CONDITIONS TO THE OBLIGATIONS OF PURCHASER

3.1 **Conditions.** The obligations of Purchaser to consummate the transactions contemplated by this Agreement are subject to the following conditions precedent (collectively, hereinafter referred to as the “Conditions”, and individually as a “Condition”) which shall be satisfied or waived prior to the dates set forth in each of the following subsections:

(a) **Title Commitment.** Purchaser, at Purchaser’s sole cost and expense, will obtain a title commitment (“Title Commitment”) for the Property issued by a title company (“Title Company”) acceptable to Purchaser. If the Title Commitment shows: (i) that all or part of the Property is unmarketable, or (ii) that the Property is subject to a defect, lien, encumbrance, easement, condition or restriction which is unacceptable to Purchaser, in Purchaser’s sole and

absolute discretion (each, a "Title Objection"), Purchaser shall send written notice ("Title Objection Notice") of such Title Objection to Seller.

Seller shall have ten (10) days after the date of the Title Objection Notice (the "Cure Period") within which to cure ("Cure") the Title Objections as follows: (i) Seller shall cause the Property to be free of such matters to which Purchaser objected and have such Title Objections removed from the Title Commitment; and/or (ii) if such Title Objections can be removed from the Title Commitment by the payment of money or by Seller executing an affidavit or affidavits at Closing, Seller shall agree in writing with Purchaser to remove such Title Objections in the foregoing manner at Closing. Seller shall be deemed to have satisfied the conditions of (ii) in the immediately preceding sentence only if the Title Objections referenced therein are removed from the Title Commitment by the Title Company at Closing.

If, after using all reasonable efforts, Seller fails to Cure a Title Objection within the Cure Period, Purchaser shall have the right to elect to either: (i) waive such Title Objections which Seller fails to Cure and accept such title to the Property as Seller will convey; or (ii) terminate this Agreement by sending written notice of termination to Seller and Escrow Agent. Thereafter Escrow Agent shall repay to Purchaser the Earnest Money, less the sum of One Hundred and 00/100 (\$100.00) Dollars (the "Consideration"), which Consideration Escrow Agent shall pay to Seller as the consideration for Seller entering into this Agreement. After termination, Purchaser shall have no further liability to Seller or obligations under this Agreement, except for those obligations which survive the termination of this Agreement. Each party shall bear its own costs incurred hereunder.

Purchaser shall be deemed to have approved of those matters which are not objected to and which are contained in the Title Commitment. The following are collectively hereinafter referred to as "Permitted Encumbrances": (i) installments of real estate taxes and assessments (general and special) constituting a lien on the Property, but not yet due and payable; (ii) all matters approved or deemed to have been approved by Purchaser; and (iii) all Title Objections subsequently waived by Purchaser.

The foregoing notwithstanding, all mortgages and other monetary liens on the Property shall be discharged by Seller at or prior to the Closing.

(b) Title Insurance. At Closing, Purchaser will purchase an owner's policy of title insurance in the amount of the Purchase Price, insuring that title to the Property is vested in Purchaser at Closing, subject only to Permitted Encumbrances (such title insurance policy being hereinafter referred to as the "Owner's Policy"). The cost of the Owner's Policy will be paid by Purchaser. If Purchaser is unable to obtain an Owner's Policy that is acceptable to Purchaser, in Purchaser's sole and absolute discretion, or a marked-up Title Commitment and irrevocable written confirmation that the Title Company will issue the Owner's Policy consistent with the marked-up Title Commitment, then Purchaser shall have the right to terminate this Agreement by sending written notice of termination to Seller and Escrow Agent. If this Agreement is terminated by Purchaser, Escrow Agent: (i) shall repay to Purchaser the Earnest Money, less the Consideration; and (ii) pay the Consideration to Seller. After termination, Purchaser will have no further liability to Seller or obligations under this Agreement, except for those obligations

which survive the termination of this Agreement. Each party shall bear its own costs incurred hereunder.

(c) Due Diligence. From the Effective Date until the Closing, Purchaser, its employees, agents and contractors, shall have the right to enter upon the Property to perform such investigations and inspections (including but not limited to an environmental site assessment) of the Property as Purchaser deems appropriate. All such investigations and inspections shall be completed at Purchaser's sole cost and expense.

If, as a result of its due diligence, Purchaser determines that the Property is, for any reason or no reason, unacceptable to Purchaser, in its sole and absolute discretion, Purchaser shall have the right to terminate this Agreement by sending written notice thereof to Seller and Escrow Agent. If this Agreement is terminated, then neither party shall have any liability to the other or any further rights or obligations under this Agreement, except for those obligations which survive the termination of this Agreement. After termination, Escrow Agent shall: (i) repay to Purchaser the Earnest Money, less the Consideration; and (ii) pay the Consideration to Seller. Each party shall bear its own costs incurred hereunder.

ARTICLE IV – CLOSING

4.1 Closing. The closing ("Closing") for the delivery of the Deed (defined below) for the Property, the payment of the balance of the Purchase Price and the delivery of the other instruments provided for in this Agreement shall be held at 10:00 A.M. on the sixtieth (60th) day following the Effective Date (the "Closing Date"). The Closing shall take place at the office of the Escrow Agent, 246 High Street, Seventh Floor, Hamilton, Ohio. Time is of the essence.

The Closing shall not occur unless and until: (a) all of the actions set forth in Section 4.2 of this Agreement shall have been taken; and (b) all of the actions set forth in Section 4.3 of this Agreement shall have been taken. None of the actions provided for in preceding clauses (a) or (b) shall be deemed to have been taken unless and until all of them have been taken.

4.2 Seller's Obligations. At Closing, Seller shall:

(a) Deliver a General Warranty Deed ("Deed"), fully executed and acknowledged by each Seller, conveying fee simple title to the Property to Purchaser using the legal description set forth on Exhibit A attached hereto, free and clear of all liens and encumbrances, subject only to Permitted Encumbrances;

(b) Deliver an Affidavit of Title and Non-Foreign Certificate, in a form reasonably acceptable to the Title Company, signed by Seller;

(c) Deliver a Bill of Sale for the Personal Property in the form of Exhibit C attached hereto (the "Bill of Sale"), executed by Seller;

(d) Deliver all affidavits to Title Company and sums of money required pursuant to Section 3.1(a) above;

(e) Deliver such affidavits or indemnity agreements to Title Company against liens and parties in possession (except for the Permitted Leases), tax transfer statements and such other affidavits or documentation as the Title Company may require to issue the Owner's Policy with standard exceptions deleted and in conformity with the Title Commitment as Cured by Seller and approved by Purchaser;

(f) Deliver exclusive possession of the Property to Purchaser, subject only to Permitted Encumbrances;

(g) Execute the Closing Statement (the "Closing Statement"); and

(h) Deliver the keys to the Property and such other documents as the Title Company or Purchaser may request.

4.3 Purchaser's Obligations. At Closing, Purchaser shall:

(a) Pay the Purchase Price (less the amount of the Earnest Money and the prorations provided for in Section 4.4 hereof) to Seller by Title Company check;

(b) Receive a marked-up Title Commitment and irrevocable written commitment from the Title Company that the Title Company will issue the Owner's Policy consistent with the marked-up Title Commitment;

(c) Deliver the Bill of Sale, executed by Purchaser; and

(d) Execute the Closing Statement.

4.4 Closing Costs and Prorations. Real estate taxes and assessments (general and special) due and owing on the Property for the year of the Closing shall be prorated between Purchaser and Seller to the Closing Date based on the most recent tax bills that are available from the Butler County Auditor prior to the Closing. Purchaser shall pay the cost of the title examination, Title Commitment, the premium for the Owner's Policy and the cost to record the Deed. Seller shall pay the cost to prepare the Deed. Each party shall be responsible for its own attorney fees.

The provisions of this Section 4.4 shall survive the Closing.

ARTICLE V – LOSS

5.1 Risk of Loss. If, after the Effective Date and prior to the Closing, the Property is damaged, Seller shall deliver written notice of that fact to Purchaser. Thereafter, Purchaser shall have the option: (a) to assume such risk, whereupon the parties shall proceed in accordance with the terms and conditions of this Agreement and Purchaser shall be entitled to all insurance

awards resulting therefrom and the Purchase Price shall be reduced by the amount of Seller's insurance deductible; or (b) to terminate this Agreement by sending written notice of termination to Seller and Escrow Agent. If this Agreement is terminated, Escrow Agent shall repay the Earnest Money to Purchaser. Thereafter, neither Purchaser nor Seller shall have any liability to the other or any further rights or obligations under this Agreement, except for those obligations which survive the termination of this Agreement. Each party shall bear its own costs incurred hereunder.

ARTICLE VI - RIGHT OF ENTRY

6.1 **Right of Entry.** Prior to Closing or until the earlier termination of this Agreement, the employees, agents and contractors of Purchaser shall have the right to enter upon the Property to conduct such due diligence investigations of the Property as they deem appropriate. All due diligence will be conducted at no cost or expense to Seller. Any on-site inspection of the Property shall be conducted in such a manner that will not harm or damage the Property.

Purchaser agrees to promptly repair any damage to the Property resulting from Purchaser's activities under this Article VI. The provisions of this paragraph shall survive the termination of this Agreement.

ARTICLE VII - REPRESENTATIONS AND WARRANTIES

7.1 **Seller's Representations and Warranties.** Seller hereby represents and warrants to Purchaser that, except as hereinafter provided, all of the following representations and warranties are true, complete and correct as of the Effective Date and shall be true, complete and correct as of the Closing and shall survive the Closing.

(a) Seller has the full right and authority and has obtained any and all consents required to enter into this Agreement and to consummate the transactions contemplated thereby. This Agreement is the legal, valid and binding obligation of Seller, enforceable against Seller in accordance with its terms. All of the documents to be delivered by Seller at the Closing shall be the legal, valid and binding obligations of Seller, enforceable against Seller in accordance with their terms.

(b) The execution and delivery of this Agreement by Seller and the performance by Seller of its obligations thereunder do not and will not violate the terms of any agreement to which Seller is a party or by which Seller is bound.

(c) There is no pending or threatened claim, litigation, condemnation, administrative action or other legal proceeding involving or affecting the Property or any part of it.

(d) Except for this Agreement, there are no other oral or written agreements, contracts or understandings which in any way affect or relate to the Property or any part of it.

(e) No: (i) hazardous substance has been placed on or beneath the surface of the Property or any part of it in violation of any federal, state or local law or regulation; and (ii) hazardous substance has been released on or from the Property in violation of any federal, state or local law or regulation.

(f) No underground storage tank (each, a "UST") is located on the Property. Neither Seller nor any employee, agent or contractor of Seller has removed any UST from the Property.

(g) At the time of Closing, there will be no outstanding contracts for any improvements to the Property or any part of it which have not been paid in full.

(h) No tenant or guest shall occupy or have any right to occupy or access the Property on the date of the Closing or thereafter.

7.2 **Breach.** If any of the representations and warranties of Seller set forth in this Agreement are not true, complete and correct as of the Effective Date and as of the Closing or as otherwise provided above, Purchaser may elect, at its option, either to: (a) close the transactions contemplated by this Agreement without regard to the breach of the representation and warranty; or (b) terminate this Agreement by giving notice of termination to Seller. After termination, Purchaser shall have no further obligations under this Agreement, except for those obligations which survive the termination of this Agreement. The foregoing election is not intended to be in derogation of, but shall be in addition to, Purchaser's remedies for Seller's breach and does not negate, modify or amend the representations and warranties of Seller contained in this Agreement, which representations and warranties shall survive the Closing.

ARTICLE VIII – SELLER'S COVENANTS

8.1 **Agreements.** Seller covenants and agrees that, prior to the Closing, Seller: (a) will not enter into any lease or other understanding in any way affecting the Property; and (b) will terminate the rights of all persons to occupy the Property or any part of it, and cause any such occupant to remove all of their personal property from the Property.

8.2 **Pre-Closing Obligations.** Purchaser shall assume no pre-Closing liabilities or obligations of Seller, all such liabilities and obligations being liabilities and obligations which shall be the sole responsibility of Seller to pay. The provisions of this paragraph shall survive the Closing.

8.3 **Insurance.** While this Agreement remains in effect, Seller will keep the Property insured at the levels and in the amounts of the insurance for the Property that are in effect on the Signing Date.

ARTICLE IX – MISCELLANEOUS

9.1 **Brokerage Commission.** Seller and Purchaser represent, one to the other, that no broker or agent is involved in this transaction who would be entitled to a fee or commission as a

result of this transaction. Any fees, costs and/or commissions owing to any broker or agent shall be the sole responsibility of the party contracting for such broker or agent and such party shall remain fully responsible for and shall pay and defend the other party against any claims, losses, costs, damages and or expenses (including but not limited to reasonable attorney's fees) for a fee or commission do or alleged to be due as a result of the activities of that party. The provisions of this paragraph shall survive the Closing or the earlier termination of this Agreement.

9.2 Notices. All notices required or permitted to be given under this Agreement shall be given in writing and delivered: (a) personally; (b) by overnight courier; or (c) by certified mail, return receipt requested, postage prepaid, addressed as follows (or at such other address for a party as shall be specified upon like notice):

If to Purchaser: 345 High Street
Hamilton, OH 45011

If to Seller: 9913 Meadow Hills
Went Chester, OH 45241

Such notice, if delivered personally or by overnight courier service, shall be deemed given and delivered at the time of delivery; or, if sent by certified mail, shall be deemed given and delivered additional three (3) calendar days after the time of mailing with appropriate postage attached thereto.

9.3 Integration and Amendments. This Agreement and the Exhibits attached to it constitute the entire agreement between the parties relating to the purchase and sale of the Property and shall be deemed to be a full, final and complete integration of all prior or contemporaneous understandings or agreements between the parties relating thereto. This Agreement may be amended or supplemented only by a written instrument signed by both parties hereto.

9.4 Additional Documentation. Seller and Purchaser shall execute such additional documentation as reasonably may be required to effectuate this Agreement.

9.5 Governing Law. This Agreement shall be governed by and all disputes related thereto shall be determined in accordance with the laws of the State of Ohio. Time is of the essence.

9.6 Successors. This Agreement shall be binding upon the parties hereto, and on their respective successors and assigns.

9.7 No Third-Party Beneficiary. The provisions of this Agreement and of the documents to be executed and delivered at the Closing are and will be for the benefit of Seller and Purchaser only and are not for the benefit of any third party, except as otherwise specifically provided in this Agreement, and accordingly, no third party shall have the right to enforce the provisions of this Agreement or of the documents to be executed and delivered at the Closing.

9.8 Performance Dates. Time is hereby extended for the performance of any action required by this Agreement if the last day for performance falls on a Saturday, Sunday or national holiday. The performance so extended shall occur on the next succeeding day that is not a Saturday, Sunday or national holiday.

9.9 No Offer Until Executed. The submission of this Agreement to Seller for examination or consideration does not constitute an offer to purchase the Property by Purchaser and this Agreement shall become effective, if at all, only upon the full execution and delivery thereof by Purchaser and Seller.

