



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

2 Public Hearings

Call to Order

Present: Fiehrer, Klink, Wile, Brown, Moeller, Naab
Absent: Von Stein

Motion by Fiehrer, seconded by Brown for Council to excuse Council Member Von Stein.
Motion Carried.

Offering of Prayer – Timothy Naab

Pledge of Allegiance

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

1. Miami University's Reading with the RedHawks Program
2. Public Utilities Commission Recognition of Ed Loving and David Brownfield
3. 17 Strong Presentation by Boyce Swift

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 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.

Pastor Shaq Mathews of 2003 Pleasant Avenue, gave a report about Pastor's Shaq Job and Youth Mentoring Program. The program has been assembled since her last visit to Council and she was happy to say that food will be provided for the young people for lunch and breakfast. Pastor Shaq explained the 8 week work program that is every Friday from June 10th – July 29th from ages 13 to 18. The meeting location is at the Booker T. Washington Center. The children will eat breakfast and then work in the community. They will then have lunch and spend time with mentors. She believes this is important as the children are paid, do something positive for their community, build friendships among new friends, and get good meals. She is hopeful for this pilot program and if it goes well she will be able to expand the project next year.

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
- Committee of the Whole Report (Includes all Caucus Reports)

Caucus Agenda April 13, 2016

Motion by Naab, seconded by Klink that with the exception of the item number 4, Council has received the reports of the Consent Agenda and concur in their recommendations. Motion carried.



1. Recommendation Relative to **Change Order #3 – Contract 10-33 Utility Cut, Street, Curb and Gutter Repair and Resurfacing Services.**
2. Recommendation Relative to **Change Order #1 – Contract 15-24 – LED Street Light Conversion.**
3. Recommendation Relative to the **Inter-Governmental Agreement (IGA) between City and Butler County Transportation Improvement District (BCTID) for South Hamilton Crossing Project – Amendment No. 3.**
4. Recommendation Relative to the **Amending, Transferring, and Budgeting up to \$ 50,802 of FY 2015 through 2016 CDBG Funds.**
5. Recommendation Relative to the **Request to Rezone 115 Dayton (City Lot No. 31128), located in the City of Hamilton, Second Ward, from B-3 Central Business District to DT-2 Downtown Support District. (City of Hamilton, Applicant).**
6. Recommendation Relative to the **Request to approve Replat & Right-of-Way Dedication for Part of Lots 24202-24203, and 25238, located in the First Ward, South Side, 1425 Millville Avenue, General Scott Subdivision. (General Scott LLC, Applicant).**
7. Recommendation Relative to the **Request to Amend the Zoning Ordinance of the City of Hamilton, Ohio regarding the Industrial Planned Development (IPD) Zoning District (City of Hamilton, Applicant).**
8. Recommendation Relative to the **Request to Amend the Zoning Ordinance of the City of Hamilton, Ohio regarding Adult Businesses i.e. Sexual Encounter Establishments (City of Hamilton, Applicant).**

Motion by Klink, seconded by Brown that Council has received report number 4 of the Consent Agenda and concur in their recommendations. Motion carried.

YEAS: Fiehrer, Klink, Brown, Naab, Moeller (5)
 NAYS: (0)
 ABSTAIN: Wile (1)
 ABSENT: Von Stein (1)

Public Hearings

Motion by Fiehrer, seconded by Klink that the regular meeting be recessed and the following public hearings take place. Motion Carried. **Time: 6:43 p.m.**

4. A public hearing regarding a request to Rezone 200, 202, 204, 206 N. Dick Avenue and 770 Park Avenue (City Lot Nos. 6546, 6545, 6544, 16545, 27530, and 27531), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two Family Residence District.

Richard Young of Star One Realtors 6875 Fountains Blvd. Suite A West Chester, Ohio 45069. He is a realtor who is working in the area. He represents the buyer of property at 206 N. Dick Avenue. He said that when they went through the appraisal to get a loan it was discovered that it was a 2 family duplex that is zoned for R-1 Single Family Duplex. He said that with this zoning they are not able to get proper insurance on the property and six different lenders would not give loans on the property because of the insurance issue. The concern was that these homes were built as duplexes in the 1950s and they are not zoned as such and that they want to make sure everyone has the proper insurance. He stated that if any of these homes were to burn down that the homes could be rebuilt only for single



family. He believed they probably were never zoned properly and the family is paying taxes on it as a duplex.