9.10 Negotiated Provisions. This Agreement shall not be construed more strictly against either party by virtue of the fact that a contract may be more strictly construed against the party preparing the contract, it being understood and agreed that both Seller and Purchaser have equally negotiated the provisions hereof and contributed substantially and materially to the preparation of this Agreement.

9.11 No Waiver or Rights. No failure of any party to exercise any power given such party under this Agreement or to insist upon strict compliance by any other party to its obligations under this Agreement, and no custom or practice of the parties at variance with the terms of this Agreement, shall constitute a waiver of any party's right to demand exact compliance with the terms hereof.

9.12 Survival. All agreements and covenants in this Agreement which must, by implication or necessity, survive the Closing, shall be deemed to so survive as the sense of this Agreement requires.

9.13 Severability. If any provision of this Agreement is determined to be invalid, illegal or unenforceable, the remaining provisions of this Agreement shall remain in full force, if the essential provisions of this Agreement for each party remain valid, binding and enforceable.

9.14 Effective Date. For purposes of this Agreement, the term "Effective Date" shall be the date that Purchaser executes this Agreement and forwards a fully executed copy thereof to Seller, which date shall be set forth on the first paragraph of this Agreement.

9.15 "Day"; "Business Day"; Computation of Time. All references to "days" in this Agreement shall be construed to mean calendar days unless otherwise expressly provided and all references to "business days" shall be construed to mean days other than a Saturday, Sunday or legal holiday in Hamilton, Ohio. In computing any period of time pursuant to this Agreement, the day of the act or event from which the designated period of time begins to run will not be included. The last day of the period so computed will be included, unless it is not a business day, in which event the period runs until the end of the next business day.

(SIGNATURE PAGE TO FOLLOW)

The parties hereto have executed this Agreement as of the date and year first above written.

Vintage Homes of Ohio, LTD.,
an Ohio limited liability company

By: Styler

City of Hamilton, Ohio,
an Ohio municipal corporation

By: J. Scott Scamiger A/CM

Approved as to Form:

Heather Sanderson Law 9-23-16
City Law Director

s:\mason\hanrahan\jlr corporate\city of hamilton\psa 9-19-16.docx

EXHIBIT A

The Property

Situated in the City of Hamilton, County of Butler and State of Ohio:

The South Twenty-Four and 24/100 (24.25) feet of the east Eighty-One (81) feet of lot number One Thousand Five Hundred Forty-Seven (1,547), as the same is known and designated on the revised list of lots in the First Ward of the City of Hamilton, Butler County, Ohio.

Parcel No. P6412.102.000.032.

EXHIBIT B

Excluded Property

Nowa 50P

Except for the Excluded Property set forth above, title to all of the other Personal Property, improvements and fixtures located on the Property shall pass to Purchaser at Closing, free and clear of any and all liens, encumbrances or claims from Seller.

EXHIBIT C

Bill of Sale

This Bill of Sale ("Bill of Sale") is being executed and delivered this ____ day of _____, 2016, by Vintage Homes of Ohio, LTD., an Ohio limited liability company ("Seller"), and the City of Hamilton, Ohio, an Ohio municipal corporation ("Purchaser"), pursuant to and in accordance with a certain Purchase and Sale Agreement ("Agreement") of even date herewith by and between Seller and Purchaser.

NOW, THEREFORE, pursuant to the Agreement and in consideration of the premises, and for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, it is hereby agreed that:

1. **Conveyance.** Seller does hereby sell, transfer, assign, convey and deliver to Purchaser all of Seller's rights, title and interest in the Personal Property, excluding the Excluded Property.

2. **Acceptance.** Purchaser hereby accepts the foregoing sale, transfer, assignment and conveyances of the Personal Property.

3. **Title.** Seller warrants to Purchaser that Seller is seized of good title to the Personal Property and that the Personal Property (excluding the Excluded Personal) is hereby transferred to Purchaser free and clear of all liens and encumbrances. Seller does hereby agree that Seller will execute such other documents as Purchaser may reasonably request in order to obtain the full benefit of this Bill of Sale.

4. **Governing Law.** The laws of the State of Ohio, without giving effect to its choice of law principles, govern all matters arising under or relating to this Bill of Sale.

5. **Miscellaneous.** Any capitalized term not otherwise defined in this Bill of Sale shall have the same meaning as is ascribed to it in the Agreement.

Seller has executed this Bill of Sale as of the ____ day of _____, 2016.

Vintage Homes of Ohio, LTD.,
an Ohio limited liability company

By: _____

Agreed and accepted this ____ day of _____, 2016.

Approved as to Form:

City of Hamilton, Ohio

City Law Director

By: _____

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Kay L. Farrar, Health Commissioner

Agenda Item: Report regarding amendments to Chapter 1733 of the City of Hamilton Codified Ordinances, relative to Licensing Fee schedule changes under the Ohio Department of Health programs.

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input type="checkbox"/> R Realize new investments <input type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<p>1st Reading Date: 10-26-16 2nd Reading Date: 11-9-16 Public Hearing Date: 11-9-16</p>	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other):</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: \$ Expenditure: \$ Source Funds:</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>

Policy Issue

Does City Council wish to adopt legislation to Amend Chapter 1733.01 a-e and i of the City of Hamilton’s Codified Ordinances, relative to Licensing Fees for the Ohio Department of Health and Ohio Department of Agriculture food programs and Tattoo and Body Piercing Service licensure?

Policy Alternative(s)

Ohio Administrative Code 3701-36-14 requires all Health jurisdictions to annually submit a cost methodology for the calculation of costs of providing services for their food programs under the Ohio Revised Code. This cost methodology includes a number of factors, including, but not limited to, number of employees working in the programs, percentage of time worked in each program by each employee and the total wages or salary for each employee. The fee changes reflect actual costs of licensing and inspections.

Likewise ORC 3730.03 allows for Boards of Health to set fees to implement and enforce the codes under Tattoo and Body Piercing Services.



Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary legislation amending Chapter 1733.01 a-e and i of the City of Hamilton's Codified Ordinances, relative to licensing fees outlined in this document.

Statutory/Policy Authority

- Ohio Revised Code, Section 3709.09, 3717.07, 3717.25, 3717.45, and 3730.03
- Ohio Administrative Code (OAC) 3701-36-14 Cost Methodology and 3701-27-04.3
- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

The fiscal impact is negligible since the fees are only to offset the cost of the programs. The proposed fees for all risk levels are increased. The temporary license fee and mobile fees are being proposed to decrease from \$42 to \$37 and \$110 to \$103 respectively. All fees are based on OAC Cost Methodology 3701-36-14. Likewise the fees for tattoo and body piercing services have been proposed to increase to cover the cost of licensing and field inspections to regulate the program.

Background Information

Licensing fees for the Ohio Department of Health and Ohio Department of Agriculture food programs are determined by the hours and resources dedicated to these programs in the prior food licensing year. Cost methodology is calculated to determine if these fees are adequately covering the cost of the programs to the City. The proposed fees were reviewed and approved as required by the Advisory Board of Health for the City of Hamilton on October 24, 2016. A letter was sent twenty (20) days prior to the public hearing to all affected licensees as required by Ohio Department of Health and the Ohio Department of Agriculture.

Attached Information

- Legal Public Hearing Notice for 2017 Proposed Fee Schedule

Copies Provided to:

N/A





Legal Notice

Journal News

Run once at least by 11/2/2016

NOTICE OF PUBLIC HEARING

The council of the City of Hamilton, Ohio, will hold a public hearing in Council Chambers on the First Floor of One Renaissance Center, 345 High Street, Hamilton, Ohio, at 6:00 p. m. or as soon thereafter as the Agenda of Council will permit on Wednesday, November 9, 2016, on revising the fee schedule for licensing Ohio Department of Health and Ohio Department of Agriculture programs, as follows:

Revised Fees

Risk Level

1 (<25,000 sq ft)	\$115.00	+fee remitted to state
2 (<25,000 sq ft)	\$130.00	+fee remitted to state
3 (<25,000 sq ft)	\$250.00	+fee remitted to state
4 (<25,000 sq ft)	\$320.00	+fee remitted to state
1 (>25,000 sq ft)	\$170.00	+fee remitted to state
2 (>25,000 sq ft)	\$180.00	+fee remitted to state
3 (>25,000 sq ft)	\$645.00	+fee remitted to state
4 (>25,000 sq ft)	\$680.00	+fee remitted to state
Plan Review Risk Level 1 & 2	\$200.00	
Plan Review Risk Level 3	\$300.00	
Plan Review Risk Level 4	\$400.00	
Temporary	\$37.00	
Mobile	\$103.00	+fee remitted to state
Vending	\$15.44	+fee remitted to state
Tattoo or Body Piercing Services	\$150.00	

Any person or organization interested in attending or providing comment regarding these revised fees will be afforded an opportunity to be heard at this Public Hearing.

Kay L Farrar
Health Commissioner
City of Hamilton, Ohio

ORDINANCE NO. _____

AN ORDINANCE AMENDING SUBPARAGRAPHS (a-e) AND (i) OF SECTION 1733.01 OF THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO, RELATIVE TO LICENSE FEES FOR CERTAIN FOOD ESTABLISHMENTS AND FOOD SERVICE OPERATIONS, AND TATTOO AND BODY PIERCING SERVICES, AND REPEALING SAID EXISTING SUBPARAGRAPHS (a-e) AND (i) THEREOF.

WHEREAS, recent revisions to Ohio Administrative Code Section 3701-36-14 require modification of the City's fees previously established under Section 1733.01 of the Codified Ordinances of the City of Hamilton, Ohio; and

WHEREAS, the cost methodology provided by the Ohio Administrative Code 3701-36-14 is calculated to determine if these fees are adequately covering the cost of the programs for the City; and

WHEREAS, the proposed fees were reviewed and approved as required by the Advisory Board of Health for the City of Hamilton on October 24, 2016 and the Advisory Board of Health recommends the same for adoption by Council; and

WHEREAS, existing Subparagraphs (a-e) and (i) of Section 1733.01 will need to be amended to set forth the aforesaid revision.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That Subparagraphs (a-e) and (i) of Section 1733.01 of the Codified Ordinances of the City of Hamilton, Ohio, relative to Fees and Charges, are hereby amended to be and read as set forth in Exhibit No. 1, attached hereto, incorporated herein by reference and made a part hereof.

SECTION II: That the provisions set forth in SECTION I pertaining to Subparagraphs (a-e) **shall be effective March 1, 2017.**

SECTION III: That the provisions set forth in SECTION I pertaining to Subparagraph (i) **shall be effective January 1, 2017.**

SECTION IV: That existing Subparagraphs (a-e) of Section 1733.01 of the Codified Ordinances of the City of Hamilton, Ohio, as it existed before the enactment of this Ordinance be and **is hereby repealed effective March 1, 2017.**

SECTION V: That existing Subparagraph (i) of Section 17033.01 of the Codified Ordinances of the City of Hamilton, Ohio, as it existed before the enactment of this Ordinance be and **is hereby repealed effective January 1, 2017.**

SECTION VI: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Effective Date: _____

Mayor

ATTEST: _____
City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk for the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Ordinance No. _____ (cont'd)

EXHIBIT NO. 1

**PART SEVENTEEN – HEALTH CODE
TITLE THREE – GENERAL STANDARDS
CHAPTER 1733 – FEES AND CHARGES**

Sec. 1733.01 Fees and Charges.

(a) License Fees for Retail Food Establishments and Food Service Operations:

<u>Risk Level</u>	<u>License Fee by Risk level</u>
1 (less than 25,000 sq. ft.)	\$115.00 plus fee remitted to State
2 (less than 25,000 sq. ft.)	\$130.00 plus fee remitted to State
3 (less than 25,000 sq. ft.)	\$250.00 plus fee remitted to State
4 (less than 25,000 sq. ft.)	\$320.00 plus fee remitted to State
1 (more than 25,000 sq. ft.)	\$170.00 plus fee remitted to State
2 (more than 25,000 sq. ft.)	\$180.00 plus fee remitted to State
3 (more than 25,000 sq. ft.)	\$645.00 plus fee remitted to State
4 (more than 25,000 sq. ft.)	\$680.00 plus fee remitted to State

(b) Plan Review Fee for Retail Food Establishments and Food Service Operations:

<u>Risk Level</u>	<u>Fee</u>
Plan Review Risk Level 1 & 2	\$200.00
Plan Review Risk Level 3	\$300.00
Plan Review Risk Level 4	\$400.00

(c) Temporary Food Service Operation/
Retail Food Establishment:

\$37.00

(d) Vending Machines:

\$15.44 plus fee remitted to State

(e) Mobile Food Service Operations:

\$103.00 plus fee remitted to State

(i) Tattoo or Body Piercing Service:

\$150.00

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Timothy Werdmann, Director of Human Resources

Agenda Item: Report regarding an ordinance amending Schedule “A” to add the new classifications of Human Resources Generalist and Assistant Law Director – Labor and Employment Counsel

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input type="checkbox"/> R Realize new investments <input type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Ordinance</i>	1 st Reading Date: 10-26-16 2 nd Reading Date: 11-9-16 Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other): Caucus report dated 10/12/2016	
Contract	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted:	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure:	
	Source Funds:	

Policy Issue

Does City Council wish to adopt legislation to amend schedule “A” of the City’s Classification and compensation plan to include new positions of Human Resources Generalist and Assistant Law Director- Labor and Employment Counsel, which position descriptions more accurately reflect the duties of the positions?

Policy Alternative(s)

Council may choose not to adopt such legislation to amend schedule “A” of the City’s Classification and compensation plan, in which case the position descriptions for these positions will be less than accurate.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to amend schedule “A” of the City’s Classification and compensation plan.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 138.02, Codified Ordinances of the City of Hamilton.



Fiscal Impact Summary

Placing the incumbents into appropriate steps within Grade 59 and Grade 41, respectively, with benefits is expected to result in an additional expenditure of less than \$1,000 through the end of budget year 2016. These funds have already been budgeted and appropriated within the Human Resources Departmental budget, 100% of which is funded through the General Fund followed by an 80% reimbursement from the Public Utility Funds.

Background Information

In January of 2016, the Department of Human Resources was created. The positions within the Department were filled by incumbents who were assigned to different Departments within city administration. At the time, the incumbents continued in their previous job classifications, even though assigned to a new Department. Moving into 2017, it is in the best interest of the City to ensure that the employees' position descriptions more accurately reflect the actual duties being performed.

The incumbent in the position of Assistant Law Director – Labor and Employment Counsel will be placed in pay range 59 (\$83,013 - \$106,392). This range is consistent with other assistant director level positions and other positions within the organization requiring professional certification. The incumbent's salary is currently at step 11 of range 53 (\$91,790) and has been at that step and range since her employment with the City in 2012.

The incumbent in the position of Human Resources Generalist will be placed in pay range 36 (\$47,549 - \$60,944). This range is consistent with other responsible administrative positions within the organization. The increase in salary range is also driven in part by the need to comply with the Department of Labor's revised rules related to FLSA exemptions. The incumbent's salary is currently at step 2 of range 34 (\$46,384).

The specific duties and responsibilities associated with these positions are included in the attached Classification Descriptions.