Brenda Oliver of 941 Cardome Drive Hamilton. She is the owner of 202 N. Dick Avenue. She believes all of the properties being discussed are well maintained and that nothing will change with these properties. She stated that this is merely righting a wrong that was made 60 years ago.

Mayor Moeller remarked that Council received photos of all of the properties and that they were being shown on the screen.

Mr. Young then began to add to his previous statements. He pointed out which parcels of land were connected and which ones were separate. He commented that the residents of Highland Park did not want to have these parcels turn into a multi-apartment complexes. Council Member Brown asked if to the staff's knowledge there were any other properties like this type of Zoning. Bud Scharf of the Planning Department said that in the current R-1 there are not anymore duplex parcels like these properties in question to his knowledge. Council Member Naab asked Ms. Oliver how many families were living in the large home. She said two families are living there and that it was a large home.

Mr. Young discussed that there are three parcels that if they were allowed to merge and turn to one parcel then it could support more than a two family unit. This is the concern from some of the Highland Park residents. Bud Scharf commented that there was a third unit for the one property above the garage that is built over two lot lines. If a lot combination was completed and it was then zoned R-2A they could only build a duplex if something happened to the property, not a multi-family apartment. Council Member Wile wanted further clarification and Bud stated that if it was rezoned and the lots combined then there would be enough square footage to build new duplexes on each lot of the one set of addresses in question. Bud went on to say that this home was on the State Historic registry and that any type of change purposed to this home would have to go through the Architectural Design Review Board (ADRB). Vice Mayor Fiehrer asked if building something new on the property would also need to go through the ADRB; Bud stated yes. Council Member Wile wanted to clarify with Bud that this would not come back to Council once the zoning was changed and that the other boards, ADRB and BZA, would then be handling the property; Bud Scharf confirmed this.

Council Member Klink wanted to clarify what Mr. Young said. She said she heard Mr. Young say that those who own 770 Park Avenue are not here and they have not asked to be included in all of this. Bud said that they could not be included unless they requested to be a part of this and it is his understanding that they have requested this. Vice Mayor Fiehrer wanted to know why the 770 Park Avenue was included in this Public Hearing; Bud stated that it was because the owners requested it. Mr. Young said to his knowledge 770 Park had not signed the application and they were included in the spot zoning. Bud checked with Mr. Creech and the owners of 770 Park did sign the application.

City Manager Joshua Smith commented that he voted against this at the Planning Commission level and he said it was due to the volume of comments that he received from



the residents of Highland Park against the rezoning. He said that the residents are concerned that this will let more renters into Highland Park and more duplexes and that this was one of the last single family neighborhoods of Hamilton. He has no problem with the condition of the homes or the neighborhood. Philosophically he is against it because he wants to stop more homes from wanting to be rezoned in that area and wanted less rental properties in the historically single family neighborhood.

Vice Mayor Fiehrer commented that she did not understand why 770 Park is included in all of this when that could have more development with it. The N. Dick Avenue properties are “cut and dried” and that Council would be just fixing a zoning issue for insurance reasons. City Manager Smith then wanted to clarify this point and say that you can get insurance on the property and a loan just not for a R-2A property; you cannot maintain it as a duplex and that is where you need the zoning. Mr. Young stated that this was the heart of the issue because six different lenders have stated they will not give a loan on the property because if it is torn down it would have to be rebuilt as a single family. Their goes the income and investment of the property owners. Council Member Brown stated he agrees with City Manager Joshua Smith on the issue but he wanted to know if Council could rewrite some of the zoning. Mr. Young was not sure if the City could rewrite what an R-1 covers and when potentially an R-1 could cover single family and a duplex.

Mrs. Oliver sated that these homes were some of the very few homes in the City that were originally built as duplexes and that it would not be possible for other homes in the area to be converted into duplexes. She insisted that nothing is going to change and that it is just correcting a mistake made a long time ago. Council Member Wile did not feel comfortable about the coupling of these three properties on how it is structured and that maybe they should be separated.

Mayor Moeller stated that he sensed that there were more questions than answers right now. He also believed that the properties being lumped together in one Public Hearing is creating issues. He understood the reasoning behind why they were but did not think it may be the best way of going about this. Council Member Brown made a motion to suspend Public Hearing until a later date so more answers could be gathered during this time. Council Member Naab seconded this motion and said that they should do the same for the second hearing being that they are different properties going through the same issue.