Attached Information

- Classification Descriptions

Copies Provided to:

N/A





CITY OF HAMILTON, OHIO

CLASSIFICATION DESCRIPTION

1192

Assistant Law Director - Labor and Employment Counsel

Page 1 of 3

CLASS TITLE	Assistant Law Director – Labor and Employment Counsel
CLASS CODE NUMBER	1192
ADMINISTRATIVE SERVICE CATEGORY	Unclassified
ADOPTED	October, 2016
REVISED	
PROBATIONARY PERIOD	One (1) year
FLSA STATUS	Exempt

DESCRIPTION OF DUTIES

This is highly responsible and difficult legal work involving advice and counsel to the City on various labor and employment law matters and management of labor relations functions. The work is performed under the general direction and supervision of the City's Law Director and Director of Human Resources but considerable leeway is granted for the exercise of independent judgment. Direction is exercised over the work of various Human Resources personnel. The nature of the work performed requires that an employee in this class establish and maintain close cooperative working relationships with Department and Division Heads and other supervisory personnel in all City departments and divisions.

ESSENTIAL JOB FUNCTIONS

- Provides legal advice to City Council, Mayor, City Manager, City Department and Division Heads and appropriate others on labor and employment law issues affecting or potentially affecting the City as assigned by the Law Director or the Director of Human Resources, and maintains clear and regular communication with the Law Director to ensure that said legal advice is properly communicated and disseminated;
- Prepares legal opinions as requested, and in consultation with the Law Director;
- Attends meetings of City Council and various City commissions and provides advice and counsel as requested;
- Researches labor and employment laws and prepares related documents;
- Represents the City and works with outside counsel in labor and employment trial and appellate litigation;
- Advises management in matters related to collective bargaining provisions, City ordinances, rules, policies, procedures, discipline, layoffs, terminations, transfers, and other matters that arise between City management and employees and unions;
- Attends meetings, conferences, and workshops as requested and authorized;
- Assists management in the formulation of collective bargaining proposals, and drafts collective bargaining proposals;
- Prepares and presents City positions in grievance arbitration proceedings;



CITY OF HAMILTON, OHIO

CLASSIFICATION DESCRIPTION

1192

Assistant Law Director - Labor and Employment Counsel

Page 2 of 3

- Represents City in federal, state and local administrative proceedings related to labor and employment issues;
- Provides employment law support for internal employee investigations;
- Develops and provides training to City management and employees on federal and state discrimination laws and labor issues;
- Reviews and drafts labor and employment related agreements and forms;
- Assists Human Resources Department with legal issues that arise associated with the implementation of departmental initiatives and projects;
- Settles disputes that arise between City management and City employees and unions; and
- Assists in other departmental and organizational projects as needed and assigned.

DESIRED SKILLS/KNOWLEDGE/ABILITIES

- Extensive knowledge of the City's charter, ordinances, and administrative directives pertaining to labor and employment issues;
- Thorough knowledge of and skill in trial and appellate practices and procedures;
- Thorough knowledge of and skill in appellate practices and procedures;
- Thorough knowledge of federal and state discrimination laws and municipal law;
- Thorough knowledge of the principles, practices, methods, materials and references utilized in legal research;
- Thorough knowledge of the practices, procedures and operations of the City's departments and divisions;
- Thorough knowledge of current collective bargaining agreements, and civil service rules and regulations;
- Thorough knowledge of office terminology, procedures and equipment, including the use of computers and related word processing applications appropriate to assigned duties, and knowledge of e-mail applications;
- Skill in negotiations and in persuasion of others, including both individuals and groups;
- Skill in presentations of both routine and complex issues;
- Skill in the original composition, editing, proofreading and final preparation of written materials;
- Ability to establish and maintain complex clerical, administrative and legal records and files and to prepare written reports from such information;



CITY OF HAMILTON, OHIO

CLASSIFICATION DESCRIPTION

1192

Assistant Law Director - Labor and Employment Counsel

Page 3 of 3

- Ability to organize and coordinate a wide variety of materials, human schedules and supportive actions;
- Ability to handle a wide variety and high volume of complex legal and related administrative tasks concurrently while under the pressure of fixed time deadlines;
- Ability to perform work with speed, accuracy and attention to detail;
- Ability to make decisions in accordance with established policies and procedures;
- Ability to independently solve problems within assigned areas of responsibility;
- Ability to establish and maintain effective working relationships with other City employees, Department Heads, Division Heads and other supervisory personnel, members of City commissions and the general public;
- Ability to communicate well with others, both orally and in writing;
- Knowledge of and ability to resolve complex labor disputes through negotiations; and
- Ability to handle confidential legal information with tact and discretion.

TRAINING AND EDUCATION QUALIFICATIONS

- Graduation from a college or university of recognized standing with a J.D. Degree in Law;
- Minimum of five (5) years of experience representing clients on labor and employment law issues; and
- Experience with labor contract negotiations and unions.

SPECIAL REQUIREMENTS, LICENSES, AND CERTIFICATES

- Eligibility to practice law in the State of Ohio and in the federal courts

ESSENTIAL PHYSICAL ABILITIES

- Clarity of speech and hearing which permits the employee to communicate well with other City employees, Department and Division Heads, attorneys, court officials and the general public and to make effective presentations in a court of law;
- Sufficient vision, with or without correction, which permits the employee to produce and review a wide variety of written materials;
- Sufficient manual dexterity which permits the employee to operate a computer keyboard and to make handwritten notations and to move legal files and reference materials from time to time; and
- Sufficient personal mobility which permits the employee to visit other city, county, state and private-sector offices and work locations and courthouses.



CITY OF HAMILTON, OHIO

CLASSIFICATION DESCRIPTION

1026

Human Resources Generalist

Page 1 of 3

CLASS TITLE	Human Resources Generalist
CLASS CODE NUMBER	1026
ADMINISTRATIVE SERVICE CATEGORY	Classified
ADOPTED	October, 2016
REVISED	
PROBATIONARY PERIOD	One (1) year
FLSA STATUS	Exempt

DESCRIPTION OF DUTIES

This position is responsible for difficult professional and administrative work involving responsibility for planning, organizing, directing, coordinating, and administering several major activities in the City's overall employee and organizational development programs. In this capacity, the incumbent will manage and contribute to the City's talent management program, employee relations, onboarding, performance management, policies, programs, and provide direction to address a variety of complex problems and/or organizational issues. The work is performed under the general direction and supervision of the Director of Human Resources but considerable leeway is granted for independent judgment. The nature of the work performed requires that an employee in this class establish and maintain effective working relationships with Directors and supervisory personnel in other City departments and divisions.

ESSENTIAL JOB FUNCTIONS

- Develops, maintains and reviews and revises as necessary, succession and organization development plans for the organization;
- Develops, maintains, reviews and revises as necessary formal onboarding and orientation programs for the City;
- Develops, maintains and reviews and revises as necessary employee leadership and development programs;
- Administers various employee relations and risk management programs and procedures, including, but not limited to, wellness programs, drug and alcohol testing programs, safety programs and transitional work programs;
- Develops administrative and operational policies, rules and regulations for approval by the Director of Human Resources;
- Leads the implementation of approved policies, rules and regulations;
- Ensures compliance with all applicable policies, safety rules and policies, governmental regulations, and non-discrimination/affirmative action plans;
- Recommends new approaches, policies, and procedures to effect continual improvements in efficiency of departments and services performed;



CITY OF HAMILTON, OHIO

CLASSIFICATION DESCRIPTION

1026

Human Resources Generalist

Page 2 of 3

- Performs related work as required.

DESIRED SKILLS/KNOWLEDGE/ABILITIES

- Ability to make quick and sound business decisions under tight operating deadlines
- Ability to prioritize multiple difficult professional level duties
- Skill in leadership, negotiations, motivation, management, project coordination and supervision
- Ability to perform tasks with ingenuity and inventiveness
- Ability to perform work with speed, accuracy and attention to detail
- Ability to make informed decisions in accordance with established policies and procedures
- Ability to effectively plan, organize, prioritize, motivate, supervise and evaluate the work of others
- Ability to establish and maintain effective working relationships with other City Department Heads, Division Heads, supervisory personnel, contractors, developers, consultants and the general public
- Ability to communicate effectively with others, both verbally and in writing
- Ability to handle confidential customer, employee and administrative information with tact and discretion
- Thorough knowledge of effective management principles
- Skill in interpersonal communications and persuasion
- Ability to develop and implement short-term and long-range plans
- Ability to prepare complex technical reports and presentations
- Knowledge of Human Resources principles and practices, and employment law
- Strong understanding of employee and labor relations
- Exposure to negotiating and facilitating collective bargaining agreements preferred
- Ability to work independently, work with an HR team, think creatively, manage time, and take initiative to drive projects
- Knowledge and understanding of unique needs and challenges of City Departmental organizations
- Excellent written and verbal communication skills



CITY OF HAMILTON, OHIO

CLASSIFICATION DESCRIPTION

1026

Human Resources Generalist

Page 3 of 3

- Demonstrated interpersonal skills and understanding of group dynamics
- Successful track record of establishing credibility and trust a with diverse client group
- Strong analytical, critical thinking, problem-solving negotiating, influencing, and decision making skills.
- Ability to maintain confidentiality, tact, and diplomacy
- Strong understanding of Local, State, and Federal Statutes, Regulations, Guidelines
- Ability to interpret and negotiate contracts

TRAINING AND EDUCATION QUALIFICATIONS

- Graduation from a college or university of recognized standing with a Bachelor's Degree in Human Resources Administration, Organizational Development, Public Administration or closely related field; graduate degree preferred
- Any equivalent combination of experience and training which provides the knowledge, skills and abilities to effectively perform the Essential Job Functions

SPECIAL REQUIREMENTS, LICENSES, AND CERTIFICATES

- A professional certification such as a PHR or SPHR preferred

ESSENTIAL PHYSICAL ABILITIES

- Clarity of speech and hearing that permits the employee to communicate effectively with other City Department and Division heads, staff, consultants, and the general public
- Sufficient vision, with or without correction, that permits the employee to produce and review a wide variety of reports
- Sufficient manual dexterity that permits the employee to operate a keyboard and produce handwritten materials and notations and to lift and move equipment or materials occasionally
- Sufficient personal mobility that permits the employee to visit other City and field work locations

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING SCHEDULE "A" OF THE CITY'S CLASSIFICATION AND COMPENSATION PLAN, AS SET FORTH IN EMERGENCY ORDINANCE NO. EOR2016-1-4, ADOPTED JANUARY 13, 2016, AND AS AMENDED FROM TIME TO TIME, TO ADD THE NEW CLASSIFICATIONS OF ASSISTANT LAW DIRECTOR – LABOR AND EMPLOYMENT COUNSEL AND HUMAN RESOURCES GENERALIST.

WHEREAS, the Administration of the City of Hamilton, Ohio recommends that the new classification of Assistant Law Director – Labor and Employment Counsel be added to Schedule "A" of the City's Classification and Compensation Plan at pay range 59; and

WHEREAS, the Administration of the City of Hamilton, Ohio recommends that the new classification of Human Resources Generalist be added to Schedule "A" of the City's Classification and Compensation Plan at pay range 41; and

WHEREAS, to accomplish the aforesaid it is necessary to amend and supplement existing Schedule "A" of the City's Classification and Compensation Plan as set forth in Emergency Ordinance No. EOR2016-1-4, adopted January 13, 2016; and

WHEREAS, this Council desires that said amendment be made;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Hamilton, Ohio:

SECTION I: That Schedule "A" of the City's Classification and Compensation Plan, as set forth in Emergency Ordinance No. EOR2016-1-4, adopted January 13, 2016, and as amended from time to time, be and is hereby amended and supplemented to add the new classifications of Assistant Law Director – Labor and Employment Counsel and Human Resources Generalist as set forth in detail below.

<u>Class Code</u>	<u>Title</u>	<u>Pay Range</u>	<u>Annual Salary Minimum – Maximum</u>
1192	Assistant Law Director – Labor and Employment Counsel	59	\$83,013 - \$106,392
1026	Human Resources Generalist	41	\$53,810 - \$68,286

SECTION II: This ordinance shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Effective Date: _____

Mayor

ATTEST: _____
City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk for the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Michael Gurr, Field Services Superintendent

Agenda Item: Report regarding an ordinance amending and supplementing the Codified Ordinances of the City of Hamilton, Ohio, by adding 931.031(c) of Chapter 931 – Sewer Regulations, relative to Sewer Lateral Check Valve Installation Financial Assistance

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s)
Ordinance or Resolution <i>Emergency Ordinance</i>	1 st Reading Date: 10/26/2016 2 nd Reading Date: 10/26/2016 Public Hearing Date:	<input type="checkbox"/> R Realize new investments <input type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other):	
Contract	<input checked="" type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$ 250,000 Expenditure: \$ N/A Source Funds: Wastewater Fund	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to adopt legislation to amend and supplement Section 931.031 by adding Subparagraph 931.031(c) in order to authorize the City to provide financial assistance of up to \$2,500 for eligible customers who experienced sewer backups in 2016 and who install a sanitary sewer lateral basement check valve at their property?

Policy Alternative(s)

Council may choose not to adopt such legislation to amend and supplement Section 931.031.

Staff Recommendation

Staff recommends that Council receive this report and adopt legislation to amend and supplement Section 931.031 by adding Subparagraph 931.031(c). By adopting the proposed legislation, the City will be authorized to provide financial assistance of up to \$2,500 for eligible customers who install a sanitary sewer lateral basement check valve at their property due to experiencing sanitary sewer water backups during the 2016 rain events.

Statutory/Policy Authority

Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.



Fiscal Impact Summary

*Approximately 100 customer lateral check valve installations * \$2,500 each = \$250,000*

Background Information

The City experienced significant rain events on June 2, September 8, and September 10, 2016 in which certain customers experienced sanitary sewer water backups in their basements. As a preventative measure, the City plans to offer eligible customers up to \$2,500 toward the cost of installing a sanitary sewer lateral basement check valve to reduce the risk of future sanitary sewer water backups. The sanitary sewer lateral basement check valve must be installed by a licensed plumbing contractor hired by the customer and will be subject to the City plumbing inspection process. In order to receive financial assistance, eligible customers must enter into an agreement with the City and adhere to all terms and conditions.

Attached Information

N/A

Copies Provided to:

N/A



EMERGENCY ORDINANCE NO. _____

AN EMERGENCY ORDINANCE AMENDING AND SUPPLEMENTING THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO BY ADDING THERETO NEW SUBPARAGRAPH 931.031(c), RELATIVE TO SANITARY SEWER LATERAL BASEMENT CHECK VALVE INSTALLATION FINANCIAL ASSISTANCE

WHEREAS, The City of Hamilton has experienced several significant rain events in 2016 that resulted in sanitary sewer collection system backups in certain customers' basements; and

WHEREAS the City Staff has reviewed the sanitary sewer collection system operations and determined the need for additional preventative measures to help avoid sanitary sewer collection system backups following significant local rain events; and

WHEREAS, the City Staff recommends that the City provide financial assistance of up to \$2,5000.00 for eligible customers who experienced sanitary sewer backups in 2016 and install a sanitary sewer lateral basement check valve at their property in order to avoid future sanitary sewer collection system backups following significant local rain events; and

WHEREAS, in order to achieve the foregoing, it is necessary to amend and supplement Section 931.031 of the Codified Ordinances of the City of Hamilton, Ohio by adding thereto Subparagraph (c); and

WHEREAS, the subject matter herein constitutes an emergency measure in that it provides for the immediate preservation of the public health, safety and welfare of the community by providing for the continuous operation of the sewer and stormwater system for the residents of the City and helping prevent the backup of untreated wastewater and stormwater into customer premises.

NOW, THEREFORE, BE IT ORDAINED by the council of the City of Hamilton, Ohio:

SECTION I: That Subparagraph 931.031(c) of Chapter 931 – SEWER REGULATIONS of the Codified Ordinances of the City of Hamilton, Ohio, is hereby added to be and read as follows:

“The City may, under circumstances as contained in the rules and regulations promulgated and approved by the City Manager or his/her designee, participate in the cost of installation of a sanitary sewer lateral basement check valve on a customer’s premises.”

SECTION II: This emergency ordinance is hereby declared to be an emergency measure for the reasons set forth in the preamble and shall take effect and be in full force from and after its passage.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Emergency Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Richard A. Engle, P.E., Director of Public Works/City Engineer

Agenda Item: Report regarding passing a Resolution authorizing and directing the City Manager to sell road salt to the Hamilton City School District for the 2016-2017 winter season

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input type="checkbox"/> R Realize new investments <input type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Resolution</i>	1 st Reading Date: 10/26/16 2 nd Reading Date: Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other): Caucus Report 10/12/16	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact See Below	Budgeted: \$ N/A Expenditure: Source Funds:	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to approve a Resolution which authorizes and directs the City Manager to sell road salt to the Hamilton City School District for the 2016-2017 winter season?

Policy Alternative(s)

City Council may choose not to pass the Resolution which would prevent the sale of road salt to Hamilton City School District.

Staff Recommendation

It is the recommendation of this office that Council receive this report and adopt a resolution authorizing the City Manager to enter into an agreement with the Hamilton City School District to sell road salt for the 2016-2017 winter season.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.



Fiscal Impact Summary

There will be no fiscal impact to the City because the sale of road salt will be equal to the City's purchase price. Loading will occur during normal working hours or during snow/ice emergencies when City crews are working. In 2015/2016 season, there were 36 tons of salt sold to Hamilton City School District at a cost of \$2,670.84. It is expected to be a similar amount of salt sold in 2016/2017 season.

Background Information

The Hamilton City School District will be performing construction at their current salt storage facility and it will be unavailable for the 2016-2017 winter season. The City storage facility has excess salt storage capacity and sale of road salt to the Hamilton City School District will have a very minor impact on the City's supply. Participating in this agreement would be considered a regional government accomplishment.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE AN INTERGOVERNMENTAL AGREEMENT FOR THE SALE OF ROAD SALT TO THE HAMILTON CITY SCHOOL DISTRICT FOR THE 2016-2017 WINTER SEASON.

WHEREAS, the City of Hamilton, Ohio (City) has received a request from the Hamilton City School District (HCSD) to purchase road salt for the 2016-2017 winter season, since the HCSD's current salt storage facility is under construction and therefore unavailable for the 2016-2017 winter season; and

WHEREAS, the City storage facility has excess salt storage capacity and sale of road salt to the HCSD will have a very minor impact on the City's supply since the sale of road salt will be equal to the City's purchase price and loading will occur during normal working hours or during snow/ice emergencies when City crews are working; and

WHEREAS, participating in this agreement would be considered a regional government accomplishment; and

WHEREAS, this Council desires to authorize and direct the City Manager to execute an Intergovernmental Agreement for the sale of road salt to the HCSD for the 2016-2017 winter season.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I. That the City Manager is hereby authorized and directed to execute an Intergovernmental Agreement for the sale of road salt to the Hamilton City School District for the 2016-2017 winter season and to take any and all actions necessary to accomplish the forgoing. Said Agreement shall be and read substantially in the form of Exhibit No. 1 attached hereto, incorporated herein by reference and made a part hereof with any changes recommended by the Director of Public Works and approved by the Director of Law.

SECTION II. This resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____
Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____.

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Resolution No. _____ (cont'd)

EXHIBIT NO. 1

**INTERGOVERNMENTAL AGREEMENT
BETWEEN THE CITY OF HAMILTON
AND HAMILTON CITY SCHOOL DISTRICT
FOR THE PURCHASE OF ROAD SALT**

This agreement is made and entered into this ____ day of _____, 2016, by and between the City of Hamilton, an Ohio municipal corporation (hereinafter "Hamilton"), and the Hamilton City School District, (hereinafter "HCSD"), (collectively "the parties").

WHEREAS, the corporate authorities of the parties possess authority to enter into this intergovernmental agreement:

WHEREAS, Hamilton annually purchases road salt for de-icing operations;

WHEREAS, Hamilton desires to assist HCSD by allowing them to purchase road salt;

WHEREAS, the parties desire to commit their agreements and understandings to writing;

NOW, THEREFORE, in consideration of the mutual covenants contained in this Agreement, the parties hereto agree, as follows:

1. The recitals set forth above are hereby incorporated into and made a part of this Agreement.
2. Hamilton will offer for sale to HCSD road salt for HCSD's de-icing operations during the 2016-2017 winter season. The 2016-2017 winter season is defined to begin on December 1, 2016 and end March 31, 2017.
3. Initial amount of road salt anticipated to be sold to and hauled by HCSD is 75 tons.
4. Designated personnel of HCSD will be able to access the Hamilton Garage, 2210 S. Erie Blvd., Hamilton, OH 45011 during normal working hours 7:00 am to 3:00 pm Monday through Friday unless other mutually acceptable arrangements are made.
5. HCSD will provide the appropriate trucks necessary to receive and haul road salt from Hamilton Garage.
6. Hamilton will charge HCSD the actual purchase price paid by Hamilton for the road salt.
7. HCSD shall reimburse Hamilton for the road salt charges by April 30, 2017 as invoiced by the City.
8. Hamilton assumes no responsibility or liability for loss or damage due to delay or inability to deliver, including, but not limited to, Hamilton's non-performance caused by acts of God, war, labor difficulties, accidents, inability to obtain materials, delays of carriers, contractors or suppliers or any other causes of any kind whatever beyond the control of Hamilton. Under no circumstances shall Hamilton be liable for any special, consequential, incidental, indirect, or liquidated damages, losses, or expense (whether or not based on negligence) arising directly or indirectly from delays or failure to provide road salt.

Resolution No. _____ (cont'd)

9. Hamilton shall not be responsible for any losses or damages sustained by the HCSD or any other person as a result of improper application or misapplication of the road salt. HCSD shall defend, indemnify and hold harmless Hamilton and its elected officials and employees against any loss, damage, claim, suit, liability, judgment or expense (including, without limitation, attorney's fees) arising out of or in connection with any injury, disease or death of persons (including, without limitation, HCSD's employees and agents) or damage to or loss of any property or the environment, or violation of any applicable laws or regulations resulting from or in connection with the sale, transportation, application, or use of the road salt by HCSD, whether caused by the concurrent and/or contributory negligence of HCSD, or any of their agents, employees or suppliers. The obligations, indemnities and covenants contained in this paragraph shall survive the consummation or termination of this transaction.
10. Hamilton expressly reserves the right to cancel without penalty this Agreement with thirty (30) days written notice.
11. The rights and obligations under this Agreement are not assignable by HCSD unless in writing and approved by Hamilton.
12. HAMILTON DISCLAIMS ANY AND ALL EXPRESS OR IMPLIED WARRANTIES WITH RESPECT TO THE ROAD SALT, INCLUDING WITHOUT LIMITATION THE IMPLIED WARRANTIES OF MERCHANTABILITY, AND FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL HAMILTON BE LIABLE TO HCSD FOR ANY INDIRECT, CONSEQUENTIAL, INCIDENTAL, SPECIAL, PUNITIVE OR EXEMPLARY DAMAGES OF WHATSOEVER NATURE.
13. All notices, requests and other communications under this Agreement shall be in writing and addressed to the following:
 - a. City of Hamilton Representative:
345 High Street
Hamilton, Ohio 45011
Attn: Richard A. Engle, P.E.
Director of Public Works
(513) 785-7273
 - b. HCSD Representative:
1315 Chestnut Street
Hamilton, Ohio 45011
Attn: Jeff Kilby
Director of Buildings and Grounds
(513) 284-0657
14. The validity, meaning, and effect of this Agreement shall be determined in accordance with the laws of the State of Ohio applicable to intergovernmental agreements made and contracts made and to be formed in Ohio.

Resolution No. _____ **(cont'd)**

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed in their respective corporate names, by the authorized signatures of their respective on this ____ day of _____, 2016.

City of Hamilton, Ohio

Joshua A. Smith, City Manager

Date

Hamilton City School District

Name, Title

Date

APPROVED AS TO FORM:

Heather Sanderson Lewis, Director of Law
City of Hamilton, Ohio

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Richard A. Engle, P.E., Director of Public Works/City Engineer

Agenda Item: Report Regarding Resolution for Final Consent Legislation with Ohio Department of Transportation relative to improvements to Columbia Bridge and Witt Way Bridge (BUT SR 128/129 – 8.56/14.78 PID 21758)

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> A Add new jobs <input type="checkbox"/> R Realize new investments <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution	<input checked="" type="checkbox"/> 1 st Reading Date: 10/26/16 <input type="checkbox"/> 2 nd Reading Date: <input type="checkbox"/> Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other):	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$36,240(2015) \$7,820 (2017) Expenditure: \$44,160 total Source Funds: 311.100.107.001 and 311.100.107.002	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does the City Council wish to approve a Final Resolution which gives the City's consent for ODOT to rehabilitate Bridge BUT-128-0856 (Columbia Bridge) over the Great Miami River and Bridge BUT-129-14.78 (Witt Way over SR 129)? The proposed rehabilitation includes replacing the rigid overlay, repairing concrete sidewalks and replacing the expansion joints on the Columbia Bridge and replacing the asphalt wearing course, adding a vandal protection fence on the west barrier and other minor rehabilitation items on the Witt Way Bridge.

Policy Alternative(s)

City Council may choose not to adopt such legislation giving consent for ODOT to rehabilitate both bridges. ODOT may re-allocate funds to other projects and the rehabilitation of these two bridges not be performed.

Staff Recommendation

Staff recommends Council receive this report and pass a Resolution giving the City's consent for ODOT to perform work.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- City policy is to cooperate and work closely with ODOT on projects within City Corporation Limits.

Fiscal Impact Summary

The City of Hamilton agrees to participate in the cost of the project for the Preliminary Engineering and Construction of the Vandal Protection Fence in accordance with the following paragraphs:

The City of Hamilton previously paid 100% of the Preliminary Engineering cost to design the aesthetic vandal protection fence on the west barrier of the BUT-129-14.78 bridge (Witt Way over SR 129). The negotiated consultant fee for the engineering work was \$36,340. The City of Hamilton also agrees to pay any future consultant contract modifications due to a change in the scope of work or other additional costs related to any Engineering costs related to the non-standard vandal protection fence.

The City of Hamilton agrees to pay 100% of the cost of the Vandal Protection Fence, minus the agreed upon price for a standard vandal protection fence at this location. In 2012, the state average for a standard 10' tall curved vandal protection fence was \$102.20 per linear foot. Therefore, the agreed upon price for 66 linear feet of fence including a 3% inflation growth for 5 years ($66' \times \$102.20 \times 1.03^5$) is approximately \$7,820. Therefore, the City of Hamilton agrees to pay for costs associated with the vandal protection fence in excess of this amount. The City of Hamilton further agrees that the change orders and extra work contracts required to fulfill the construction contract for this fence shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the City of Hamilton.

The City of Hamilton agrees to pay 100% of the cost of any additional features requested by the City of Hamilton which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

Total City funding equals \$44,160. Design component funding is \$36,340 and is budgeted for year 2015 in Fund 311.100.107.001. Construction estimate is \$7,820 and will be budgeted for year 2017 in Fund 311.100.107.002.

Background Information

N/A

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A FINAL RESOLUTION CONFIRMING COOPERATION OF THE CITY OF HAMILTON, OHIO, AS THE DESIGNATED LOCAL PUBLIC AGENCY (LPA), WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) RELATIVE TO THE REHABILITATION OF BRIDGE BUT-128-0856 (COLUMBIA BRIDGE OVER THE GREAT MIAMI RIVER) AND BRIDGE BUT-129-14.78 (WITT WAY OVER SR 129) (ODOT PID NO. 21758).

WHEREAS, on the 10th day of December, 2014, the LPA enacted Resolution No. R2014-12-122 proposing cooperation with the Director of Transportation for the described project:

The project consists of rehabilitation of Bridge BUT-128-0856 (Columbia Bridge) over the Great Miami River by replacing the rigid overlay, repairing the concrete sidewalks, and replacing the expansion joints; Rehabilitation of Bridge BUT-129-14.78 (Witt Way over SR 129) by replacing the asphalt wearing surface; and other minor rehabilitation items located within the City of Hamilton; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The State shall set aside Federal-Aid and State funds by the Director of Transportation Administration, U.S. Department of Transportation for the costs of the Improvement;

The City agrees to pay for 100% of the Preliminary Engineering costs to design the aesthetic vandal protection fence on the west barrier of the BUT-129 14.78 bridge (Witt Way);

The City agrees to pay any future consultant contract modifications due to a change in the scope of work or other additional costs related to any Engineering costs related to the non-standard vandal protection fence;

The City agrees to pay 100% of the cost of the Vandal Protection fence, minus price for a standard Vandal fence at this location;

The City agrees to pay 100% of the cost of those features requested by the City which are determined by the State and Federal Highway Administration to be unnecessary for the Project;

In view of the fact that the LPA's share of the project is now estimated in the amount of Zero and 00/100 Dollars, (\$0.00) therefore, the City will not be required to deposit any funds at this time. The LPA's ultimate share of the cost will be determined when final actual costs and allocations are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of same to this legislative authority; and

WHEREAS, this Council desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I: That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION II: That the LPA enter into a contract with the State, and that City Manager be, and is hereby authorized to execute said contract for improving the described project.

SECTION III: That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

Resolution No. _____ **(cont'd)**

SECTION IV: This resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, State of Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

I further certify that I have compared the foregoing Resolution No. _____ with the original record thereof, found in the record the proceedings of the LPA, and which Resolution was duly passed by the LPA on the _____ day of _____, 2016, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Stacey Dietrich-Dudas, Economic Development Specialist

Agenda Item: Report regarding the Tax Incentive Review Council (TIRC) – Minutes of the September 21, 2016 Annual Meeting

Approvals/Reviews <i>All staff who review this report shall initial and check the appropriate box</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Director of Finance <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> City Manager's Office	Related Strategic Goal(s) <input checked="" type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input checked="" type="checkbox"/> A Add new jobs <input checked="" type="checkbox"/> R Realize new investments <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
Ordinance or Resolution <i>Resolution</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 10-26-16 <input type="checkbox"/> 2 nd Reading Date: <input type="checkbox"/> Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other):	
Contract	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact See below.	Budgeted: N/A	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure: N/A	
	Source Funds: Capital Project Funds	

Policy Issue

Does City Council wish to adopt legislation to approve the recommendations of the Tax Incentive Review Council (TIRC) that all enterprise zone agreements, community reinvestment area agreement and all tax increment financing agreements be continued with one modification to terminate the enterprise zone for Sugarcraft (3665 Dixie Highway) which has ceased operations?