Motion made by Brown, seconded by Naab to suspend the Public Hearing until a date certain the May 11th City Council Meeting. **Time: 7:20 p.m.**

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

5. A public hearing regarding a request to Rezone 816 Park Avenue (City Lot No. 6551), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two Family Residence District.

Robert Hoffman of 4333 Princeton Rd. Hamilton, Ohio. He is the owner of 814-816 duplex since 1980. The home is well maintained and was built as a side by side duplex in 1920.



He is concerned about down the road not being able to get a loan or to sell his property because he will have the same issue that the N. Dick Avenue properties are facing. For these reasons he is requesting the zoning change as well. Council Member Klink asked that when he bought the property he knew it was a duplex with the zoning being an R-1. He said he never had an issue getting a loan at that time but things have changed and he wants to have the zoning changed to reflect how the home was built so there would not be any problems down the road.

Motion made by Brown, seconded by Wile to suspend the Public Hearing until a date certain the May 11th City Council Meeting. **Time: 7:25 p.m.**

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

Motion by Fiehrer, seconded by Naab that the regular meeting be reconvened. Motion Carried. **Time: 7:26 p.m.**

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

These icons illustrate which strategic goals Council Actions align to

<p>Live</p> <p>I Increase residential property values by CPI + 5%</p> <p>D Decrease vacant residential structures by 30% (1000 total)</p>	<p>Work</p> <p>R Realize \$150 million of new private industrial/commercial investment</p> <p>A Add 2,000 net new jobs</p>	<p>Play</p> <p>G Generate \$20 M in investment for recreational amenities with \$10 M around the Great Miami River</p> <p>E Engage 50,000 participants annually in special events, arts, and recreation activities</p>
<p>O General Operations and Government Business</p>		

Council Actions Pertaining to Legislative Items:

Motion by Wile, seconded by Brown that a note be made upon the minutes that each member of Council was furnished a printed copy of each item of legislation prior to its being considered at this meeting. **Motion adopted unanimously**

Pending Legislation:

- An ordinance amending Zoning Ordinance No. 7503 by changing the zoning of vacant property located at the Eastern terminus of Lincoln Avenue (City Lot No. 23680), located in the City of Hamilton, Fifth Ward, from R-2 Single-Family Residence District to R-4 Multi-Family Residence District (AHEPA Senior Living, Applicant). (Second Reading). **I A R O**



Motion by Wile, seconded by Naab that the ordinance be adopted.

Ralph Terbruegges who works for the Manican Smith Group at 9461 Kenwood Rd. Blue Ash, Ohio. Ralph discussed the updated site plan that was on the screen during the Council Meeting. The cottages have been reduced in number to four to create more room for transition grates between the property lines. To the South of the building there is a layout of retaining walls to help transition the grade in an economically and aesthetically pleasing way. A lot of topography changes had to be made as more information has been gathered about the property as it is very uneven in many different spots. Changes were also made to work with the agencies and neighbors' comments. A public input meeting had been held on April 7th. Additional changes could be made as the project develops but this is the most complete plan they have at this time. Mayor Moeller asked about the drainage of the property because of the elevation. Ralph said a good amount of drainage comes from the other roads such as Pater and Tuley Roads. They will be channeled around the property into some retention ponds especially along the northern part of the property. Ralph then continued by talking about transitioning the grade around the parking lot and added the required amount of trees by the Hamilton zoning code. A total of trees will be on the property with most being Evergreen trees, with the majority around the property line to help increase resident privacy. The Mayor asked if there would still be a walking path around the facility. Ralph said that they wanted to present what they knew they could guarantee and with the grade conditions at this time there will not be a walking path around the facility. He went on to say the issue will be revisited and if it becomes possible there may still be a path, but it is not guaranteed at this time. The Fire Department Meeting was after the Public Meeting and their comments are also being considered. The Fire Department had concerns about accessing the eastern wings of the building. A 16 foot fire access drive will need to be added to the plan to meet the Fire Department's needs.

Mayor Moeller asked how the residents were notified about the meeting and Stacey Dietrech of Economic Development commented that notices were mailed out to all of the residents that the law requires and there were about 30 people in attendance. Mayor Moeller asked if AHEPA would be sensitive to noise and traffic complaints made by the neighbors and Ralph responded "yes they would".