Policy Alternative(s)

Council may choose to not to adopt such legislation to approve the recommendations of the TIRC.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary legislation to approve the recommendations of the TIRC as submitted.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

The above agreements have an impact on some of the Capital Project Funds for the City. The various Tax Increment Financing and Residential Improvement Funds generated almost \$1.05 million in gross tax revenue in 2016 and are expected to generate approximately the same amount in gross tax revenue in 2016. The net tax revenue after



payments to the local school districts and auditor collection fees generated by these funds is then transferred to the Infrastructure Renewal Program Fund (311) to complete various capital and public works projects throughout the City. There will be a minimal fiscal impact to the City for the property tax abatement for the various enterprise zone and community reinvestment agreements which both have resulted in significant investment in the City of Hamilton.

Background Information

The Tax Incentive Review Council met on September 21, 2016 to review exemptions from property taxation pursuant to ORC section 5709.62 (enterprise zone agreements), ORC section 3735.65 et seq. (community reinvestment area agreements) and exemptions from property taxation resulting from the declaration of public purpose improvements pursuant to ORC sections 5709.40 and 5709.41 (tax increment financing).

As a result of the review of all agreements, the TIRC recommends that all enterprise zone agreements, community reinvestment area agreement and all tax increment financing agreements be continued with one modification to terminate the enterprise zone for Sugarcraft (3665 Dixie Highway) which has ceased operations. Attached are the minutes of the meeting and the annual report for the calendar year 2015.

Attached Information

- Attached are the minutes of the meeting for calendar year 2015.

Copies Provided to:

N/A



The meeting was called to order by Chair Julie Lepsky at 11:05 a.m. Roll call for those in attendance as follows:

Attendance: Chair Julie Lepsky (designee for Auditor Roger Reynolds), Vice Chair Bob Hancock, Dave Jones (designee for Finance Director Tom Vanderhorst), Jody Gunderson (designee for City Manager Joshua Smith) and Sherrie Bluester.

Others in Attendance: Stacey Dietrich-Dudas from the Economic Development Department

Enterprise Zone Agreements

Stacey Dietrich-Dudas reviewed the Enterprise Zone Agreements. The following is a description and status of each agreement and the Tax Incentive Review Council's recommendation.

AIC Contracting, Inc. (Ansari Properties, LLC)

Agreement: AIC Contracting, Inc. (Ansari Properties, LLC), located at 12 Kiesland Court, Hamilton, OH 45015, entered into an enterprise zone agreement on 5/5/2005. AIC agreed to invest \$132,000 in real property, \$90,000 in personal property, and create 10 FT/5 PT for a total target employment level of 30 FT/5 PT.

Status: AIC achieved a real property investment of \$702,400 and a personal property investment of \$132,000. The total number of jobs is 17 FT/1 PT.

Recommendation: Continue with a warning on employment numbers

Concord Hamiltonian (Riverfront) Hotel, LLC

Agreement: Concord Hamiltonian (Riverfront) Hotel, LLC, located at 1 Riverfront Plaza, Hamilton, OH 45011, entered into an enterprise zone agreement on 09/17/2007. Concord agreed to invest \$5,445,000 in real property, \$2,100,000 in personal property, and create 36 FT/12 PT for a total target employment level of 36 FT/12 PT.

Status: Concord achieved a real property investment of \$9,510,827 and a personal property investment of \$2,554,670. The total number of jobs is 29 FT/22 PT.

Recommendation: Continue

Dajwampler, LLC/Sensus/ dba Synergy Flavors, LLC #2

Agreement: Dajwampler, LLC/Synergy, LLC #2, located at 2991 Hamilton Mason Road, Hamilton, OH 45011, entered into an enterprise zone agreement on 3/15/2010. DAJ/Synergy agreed to invest \$2,000,000 in real property, \$500,000 in personal property, and create 5 for a total target employment level of 7.

Status: DAJ/Synergy achieved a real property investment of \$1,700,000 and a personal property investment of \$500,000. The total number of jobs is 40 FT.

Recommendation: Continue

Livingston Tyler Products, Inc.

Agreement: Livingston Tyler Products, Inc., located at 10 Rowe Court, Hamilton, OH 45015, entered into an enterprise zone agreement on 3/9/2005. Livingston Tyler agreed to invest \$510,000 in real property, \$30,000 in personal property, and create 8 for a total target employment level of 15.

Status: Livingston Tyler achieved a real property investment of \$510,000 and a personal property investment of \$30,000. The total number of jobs is 8 FT/1 PT.

Recommendation: Continue

M. A. Folkes Company, Inc. #2

Agreement: M. A. Folkes Company, Inc. #2, located at 3095 McBride Court, Hamilton, OH 45011, entered into an enterprise zone agreement on 11/28/2006. Folkes agreed to invest \$2,500,000 in real property, \$1,750,000 in personal property, and create 15 for a total target employment level of 37 FT/2 PT.

Status: Folkes achieved a real property investment of \$2,500,000 and a personal property investment of \$2,500,000. The total number of jobs is 59 FT/2 PT.

Recommendation: Continue

Matandy Steel & Metal Products, LLC #2

Agreement: Matandy Steel & Metal Products, LLC #2, located at 1140 Central Avenue, Hamilton, OH 45011, entered into an enterprise zone agreement on 12/3/2007. Matandy agreed to

invest \$1,500,000 in real property, \$500,000 in personal property, and create 7 for a total target employment level of 65 FT/4 PT.

Status: Matandy achieved a real property investment of \$1,700,000 and a personal property investment of \$500,000. The total number of jobs is 96 FT/3 PT.

Recommendation: Continue with a congratulations on surpassing employment goal

Neturen America Corporation

Agreement: Neturen America Corporation, located at 2995 Moser Court, Hamilton, OH 45011, entered into an enterprise zone agreement on 10/22/2007. Neturen agreed to invest \$4,000,000 in real property, \$13,200,000 in personal property, and create 26 for a total target employment level of 26 FT.

Status: Neturen achieved a real property investment of \$4,000,000 and a personal property investment of \$13,671,674. The total number of jobs is 30 FT.

Recommendation: Continue

Roadrunner Transportation Services/fka Dawes Transport, Inc.

Agreement: Roadrunner Transportation Services/fka Dawes Transport, Inc., located at 185 Enterprise Drive, Hamilton, OH 45015, entered into an enterprise zone agreement on 5/6/2005. Dawes agreed to invest \$1,650,000 in real property, \$14,000 in personal property, and create 6 FT/3 PT for a total target employment level of 33 FT/3 PT.

Status: Dawes achieved a real property investment of \$1,700,000 and a personal property investment of \$150,000. The total number of jobs is 20 FT/8 PT.

Recommendation: Continue with a warning on employment numbers

Sugarcraft, Inc.

Agreement: Sugarcraft, Inc., located at 3665 Dixie Hwy., Hamilton, OH 45015, entered into an enterprise zone agreement on 9/28/2007. Sugarcraft agreed to invest \$832,000 in real property, \$75,000 in personal property, and create 6 for a total target employment level of 16.

Status: Sugarcraft achieved a real property investment of \$982,591 and a personal property investment of \$275,000. The total number of jobs is 4 FT at the end of 2015.

Recommendation: The facility ceased operations in spring of 2016 due to significant sales decline. Terminate enterprise zone and if the new occupant or owner has a renovation or expansion project an enterprise zone can be considered.

ThyssenKrupp Bilstein of America, Inc.

Agreement: ThyssenKrupp, located at 8685 Bilstein Boulevard, Hamilton, OH 45015, entered into an enterprise zone agreement on 7/23/2014. ThyssenKrupp agreed to invest \$5,750,000 in real property, \$0 in personal property, and create 114 jobs for a total target employment of 495.

Status: ThyssenKrupp achieved a real property investment of \$5,750,000. The total number of jobs is 653 FT.

Recommendation: Continue with a congratulations on surpassing employment goal

Tippmann Realty Partners, LLC/Interstate Warehousing

Agreement: Tippmann Realty Partners, LLC/Interstate Warehousing, located at 110 Distribution Drive, Hamilton, Ohio 45014, entered into an enterprise zone agreement on 8/18/2011. Tippmann/Interstate agreed to invest \$10,500,000 in real property, \$1,200,000 in personal property, and create 20 for a total target employment level of 110. The agreement was amended on 6/25/2014 to include an additional investment of \$3,100,000 in real property and 25 additional new jobs.

Status: Tippmann/Interstate achieved a real property investment of \$11,142,380 and a personal property investmetn of \$1,176,734. The total number of jobs is 156 FT.

Recommendation: Continue with a congratulations on surpassing employment goal

TriHealth Bethesda Butler Hospital / Duke Realty

Agreement: The Hospital and Duke Realty, located at 3125 Hamilton Mason Road, Hamilton, OH 45015, entered into an enterprise zone agreement on 6/25/2014. The parties agreed to invest \$14,971,000 in real property and create 45 new jobs.

Status: Duke achieved a real property investment of \$15,741,000. The total number of jobs is 63 FT/51 PT.

Recommendation: Continue with a congratulations on surpassing employment goal

TriHealth Bethesda Butler (fka Butler County Surgical Properties, LLC/Butler County Ancillary Services, LLC - Imaging Center)

Agreement: The Imaging Center, located at 3075 Hamilton Mason Road, Hamilton, OH 45011, entered into an enterprise zone agreement on 12/13/2005. The Imaging Center agreed to invest \$6,100,000 in real property, \$6,000,000 in personal property, and create 30 FT/13 PT for a total target employment level of 30 FT/13 PT.

Status: The Imaging Center achieved a real property investment of \$5,452,283 and a personal property investment of \$6,195,376. The total number of jobs is 58 FT/80 PT.

Recommendation: Continue with a congratulations on surpassing employment goal

TriHealth Bethesda Butler (fka Butler County Surgical Properties, LLC and Butler County Ancillary Services, LLC - Sleep Center)

Agreement: The Sleep Center, located at 3055 Hamilton Mason Road, Hamilton, OH 45011, entered into an enterprise zone agreement on 04/18/2007. The Sleep Center agreed to invest \$3,020,000 in real property, \$650,000 in personal property, and create 20 FT/9 PT for a total target employment level of 20 FT/9 PT.

Status: The Sleep Center achieved a real property investment of \$3,771,891 and a personal property investment of \$354,905. The total number of jobs is 10 FT/2 PT.

Recommendation: Continue with a warning on employment numbers

United Performance Metals

Agreement: United Performance Metals, located at 3475 Symmes Road, Hamilton, OH 45015, entered into an enterprise zone agreement on 10/26/2005. United Performance agreed to invest \$925,000 in real property, \$475,000 in personal property, and create 5 for a total target employment level of 75.

Status: United Performance achieved a real property investment of \$1,400,000 and a personal property investment of \$1,600,000. The total number of jobs is 110 FT/6 PT.

Recommendation: Continue with a congratulations on surpassing employment goal

Vinylmax, LLC

Agreement: Vinylmax, LLC, located at 2921 McBride Court, Hamilton, OH 45011, entered into an enterprise zone agreement on 12/29/2006. Vinylmax agreed to invest \$5,500,000 in real property, \$1,450,000 in personal property, and create 20 for a total target employment level of 164.

Status: Vinylmax achieved a real property investment of \$5,062,707 and a personal property investment of \$2,842,693. The total number of jobs is 152 FT.

Recommendation: Continue

YAC Robot Systems, Inc.

Agreement: YAC Robot Systems, Inc., located at 3651 Symmes Road, Hamilton, OH 45011, entered into an enterprise zone agreement on 12/7/2004. YAC agreed to invest \$110,000 in real property, \$90,000 in personal property, and create 2 for a total target employment level of 13.

Status: YAC achieved a real property investment of \$110,000 and a personal property investment of \$189,267. The total number of jobs is 28 FT/1 PT. YAC has moved to a larger location across the street to accommodate their growth. YAC is using the space at 3651 Symmes for storage/warehousing.

Recommendation: Continue with a congratulations on surpassing employment goal

Motion by Bob Hancock, and seconded by Sherrie Bluester, to accept the foregoing recommendations to Hamilton City Council. All voted in favor. Motion passed.

Tax Increment Financing (Parcel and Incentive Districts)

Stacey Dietrich-Dudas reviewed the Tax Increment Financing (Parcel and Incentive Districts) spreadsheets. The following is a list of the projects and date created:

1. RG Properties/Lowes/Walmart: 3/8/1995 amended 9/28/2005 & 9/11/2013
2. Matandy Realty, Ltd.: 1/12/2000
3. Robinson-Schwenn Building: 10/13/2000
4. Quality Publishing Company: 10/24/2001
5. Hamilton Incentive Districts (19 Districts): 6/30/2004
6. Hamilton North Incentive District: 12/28/2005

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7. Hamilton South Incentive District: 12/28/2005
8. RiversEdge: 9/28/2005
9. Mercantile Block: 9/28/2005
10. Shoppes at Hamilton: 7/13/2005
11. BCSP, LLC/Sleep Center/Imaging Center/Hamilton Enterprise Park: 12/27/2006
12. M. A. Folkes Company, Inc.: 12/27/2006
13. Vora Technology Park: 12/27/2007
14. Sugarland, LLC/Sugarcraft, Inc.: 12/27/2007
15. WS Properties, LLC/Hamilton Enterprise Park Improvements: 11/28/2007
16. Concord Hamiltonian (Riverfront) Hotel, LLC: 9/12/2007
17. Hamilton Enterprise Park/Hamilton Enterprise Park Improvements: 1/9/2008
18. Matandy Realty, Ltd./J. N. Linrose Mfg., Ltd.: 10/8/2008
19. Matandy Realty/Matandy Steel & Metal Nail Facility Expansion: 12/21/2009
20. Neturen America Corp. New Manufacturing Facility: 12/21/2009
21. Dajwampler, LLC/Sensus, LLC: 12/20/2010
22. Tippmann Realty Partners/Interstate Warehousing of Ohio: 12/21/2011

Recommendation: Continue all Tax Increment Financing (Parcel and Incentive Districts) agreements.

Motion by Jody Gunderson, and seconded by Dave Jones, to accept the foregoing recommendation to Hamilton City Council. All voted in favor. Motion passed.

Community Reinvestment Area Agreements

2014 Commercial Projects:

Artspace (50%, 12 years on renovations – Estimated Project Total \$7.9 million & 2 new jobs) – Approved by city council in January 2014. Apartment construction was completed in May 2015; commercial space is fully leased.

Status: Artspace achieved a real property investment of \$8,168,288 and created 2 new jobs.

Recommendation: Continue

2015 Commercial Projects:

None

2014 Residential Projects:

308 North Second Street (100%, 10 years on renovations-\$75,000)
Abatement period tax year 2014 through tax year 2023

1003 Dayton Street (100%, 10 years on renovations-\$37,111.30)
Abatement period tax year 2014 through tax year 2023

143 Hueston Street (100%, 10 years on renovations-\$13,674.58)

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Abatement period tax year 2014 through tax year 2023

218 South D Street (100%, 10 years on renovations-\$11,328.85)
Renovations did not increase property value

965 Millville Avenue (100%, 10 years on renovations-\$7,565.00)

2015 Residential Projects:

235 Buckeye (100%, 10 years on renovations-\$175,090.34)

242 North Second (100%, 10 years on renovations-\$7,031.50)

2016 Residential Projects:

309 North Second (100%, 10 years on renovations-\$137,504.20)

7 North Third (pending)

Motion by Dave Jones, and seconded by Sherrie Bluester, to make the recommendation to Hamilton City County to continue the foregoing CRA projects. All voted in favor. Motion passed.

Motion by Bob Hancock, and seconded by Sherrie Bluester, that the meeting be adjourned at 11:21 a.m. All voted in favor. Motion passed.

RESOLUTION NO. _____

A RESOLUTION ACCEPTING THE RECOMMENDATIONS OF THE CONTINUATION OF CURRENT TAX INCREMENT FINANCING AGREEMENTS, ENTERPRISE ZONE AGREEMENTS, AND COMMUNITY INVESTMENT AREA AGREEMENTS WITH ONE MODIFICATION, AS HERETOFORE GRANTED BY THE CITY OF HAMILTON, OHIO TO VARIOUS ORGANIZATIONS DOING BUSINESS IN THE CITY.

WHEREAS, at its meeting on September 21, 2016, the City of Hamilton, Ohio's Tax Incentive Review Council (TIRC) reviewed the status of the City's tax abatement projects and tax increment financing projects for all calendar year 2015 and, as a result of the meeting, recommends to this Council the continuation of all current tax increment financing (TIF), 16 of the 17 enterprise zone (EZA) agreements, and all community reinvestment area (CRA) agreements, as heretofore granted by the City to various organizations doing business in the City; and

WHEREAS, pursuant to Section 5709.85 of the Ohio Revised Code, as amended, a legislative authority that receives from a municipal tax incentive review council written recommendations for continuation, modification, or cancellation of each agreement, must, within sixty (60) days after receipt of such recommendation, hold a meeting and vote to accept, reject, or modify all or any portion of such recommendations.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I: That the Council of the City of Hamilton, Ohio hereby accepts the recommendations of the Tax Incentive Review Council relating to continuation of the City's current tax increment financing agreements, 16 of the 17 enterprise zone agreements, and community reinvestment area agreements, as heretofore granted by the City to various organizations doing business in the City, and all heretofore approved by this Council. Such recommendations are detailed in the minutes of the meeting of the City's Tax Incentive Review Council held on September 21, 2016, as attached hereto as Exhibit No. 1 and made a part hereof. Council has previously received a copy of the Annual Tax Incentive Review Report, a copy of which is on file in the office of the City's Department of Economic Development.

SECTION II: That the Council of the City of Hamilton, Ohio hereby concurs in and approves the continuation of the aforesaid projects with various organizations doing business in the City.

SECTION III: This resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, Ohio, State of Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____.

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Resolution No. _____ (cont'd)

EXHIBIT NO. 1

Minutes of September 21, 2016
Tax Incentive Review Council Annual Meeting
Enterprise Zone Annual Report
Tax Increment Financing Annual Report
Community Reinvestment Area Annual Report

The meeting was called to order by Chair Julie Lepsky at 11:05 a.m. Roll call for those in attendance as follows:

Attendance: Chair Julie Lepsky (designee for Auditor Roger Reynolds), Vice Chair Bob Hancock, Dave Jones (designee for Finance Director Tom Vanderhorst), Jody Gunderson (designee for City Manager Joshua Smith) and Sherrie Bluester.

Others in Attendance: Stacey Dietrich-Dudas from the Economic Development Department

Enterprise Zone Agreements

Stacey Dietrich-Dudas reviewed the Enterprise Zone Agreements. The following is a description and status of each agreement and the Tax Incentive Review Council's recommendation.

AIC Contracting, Inc. (Ansari Properties, LLC)

Agreement: AIC Contracting, Inc. (Ansari Properties, LLC), located at 12 Kiesland Court, Hamilton, OH 45015, entered into an enterprise zone agreement on 5/5/2005. AIC agreed to invest \$132,000 in real property, \$90,000 in personal property, and create 10 FT/5 PT for a total target employment level of 30 FT/5 PT.

Status: AIC achieved a real property investment of \$702,400 and a personal property investment of \$132,000. The total number of jobs is 17 FT/1 PT.

Recommendation: Continue with a warning on employment numbers

Concord Hamiltonian (Riverfront) Hotel, LLC

Agreement: Concord Hamiltonian (Riverfront) Hotel, LLC, located at 1 Riverfront Plaza, Hamilton, OH 45011, entered into an enterprise zone agreement on 09/17/2007. Concord agreed to invest \$5,445,000 in real property, \$2,100,000 in personal property, and create 36 FT/12 PT for a total target employment level of 36 FT/12 PT.

Resolution No. _____ (cont'd)

Status: Concord achieved a real property investment of \$9,510,827 and a personal property investment of \$2,554,670. The total number of jobs is 29 FT/22 PT.

Recommendation: Continue

Dajwampler, LLC/Sensus/ dba Synergy Flavors, LLC #2

Agreement: Dajwampler, LLC/Synergy, LLC #2, located at 2991 Hamilton Mason Road, Hamilton, OH 45011, entered into an enterprise zone agreement on 3/15/2010. DAJ/Synergy agreed to invest \$2,000,000 in real property, \$500,000 in personal property, and create 5 for a total target employment level of 7.

Status: DAJ/Synergy achieved a real property investment of \$1,700,000 and a personal property investment of \$500,000. The total number of jobs is 40 FT.

Recommendation: Continue

Livingston Tyler Products, Inc.

Agreement: Livingston Tyler Products, Inc., located at 10 Rowe Court, Hamilton, OH 45015, entered into an enterprise zone agreement on 3/9/2005. Livingston Tyler agreed to invest \$510,000 in real property, \$30,000 in personal property, and create 8 for a total target employment level of 15.

Status: Livingston Tyler achieved a real property investment of \$510,000 and a personal property investment of \$30,000. The total number of jobs is 8 FT/1 PT.

Recommendation: Continue

M. A. Folkes Company, Inc. #2

Agreement: M. A. Folkes Company, Inc. #2, located at 3095 McBride Court, Hamilton, OH 45011, entered into an enterprise zone agreement on 11/28/2006. Folkes agreed to invest \$2,500,000 in real property, \$1,750,000 in personal property, and create 15 for a total target employment level of 37 FT/2 PT.

Resolution No. _____ (cont'd)

Status: Folkes achieved a real property investment of \$2,500,000 and a personal property investment of \$2,500,000. The total number of jobs is 59 FT/2 PT.

Recommendation: Continue

Matandy Steel & Metal Products, LLC #2

Agreement: Matandy Steel & Metal Products, LLC #2, located at 1140 Central Avenue, Hamilton, OH 45011, entered into an enterprise zone agreement on 12/3/2007. Matandy agreed to invest \$1,500,000 in real property, \$500,000 in personal property, and create 7 for a total target employment level of 65 FT/4 PT.

Status: Matandy achieved a real property investment of \$1,700,000 and a personal property investment of \$500,000. The total number of jobs is 96 FT/3 PT.

Recommendation: Continue with a congratulations on surpassing employment goal

Neturen America Corporation

Agreement: Neturen America Corporation, located at 2995 Moser Court, Hamilton, OH 45011, entered into an enterprise zone agreement on 10/22/2007. Neturen agreed to invest \$4,000,000 in real property, \$13,200,000 in personal property, and create 26 for a total target employment level of 26 FT.

Status: Neturen achieved a real property investment of \$4,000,000 and a personal property investment of \$13,671,674. The total number of jobs is 30 FT.

Recommendation: Continue

Roadrunner Transportation Services/fka Dawes Transport, Inc.

Agreement: Roadrunner Transportation Services/fka Dawes Transport, Inc., located at 185 Enterprise Drive, Hamilton, OH 45015, entered into an enterprise zone agreement on 5/6/2005. Dawes agreed to invest \$1,650,000 in real property, \$14,000 in personal property, and create 6 FT/3 PT for a total target employment level of 33 FT/3 PT.

Resolution No. _____ (cont'd)

Status: Dawes achieved a real property investment of \$1,700,000 and a personal property investment of \$150,000. The total number of jobs is 20 FT/8 PT.

Recommendation: Continue with a warning on employment numbers

Sugarcraft, Inc.

Agreement: Sugarcraft, Inc., located at 3665 Dixie Hwy., Hamilton, OH 45015, entered into an enterprise zone agreement on 9/28/2007. Sugarcraft agreed to invest \$832,000 in real property, \$75,000 in personal property, and create 6 for a total target employment level of 16.

Status: Sugarcraft achieved a real property investment of \$982,591 and a personal property investment of \$275,000. The total number of jobs is 4 FT at the end of 2015.

Recommendation: The facility ceased operations in spring of 2016 due to significant sales decline. Terminate enterprise zone and if the new occupant or owner has a renovation or expansion project an enterprise zone can be considered.

ThyssenKrupp Bilstein of America, Inc.

Agreement: ThyssenKrupp, located at 8685 Bilstein Boulevard, Hamilton, OH 45015, entered into an enterprise zone agreement on 7/23/2014. ThyssenKrupp agreed to invest \$5,750,000 in real property, \$0 in personal property, and create 114 jobs for a total target employment of 495.

Status: ThyssenKrupp achieved a real property investment of \$5,750,000. The total number of jobs is 653 FT.

Recommendation: Continue with a congratulations on surpassing employment goal

Tippmann Realty Partners, LLC/Interstate Warehousing

Agreement: Tippmann Realty Partners, LLC/Interstate Warehousing, located at 110 Distribution Drive, Hamilton, Ohio 45014, entered into an enterprise zone agreement on 8/18/2011. Tippmann/Interstate agreed to invest \$10,500,000 in real

Resolution No. _____ (cont'd)

property, \$1,200,000 in personal property, and create 20 for a total target employment level of 110. The agreement was amended on 6/25/2014 to include an additional investment of \$3,100,000 in real property and 25 additional new jobs.

Status: Tippmann/Interstate achieved a real property investment of \$11,142,380 and a personal property investment of \$1,176,734. The total number of jobs is 156 FT.

Recommendation: Continue with a congratulations on surpassing employment goal

TriHealth Bethesda Butler Hospital / Duke Realty

Agreement: The Hospital and Duke Realty, located at 3125 Hamilton Mason Road, Hamilton, OH 45015, entered into an enterprise zone agreement on 6/25/2014. The parties agreed to invest \$14,971,000 in real property and create 45 new jobs.

Status: Duke achieved a real property investment of \$15,741,000. The total number of jobs is 63 FT/51 PT.

Recommendation: Continue with a congratulations on surpassing employment goal

TriHealth Bethesda Butler (fka Butler County Surgical Properties, LLC/Butler County Ancillary Services, LLC - Imaging Center)

Agreement: The Imaging Center, located at 3075 Hamilton Mason Road, Hamilton, OH 45011, entered into an enterprise zone agreement on 12/13/2005. The Imaging Center agreed to invest \$6,100,000 in real property, \$6,000,000 in personal property, and create 30 FT/13 PT for a total target employment level of 30 FT/13 PT.

Status: The Imaging Center achieved a real property investment of \$5,452,283 and a personal property investment of \$6,195,376. The total number of jobs is 58 FT/80 PT.

Recommendation: Continue with a congratulations on surpassing employment goal

Resolution No. _____ (cont'd)

TriHealth Bethesda Butler (fka Butler County Surgical Properties, LLC and Butler County Ancillary Services, LLC - Sleep Center)

Agreement: The Sleep Center, located at 3055 Hamilton Mason Road, Hamilton, OH 45011, entered into an enterprise zone agreement on 04/18/2007. The Sleep Center agreed to invest \$3,020,000 in real property, \$650,000 in personal property, and create 20 FT/9 PT for a total target employment level of 20 FT/9 PT.

Status: The Sleep Center achieved a real property investment of \$3,771,891 and a personal property investment of \$354,905. The total number of jobs is 10 FT/2 PT.

Recommendation: Continue with a warning on employment numbers

United Performance Metals

Agreement: United Performance Metals, located at 3475 Symmes Road, Hamilton, OH 45015, entered into an enterprise zone agreement on 10/26/2005. United Performance agreed to invest \$925,000 in real property, \$475,000 in personal property, and create 5 for a total target employment level of 75.

Status: United Performance achieved a real property investment of \$1,400,000 and a personal property investment of \$1,600,000. The total number of jobs is 110 FT/6 PT.

Recommendation: Continue with a congratulations on surpassing employment goal

Vinylmax, LLC

Agreement: Vinylmax, LLC, located at 2921 McBride Court, Hamilton, OH 45011, entered into an enterprise zone agreement on 12/29/2006. Vinylmax agreed to invest \$5,500,000 in real property, \$1,450,000 in personal property, and create 20 for a total target employment level of 164.

Status: Vinylmax achieved a real property investment of \$5,062,707 and a personal property investment of \$2,842,693. The total number of jobs is 152 FT.

Resolution No. _____ (cont'd)

Recommendation: Continue

YAC Robot Systems, Inc.

Agreement: YAC Robot Systems, Inc., located at 3651 Symmes Road, Hamilton, OH 45011, entered into an enterprise zone agreement on 12/7/2004. YAC agreed to invest \$110,000 in real property, \$90,000 in personal property, and create 2 for a total target employment level of 13.

Status: YAC achieved a real property investment of \$110,000 and a personal property investment of \$189,267. The total number of jobs is 28 FT/1 PT. YAC has moved to a larger location across the street to accommodate their growth. YAC is using the space at 3651 Symmes for storage/warehousing.

Recommendation: Continue with a congratulations on surpassing employment goal

Motion by Bob Hancock, and seconded by Sherrie Bluester, to accept the foregoing recommendations to Hamilton City Council. All voted in favor. Motion passed.

Tax Increment Financing (Parcel and Incentive Districts)

Stacey Dietrich-Dudas reviewed the Tax Increment Financing (Parcel and Incentive Districts) spreadsheets. The following is a list of the projects and date created:

1. RG Properties/Lowes/Walmart: 3/8/1995 amended 9/28/2005 & 9/11/2013
2. Matandy Realty, Ltd.: 1/12/2000
3. Robinson-Schwenn Building: 10/13/2000
4. Quality Publishing Company: 10/24/2001
5. Hamilton Incentive Districts (19 Districts): 6/30/2004
6. Hamilton North Incentive District: 12/28/2005
7. Hamilton South Incentive District: 12/28/2005
8. RiversEdge: 9/28/2005
9. Mercantile Block: 9/28/2005
10. Shoppes at Hamilton: 7/13/2005
11. BCSP, LLC/Sleep Center/Imaging Center/Hamilton Enterprise Park: 12/27/2006
12. M. A. Folkes Company, Inc.: 12/27/2006
13. Vora Technology Park: 12/27/2007
14. Sugarland, LLC/Sugarcraft, Inc.: 12/27/2007
15. WS Properties, LLC/Hamilton Enterprise Park Improvements: 11/28/2007
16. Concord Hamiltonian (Riverfront) Hotel, LLC: 9/12/2007

Resolution No. _____ (cont'd)

17. Hamilton Enterprise Park/Hamilton Enterprise Park Improvements: 1/9/2008
18. Matandy Realty, Ltd./J. N. Linrose Mfg., Ltd.: 10/8/2008
19. Matandy Realty/Matandy Steel & Metal Nail Facility Expansion: 12/21/2009
20. Neturen America Corp. New Manufacturing Facility: 12/21/2009
21. Dajwampler, LLC/Sensus, LLC: 12/20/2010
22. Tippmann Realty Partners/Interstate Warehousing of Ohio: 12/21/2011

Recommendation: Continue all Tax Increment Financing (Parcel and Incentive Districts) agreements.

Motion by Jody Gunderson, and seconded by Dave Jones, to accept the foregoing recommendation to Hamilton City Council. All voted in favor. Motion passed.

Community Reinvestment Area Agreements

2014 Commercial Projects:

Artspace (50%, 12 years on renovations – Estimated Project Total \$7.9 million & 2 new jobs) – Approved by city council in January 2014. Apartment construction was completed in May 2015; commercial space is fully leased.

Status: Artspace achieved a real property investment of \$8,168,288 and created 2 new jobs.

Recommendation: Continue

2015 Commercial Projects:

None

2014 Residential Projects:

308 North Second Street (100%, 10 years on renovations-\$75,000)

Abatement period tax year 2014 through tax year 2023

1003 Dayton Street (100%, 10 years on renovations-\$37,111.30)

Abatement period tax year 2014 through tax year 2023

143 Hueston Street (100%, 10 years on renovations-\$13,674.58)

Abatement period tax year 2014 through tax year 2023

218 South D Street (100%, 10 years on renovations-\$11,328.85)

Renovations did not increase property value

965 Millville Avenue (100%, 10 years on renovations-\$7,565.00)

Resolution No. _____ (cont'd)

2015 Residential Projects:

235 Buckeye (100%, 10 years on renovations-\$175,090.34)

242 North Second (100%, 10 years on renovations-\$7,031.50)

2016 Residential Projects:

309 North Second (100%, 10 years on renovations-\$137,504.20)

7 North Third (pending)

Motion by Dave Jones, and seconded by Sherrie Bluester, to make the recommendation to Hamilton City County to continue the foregoing CRA projects. All voted in favor. Motion passed.

Motion by Bob Hancock, and seconded by Sherrie Bluester, that the meeting be adjourned at 11:21 a.m. All voted in favor. Motion passed.

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Jody Gunderson, Economic Development Director

Agenda Item: Report regarding a Valeo Climate Control Corp. – Local Job Creation Tax Credit Amendment

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input checked="" type="checkbox"/> R Realize new investments <input checked="" type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
Ordinance or Resolution Resolution	1 st Reading Date: 10-26-16 2 nd Reading Date: Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other): 6-16-15 JCTC Agreement Approved	
Contract	<input checked="" type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: N/A Income Tax Credit: \$ 47,413 annually Source Funds: Income Tax Funds (100,210, and 215)	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to adopt legislation to authorize the amendment of the Local Job Creation Tax Credit Agreement with Valeo Climate Control Corp.?

Policy Alternative(s)

Council may choose not to adopt such legislation to amend the Local Job Creation Tax Credit Agreement with Valeo.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to amend the Local Job Creation Tax Credit Agreement with Valeo because it encourages the establishment of new jobs in the City in order to improve the economic welfare of the City and its citizens.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.



Fiscal Impact Summary

The local Job Creation Tax Credit will impact the General Fund (100) which receives 77.5% of income tax collected, the Public Safety/Health Income Tax Fund (210) which receives 12.5% of income tax collected, and the Hamilton Capital Improvement & Debt Service Fund (215) which receives 10% of income tax collected. The City would provide a Local Job Creation Tax Credit for 55% for 7 years (estimated annual value of tax credit -\$47,413). The tax credit shall be measured as a percentage of the new income tax revenue the City derives from new employees of Valeo Climate Control Corp. and is a non-refundable credit against Valeo's local corporate earnings tax.

Background Information

On June 16, 2015, Council approved a Local Job Creation Tax Credit (JCTC) with Valeo Climate Control Corp. This JCTC pertains to their manufacturing facility located at 3620 Symmes Road. Valeo has requested that the Local JCTC be amended to match the same years as their state Job Creation Tax Credit which runs from 2012 - 2018. The length and term of the local JCTC would remain 55% for 7 years as agreed to in the original 2015 legislation and the start date would be amended to begin in 2012.

The original project information is as follows - total project is estimated at \$16,200,000. The machinery and equipment investment is approximately \$14,400,000 and \$1,800,000 in other investments. Valeo anticipates creating 105 new jobs within 3 years with an annual payroll of approximately \$4,310,000. This expansion will allow Valeo to purchase new equipment to expand its market share and create new product lines.

Attached Information

Signed Agreement without the City of Hamilton's signature

Copies Provided to:

N/A



AMENDMENT TO JOB CREATION AND TAX CREDIT AGREEMENT

THIS AMENDMENT TO JOB CREATION AND TAX CREDIT AGREEMENT (“Amendment”) is entered into this 11 day of AUGUST, 2016, by and between the City of Hamilton, Ohio (“City”), and Valeo Climate Control Corp. (“Taxpayer”).

WHEREAS, City and Taxpayer entered into a Job Creation and Tax Credit Agreement (“Original Agreement”) dated June 16, 2015, under the term of which Taxpayer would be entitled to certain tax credits, on the terms and conditions set forth in the Original Agreement; and

WHEREAS, City and Taxpayer desire to amend the Original Agreement to modify the year in which the City Income Tax Credit is first allowable; and

WHEREAS, any capitalized term not otherwise defined in this Amendment shall have the same meaning attributed to it in the Original Agreement.

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

1. The definition of “Agreement” under the Original Agreement is amended to mean the Original Agreement, as amended by this Amendment.

2. Section III. B. of the Original Agreement is hereby modified in the entirety and replaced with the following:

“B. Tax Credit Term: The City Income Tax Credit shall first be allowable in Tax Year 2012. The City Income Tax Credit shall thereafter be allowable only in the subsequent Tax Years in which a City Income Tax Credit is allowable under the State Agreement and this Agreement; provided, however, that the City Income Tax Credit under this Agreement shall expire at the end of Tax Year 2018..”

3. Except as specifically and expressly modified or amended herein, the terms and provisions of the Original Agreement remain unchanged. The parties hereto ratify the Original Agreement and acknowledge that the Original Agreement continues in full force and effect, as modified by this Amendment.

4. The Agreement may not be changed orally but only by an agreement in writing, duly executed by or on behalf of the party or parties against whom enforcement of any waiver, change, modification, consent or discharge is sought.

5. This Agreement shall be binding upon the parties hereto, as well as their successors and assigns, as the case may be.

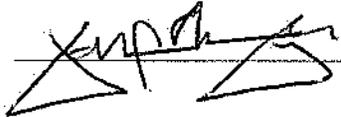
(SIGNATURE PAGE TO FOLLOW)

The parties have signed this Amendment the year and date aforesaid.

City of Hamilton, Ohio

By: _____

Valeo Climate Control Corp.

By:  _____

APPROVED AS TO FORM:

Director of Law
City of Hamilton, Ohio

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RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE AMENDMENT OF A JOB CREATION AND TAX CREDIT AGREEMENT WITH VALEO CLIMATE CONTROL CORP. SPECIFYING THE CONDITIONS OF A NONREFUNDABLE CREDIT AGAINST TAXES ON INCOME EARNED BY SAID COMPANY.

WHEREAS, Valeo Climate Control Corp. (hereinafter referred to as "Valeo") have and will create new jobs at their manufacturing facility located at 3620 Symmes Road, Hamilton, Ohio 45015; and

WHEREAS, City and Valeo entered into a Job Creation and Tax Credit Agreement ("Original Agreement") dated June 16, 2015, under the term of which Taxpayer would be entitled to certain tax credits, on the term and conditions set forth in the Original Agreement; and

WHEREAS, pursuant to Section 122.17 of the Ohio Revised Code, Valeo has heretofore made application for Ohio Job Creation Tax Credit under Chapter 5733 (Corporate Franchise Tax), and received approval of said application from the Ohio Job Credit Authority; and

WHEREAS, Section 718.15 of the Ohio Revised Code permits a municipal corporation to grant a nonrefundable credit for a period not exceeding ten (10) years to a taxpayer against income earned by such taxpayer if that taxpayer also received tax credit under Section 122.17; and

WHEREAS said Section 718.15 mandates that a municipal corporation grant such tax credit by ordinance, and that prior to the adoption of such ordinance, the municipal corporation and the taxpayer shall enter into an agreement specifying all conditions of such tax credit; and

WHEREAS, City and Taxpayer desire to amend the Original Agreement to modify the year in which the City Income Tax Credit is first allowable; and

WHEREAS, to comply with the provisions of Section 718.15, this Council now wishes to authorize the City Manager to enter into an amended Job Creation and Tax Credit Agreement which sets forth all conditions of a credit against taxes on income earned by Valeo.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I: That the City Manager is hereby authorized to amend the Original Agreement in order to modify the year in which the City Income Tax Credit is first allowable for a term not exceeding seven (7) years with Valeo Climate Control Corp. specifying the conditions for granting a nonrefundable credit against taxes on income earned by said limited liability company. Said amendment shall be and read substantially in the form of Exhibit No. 1, attached hereto, made a part hereof and incorporated herein by reference, subject to any revisions recommended by the Director of Law or the Director of Economic Development determined to be in the best interest of the City of Hamilton, Ohio.

SECTION II: That pursuant to the provisions of Section 718.15 of the Ohio Revised Code, said amended Job Creation and Tax Credit Agreement shall be in full force and effect only upon the adoption of an ordinance by Council approving the amendment and granting such tax credit to Valeo Climate Control Corp. with a modified start date.

SECTION III: This resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

Resolution No. _____ (cont'd)

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____.

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Resolution No. _____ (cont'd)

EXHIBIT NO. 1

AMENDMENT TO JOB CREATION AND TAX CREDIT AGREEMENT

THIS AMENDMENT TO JOB CREATION AND TAX CREDIT AGREEMENT ("Amendment") is entered into this ____ day of _____, 2016, by and between the City of Hamilton, Ohio ("City"), and Valeo Climate Control Corp. ("Taxpayer").

WHEREAS, City and Taxpayer entered into a Job Creation and Tax Credit Agreement ("Original Agreement") dated June 16, 2015, under the term of which Taxpayer would be entitled to certain tax credits, on the terms and conditions set forth in the Original Agreement; and

WHEREAS, City and Taxpayer desire to amend the Original Agreement to modify the year in which the City Income Tax Credit is first allowable; and

WHEREAS, any capitalized term not otherwise defined in this Amendment shall have the same meaning attributed to it in the Original Agreement.

NOW, THEREFORE, in consideration of the mutual promises herein contained, the parties hereto agree as follows:

1. The definition of "Agreement" under the Original Agreement is amended to mean the Original Agreement, as amended by this Amendment.
2. Section III. B. of the Original Agreement is hereby modified in the entirety and replaced with the following:

"B. Tax Credit Term: The City Income Tax Credit shall first be allowable in Tax Year 2012. The City Income Tax Credit shall thereafter be allowable only in the subsequent Tax Years in which a City Income Tax Credit is allowable under the State Agreement and this Agreement; provided, however, that the City Income Tax Credit under this Agreement shall expire at the end of Tax Year 2018.."
3. Except as specifically and expressly modified or amended herein, the terms and provisions of the Original Agreement remain unchanged. The parties hereto ratify the Original Agreement and acknowledge that the Original Agreement continues in full force and effect, as modified by this Amendment.
4. The Agreement may not be changed orally but only by an agreement in writing, duly executed by or on behalf of the party or parties against whom enforcement of any waiver, change, modification, consent or discharge is sought.
5. This Agreement shall be binding upon the parties hereto, as well as their successors and assigns, as the case may be.

The parties have signed this Amendment the year and date aforesaid. City of Hamilton, Ohio

By: _____
City of Hamilton

By: _____
Valeo Climate Control Corp.

APPROVED AS TO FORM:

Director of Law
City of Hamilton, Ohio

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Eugene Scharf, Community Development Director; Kay Farrar, Assistant Community Director; and Letitia S. Block, Esq., Assistant Law Director

Agenda Item: Report regarding a resolution approving a tentative agreement for a successor collective bargaining agreement with OPEIU, Local 98

Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	Related Strategic Goal(s) <input type="checkbox"/> R Realize new investments <input type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Resolution</i>	1 st Reading Date: 10-26-16 2 nd Reading Date: Public Hearing Date:	
Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i>	City Council (or other):	
Contract	<input checked="" type="checkbox"/> Contract Required	
Fiscal Impact	Budgeted 2016: \$0 Expenditure 2016: \$1,552.50 Source Funds: General Fund (100)	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to adopt legislation to approve a tentative agreement for a successor collective bargaining agreement reached with the Office and Professional Employees International Union (“OPEIU”), Local 98?

Policy Alternative(s)

Council may choose not to adopt such legislation to approve the tentative agreement for a successor collective bargaining agreement reached with OPEIU, Local 98, and may choose to propose an alternative to the tentative agreement.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to approve the tentative agreement for a successor collective bargaining agreement reached with the OPEIU, Local 98, and direct the City Manager to execute the collective bargaining agreement.

Statutory/Policy Authority

- Chapter 4117, Public Employees’ Collective Bargaining, of the Ohio Revised Code



Fiscal Impact Summary for 2016

G/L Distribution	Hourly Increase	Increased Salary	Less:	One- Time Bonus	Total Salary Increase	Benefits	Total Increase
			Longevity / Attendance / Education				
100.160.162	0.42	873.60	(675.00)	500.00	698.60	48.41	747.01
100.160.162	0.42	873.60	(625.00)	500.00	748.60	56.89	805.49

\$1,552.50

Background Information

On June 30, 2013, the collective bargaining agreement between the City of Hamilton and OPEIU, Local 98 bargaining unit expired. Leading up to the contract expiration and since that time, the parties have been negotiating toward a successor collective bargaining agreement. As a result of these negotiations, a tentative agreement for a successor collective bargaining agreement between the City and OPEIU, Local 98 has been reached and approved by the bargaining unit.

The tentative agreement provides for, among other things:

1. Article 9, Section 1 – Decreased accumulation of sick leave hours for new hires per month – from ten (10) hours per month to eight (8) hours per month.
2. Article 9, Section 3 – Elimination of five (5) floating holidays for new hires.
3. Article 9, Section 4 – Cap of vacation leave hours at twenty-five (25) working days for new hires after twenty-one (21) years of service.
4. Article 10, Section 1 – Revision of health insurance plan language consistent with CBAs for AFSCME, Local 3169, AFSCME, Local 475, and FOP/OLC to provide that the City shall contribute no more than 85% of the total premium cost and employees shall contribute at least 15% of the total premium cost.
5. Former Article 11 – Elimination of attendance incentive.
6. Former Article 12 – Elimination of longevity program.
7. Former Article 18, Sections 7 and 8 – Elimination of physical fitness award and educational award.
8. New Article 18 – In exchange for eliminating the attendance incentive, longevity program, and the physical fitness and educational awards, employees will receive a \$.42/per hour increase; employees will receive a lump sum payment of \$500.00 subsequent to execution of the CBA; and on February 28, 2018 and February 28, 2019, employees will be eligible to receive performance-based bonuses of \$1,082 in each year.

The agreement is scheduled to expire on June 30, 2019.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION APPROVING THE TERMS AND CONDITIONS OF A SUCCESSOR COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF HAMILTON, OHIO AND THE OFFICE AND PROFESSIONAL EMPLOYEES INTERNATIONAL UNION (OPEIU), LOCAL 98 AUTHORIZING AND DIRECTING THE EXECUTION OF SAID COLLECTIVE BARGAINING AGREEMENT.

WHEREAS, the City of Hamilton and OPEIU, Local 98 recently concluded labor negotiations for a successor collective bargaining agreement (CBA); and

WHEREAS, as a result of these negotiations, a tentative agreement for a successor collective bargaining agreement between the parties has been reached and has been approved by the OPEIU, Local 98 bargaining unit, which includes, but is not limited to: decreasing the accumulation of sick leave hours for new hires; eliminating floating holidays for new hires; capping vacation leave hours for new hires; revising health insurance plan language; eliminating the attendance incentive, longevity program, and physical fitness and educational awards in exchange for a \$.42/per hour increase; and adding lump sum payments in exchange for contract execution and meeting certain performance criteria; and

WHEREAS, the collective bargaining agreement will remain in place through June 30, 2019; and

WHEREAS, this Council desires that the City Manager be authorized and directed to execute said successor CBA.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I: That City Manager is hereby directed to execute the CBA between the City of Hamilton, Ohio, and the OPEIU, Local 98 for the period continuing through June 30, 2019.

SECTION II: This resolution shall take effect and be in full force from and after the earliest period allowed by law after its passage.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____.

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Michael R. Perry, Director of Project Implementation

Agenda Item: SJL Final Claim Resolution Agreement

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input type="checkbox"/> R Realize new investments <input type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Resolution</i></p>	<p>1st Reading Date: 10/26/16 2nd Reading Date: Public Hearing Date:</p>	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other):</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: \$14,023,082 Expenditure: \$13,912,060 Source Funds: Wastewater Construction Fund</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>

Policy Issue

Does City Council wish to adopt legislation approving the final Claim Resolution Agreement and Release to close-out the contract with S.J. Louis Construction, Inc. for the City's Interceptor Project, Contract #13-02, and authorizing the City Manager to execute said Agreement?

Policy Alternative(s)

If City Council does not adopt legislation approving the Claim Resolution Agreement and Release, the City may choose to litigate this claim.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to approve the final Claim Resolution Agreement and Release and to close-out the contract for S.J. Louis Construction, Inc. for City's Interceptor Project, Contract #13-02, and authorize the City Manager to execute said Agreement.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

The proposed final Claim Resolution Agreement and Release amount is less than the total S.J. Louis Construction, Inc., contract price. As explained below, the City will receive a deduct from S.J. Louis from the contracted amount of approximately \$111,021

Background Information

As a result of the competitive bidding process, the City's Interceptor Project, Contract #13-02, was awarded to S.J. Louis Construction, Inc. in or about March 2013 in the amount of \$11,864,600, including a contingency of \$1,000,000. The second lowest bidder was Smith Contractors, Inc. in the amount of \$16,936,530, with a contingency of \$1,000,000.

During the Project, S.J. Louis submitted a number of claims to the City, which S.J. Louis described as differing or unforeseen site conditions. Initially, the City resolved various claims submitted by S.J. Louis in Change Order No. 1 in October 2014. Change Order No. 1, increased the Contract Sum of \$11,864,600 by approximately \$3,154,709 to \$15,019,309. The remaining portion of the contingency in the amount of \$996,227 was deducted. The net revised Contract Sum was therefore increased to \$14,023,082. The unpaid portion of the Contract Sum is approximately \$3,636,021.71

Subsequent to Change Order No. 1, S.J. Louis submitted additional claims on the Project. The City also asserted claims against S.J. Louis in relation to liquidated damages, costs to repair the hill slide between MH 12 and MH 13, and other costs incurred by the City as a result of the work performed by S.J. Louis.

City Administration and S.J. Louis attempted to resolve the various claims through mediation. During the mediation process, S.J. Louis agreed to accept final payment from the City in the amount of \$3,525,000 to close-out the Project. Accordingly, S.J. Louis' final contract amount will be \$13,912,060.29. This is a net deduct in the amount of approximately \$111,021 from S.J. Louis's contract with the City.

Attached Information

N/A

Copies Provided to:

City of Hamilton Public Utilities Commission



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE THE FINAL CLAIM RESOLUTION AGREEMENT AND RELEASE BETWEEN THE CITY OF HAMILTON, OHIO AND S.J. LOUIS CONSTRUCTION, INC. FOR THE CITY'S INTERCEPTOR PROJECT, CONTRACT NUMBER 13-02.

WHEREAS, the Administration of the City of Hamilton, Ohio has been in discussion with S.J. Louis Construction, Inc. regarding a settlement of the contract for work performed for the City's Interceptor Project; and

WHEREAS, as a result of the competitive bidding process, the City's Interceptor Project, Contract #13-02, was awarded to S.J. Louis Construction, Inc. in or about March 2013 in the amount of \$11,864,600.00, including a contingency of \$1,000,000.00. The second lowest bidder was Smith Contractors, Inc. in the amount of \$16,936,530.00, including a contingency of \$1,000,000.00; and

WHEREAS, during the Project, S.J. Louis Construction, Inc. submitted a number of claims to the City, which S.J. Louis Construction, Inc. described as differing or unforeseen site conditions. Initially, the City resolved various claims submitted by S.J. Louis Construction, Inc. in Change Order Number No.1 in October 2014. Change Order No.1, increased the contract sum of \$11,864,600.00 by approximately \$3,154,709.00 to \$15,019,309.00. The remaining portion of the contingency in the amount of \$996,227.00 was deducted. The net revised Contract Sum was therefore increased to \$14,023,082.00. The unpaid portion of the contract sum is approximately \$3,636,021.71; and

WHEREAS, subsequent to Change Order No.1, S.J. Louis Construction, Inc. submitted additional claims on the Project. The City also asserted claims against S.J. Louis Construction, Inc. in relation to liquidated damages, costs to repair the hill slide between MH 12 and MH 13, and other costs incurred by the City as a result of the work performed by S.J. Louis Construction, Inc.; and

WHEREAS, City Administration and S.J. Louis Construction, Inc. participated in mediation in an attempt to resolve the various claims brought forth. During the mediation process, S.J. Louis Construction, Inc. agreed to accept final payment from the City in the amount of \$3,525,000.00 to close-out of the Project. Accordingly, S.J. Louis Construction, Inc. will have a final contract amount \$13,912,060.29. This is a net deduct in the amount of approximately \$111,021.00 from the S.J. Louis Construction, Inc. contract with the City; and

WHEREAS, this Council desires to authorize and direct the City Manager to execute the Final Claim Resolution Agreement and Release between the City of Hamilton, Ohio and S.J. Louis Construction, Inc. for said purposes.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I: That the City Manager is hereby authorized and directed to execute the Final Claim Resolution Agreement and Release relative to the City's Interceptor Project, Contract Number 13-02 and take the necessary steps to fulfill the City's obligations under the agreement and release. Said agreement shall be and read substantially in the form of Exhibit No. 1, attached hereto, made a part hereof and incorporated herein by reference.

SECTION II: This resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

Resolution No. _____ (cont'd)

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, State of Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided in Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

Report To: The Honorable Mayor Patrick Moeller & Members of the City Council

Report From: Heather Sanderson Lewis, Law Director

Agenda Item: Report regarding the issuance and authorization to file Conclusions of Fact denying a Conditional Use application to allow for an automobile sales facility on the property zoned B-2 Community Business District located at 2128 & 2204 Dixie Highway, Hamilton, Ohio

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input type="checkbox"/> R Realize new investments <input type="checkbox"/> A Add new jobs <input type="checkbox"/> I Increase property values <input type="checkbox"/> D Decrease vacant structures <input type="checkbox"/> G Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Resolution</i></p>	1 st Reading Date: 10-26-16 2 nd Reading Date: Public Hearing Date:	
<p>Prior Action/Review <i>Please note if this item was discussed on a prior Council or other agenda</i></p>	<p>City Council (or other):</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	
<p>Fiscal Impact</p>	<input checked="" type="checkbox"/> Additional Document(s) Attached	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	Budgeted: \$	
	Expenditure: \$ Source Funds:	

Policy Issue

Does City Council wish to adopt a resolution regarding the issuance and authorization to file Conclusions of Fact denying a Conditional Use application to allow for an automobile sales facility on the property zoned B-2 Community Business District located at 2128 & 2204 Dixie Highway, Hamilton, Ohio?

Policy Alternative(s)

City Council can decide to not adopt such a resolution.

Staff Recommendation

It is the recommendation of this office that Council receives this report and adopts a resolution to issue and file Conclusions of Fact denying a Conditional Use application to allow for an automobile sales facility on the property zoned B-2 Community Business District located at 2128 & 2204 Dixie Highway, Hamilton, Ohio.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.



Fiscal Impact Summary

N/A

Background Information

An Application for a Conditional Use (“Conditional Use”) was submitted to allow for the establishment of an Automobile Sales Facility to operate on property zoned B-2 Community Business District, located at 2128 and 2204 Dixie Highway, Hamilton, Ohio (“Property”). Robert Shane Kelley/Quality Auto Center, Inc. is the property owner and Community Design Alliance was the Applicant. On April 18, 2016, the Planning Commission held a public hearing regarding the request for a Conditional Use on the Property. Ultimately, the Planning Commission made a recommendation to Council to grant the Conditional Use on the Property.

City Council considered the application and the Planning Commission’s recommendations in open meetings on May 11, 2016 and May 25, 2016 regarding the Conditional Use on the Property. City Council rejected the recommendation of the Planning Commission, and denied the request to establish a Conditional Use on the Property.

On June 23, 2016, Quality Auto Center, Inc. and Robert Shane Kelly (collectively “Plaintiffs”) filed an administrative appeal of such denial in Butler County Court of Common Pleas Case. No. CV 2016 06 1420. At a hearing in the Butler County Court of Common Pleas, Plaintiffs and the City stipulated and the Court ordered in the Appeal that the City shall file Conclusions of Fact with the Court by October 31, 2016.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION FOR THE ISSUANCE AND AUTHORIZATION TO FILE CONCLUSIONS OF FACT DENYING A CONDITIONAL USE APPLICATION TO ALLOW FOR AN AUTOMOBILE SALES FACILITY ON THE PROPERTY ZONED B-2 COMMUNITY BUSINESS DISTRICT LOCATED AT 2128 & 2204 DIXIE HIGHWAY, HAMILTON, OHIO.

WHEREAS, the Council of the City of Hamilton, Ohio considered and denied an application for a Conditional Use to allow for an Automobile Sales Facility on property zoned B-2 Community Business District, located at 2128 and 2205 Dixie Highway, Hamilton, Ohio; and

WHEREAS, Quality Auto Center, Inc. and Robert Shane Kelly (collectively "Plaintiffs") filed an administrative appeal of such denial in Butler County Court of Common Pleas Case. No. CV 2016 06 1420 ("Appeal"); and

WHEREAS, Plaintiffs and the City stipulated and the Court ordered in the Appeal that the City shall file Conclusions of Fact with the Court by October 31, 2016; and

WHEREAS, this Council desires to formally issue and authorize the filing of the aforesaid Conclusions of Fact.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hamilton, Ohio:

SECTION I. That Council does hereby issue and authorize the filing of the Conclusions of Facts, a copy of which is attached hereto as Exhibit No. 1, incorporated herein by reference and made a part hereof.

SECTION II. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, Nick Garuckas, City Clerk of the City of Hamilton, Butler County, Ohio, hereby certify that the foregoing Resolution No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in each fire station within the City for a period of ten days. POSTED: _____.

Nick Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1

CONCLUSIONS OF FACT

The Council of the City of Hamilton (“Council”) issues the following Conclusions of Fact:

1. An Application for a Conditional Use (“Conditional Use”) was submitted to allow for the establishment of an Automobile Sales Facility to operate on property zoned B-2 Community Business District, located at 2128 and 2204 Dixie Highway, Hamilton, Ohio (“Property”). The Application states that Robert Shane Kelley is the property owner and Community Design Alliance is the Applicant.

2. The owner of the Property at all relevant times was Quality Auto Center, Inc.

3. Section 1121.39.27 of the Hamilton Zoning Ordinance classifies an Automobile and Other Vehicle Sales as a Conditional Use in the B-2 Community Business District.

4. Section 1155.10 of the Hamilton Zoning Ordinance requires that Conditional Uses be reviewed by the City of Hamilton Planning Commission (“Planning Commission”) who makes a recommendation to Council.

5. The Planning Commission held a public hearing on April 18, 2016 regarding the request for a Conditional Use on the Property.

6. The Planning Commission made a recommendation to Council to grant the Conditional Use on the Property.

7. The Council considered the application and the Planning Commission’s recommendations in open meetings on May 11, 2016 and May 25, 2016 regarding the Conditional Use on the Property.

8. Section 1155.10.2 of the Hamilton Zoning Ordinance provides that the Council has no obligation to approve a conditional use.

9. Section 1155.10.2 of the Hamilton Zoning Ordinance provides that uses listed as conditional in the Hamilton Zoning Ordinance are not outright appropriate unless an applicant demonstrates that the use will not be detrimental to the public

Resolution No. _____ (cont'd)

health, safety or general welfare of the City or the neighborhood in which the Conditional Use is proposed.

10. The Applicant failed to demonstrate that the use will not be detrimental to the public health, safety or general welfare of the City or the neighborhood in which the Conditional Use is proposed.

11. The proposed use will substantially or permanently injure the appropriate use of neighboring property and will not serve the public convenience and welfare.

12. The proposed use and the aesthetics of the proposed use will not be harmonious with the existing or intended character, development and objectives of the City for the general vicinity.

13. The proposed use will be hazardous to or have a negative impact on existing or future neighboring uses.

14. The proposed use will impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Based upon the foregoing, Council rejects the recommendation of the Planning Commission, and denies the request to establish a Conditional Use on the Property.