Margret Gratt of 1809 Pater Avenue Fairfield Township spoke about this being the fourth engineering plan she has seen and that she had been hung up on when trying to get information from AHEPA. She thinks that AHEPA is saying and doing whatever they need to in order to get this approved by the City. She feels that this will destroy her property values and add more rentals to a neighborhood that already has problems. She mentioned that she would never turn her home into a duplex out of respect to her neighbors. She discussed that there are major differences between those who own their own homes and those who rent. She has lived at her home for 20 years and if she goes to sell it she needs to disclose what they are going to build beyond her fence and she is frustrated that the plan is not final. She referred to Ralph saying that the plan could still be modified for Fire Department purposes and drainage. She feels that additional cars, air conditioning units, and dumpsters will all deter from her property.



Steve Rivera 1631 Tuley Rd. Fairfield Township is a resident near the development and agreed with everything that Margret said. He said the plans have changed since the first public meeting and that he questioned why a path for seniors would be built if they cannot walk the 2,000 feet. He also said he questioned AHEPA about who would be buying condos for low income housing. He believes AHEPA is giving them “round about answers” to their questions and lying to the neighbors. He owns two properties 1631 and 1633 Tuley Rd. and takes good care of the property. He believes he will never be able to sell his home now and that this will not be quiet. Since housing is behind the complex he also feels that it will have the ugly side of the building abutting his property. He also felt that duplexes in one’s neighborhood is nothing compared to this monstrosity.

Margret stated that multiple home owners are on her side and that many owners did not know about the second public input meeting. She believes that more homeowners do not know about these meetings and are against this project.

Council Member Wile shared the concern about a constantly evolving plan and that people need certainty. He does disagree that a well maintained facility would destroy property values but he is a bit concerned about the additional traffic this will bring to neighborhoods. He believes properly done that this could be an asset, but he needed to feel that there is more certainty with the plan and that what is said will have follow through.

Vice Mayor Fiehrer believes there are directly 43 residents abutting the property and asked Margret to confirm and she said she was not sure. Margret went onto say that she does not believe that this will help her property values if the zoning changes to allow for multi-families. If she cannot sell her home she will most likely turn it into a rental. More rentals will then come to that area, further lowering a neighborhood that used to be primarily single family homes. Vice Mayor Fiehrer wanted to hear more from the neighbors that about the property. Vice Mayor Fiehrer does not think that people need to dread pulling into the driveway at night.

Mayor Moeller asked Bud if Council was voting on a final design. Bud stated that this vote was for rezoning only and no final designs. A follow up question was asked by Vice Mayor Fiehrer that if the zoning is changed and AHEPA decides not to build on the land, then potentially another group could building something completely different back there and Bud said potentially that could happen. Council Member Naab said that if they voted on the zoning tonight then the potential for change is still present and that if they vote tonight he will vote against it. He believes that there was not enough certainty at this meeting to comfortably approve it. But if the senior living facility was built well it could be a big asset for the community.

Council Member Brown asked Ralph if the final design of the facility was completed and Ralph said it was not. Ralph elaborated saying that it is not necessary for final designs of a facility for rezoning, only a concept plan is needed. He then said that due to the grade of the site AHEPA has already invested \$7,500 into surveys of the site so they could more accurately include probable designs for the concept plans. Council Member Brown then asked if they were taking what concerns residents have into the design of the



facility. Ralph said he met with the neighbors at two meetings and the basis of this plan will not change. There may be minor changes but nothing major and he further commented that the reason for the amount of differing plans has been due to the terrain. The original concept map that was prepared was based off of a mostly flat site but the selected site is significantly uneven.

Council Member Klink believes that AHEPA has been listening to the concerns of the neighbors and that is why they public meetings were held. She then asked Bud if the final plan comes back to Council. Bud replied that it is handled primarily through different Commissions and after the zoning change.

Mayor Moeller believed that there is a need for senior living in our community but once the property is rezoned, it is rezoned. He feels that more discussion needs to be had first but that AHEPA is the right organization to build this project effectively.

City Manager Joshua Smith commented that he was unable to attend the second public meeting and asked Economic Development Director Jody Gunderson to give a synopsis of what he thought. Jody stated that he felt there was good discussion and that overall it was positive for the residents that did attend the meeting. Jody went on to say that AHEPA will be fixing a large drainage issue that is occurring for many of the surrounding residents and that this is an asset for them. City Manager Joshua Smith then suggested that there be one final public input meeting before the rezoning vote. He wanted the invitation to go out to as many people as possible to attend and then vote to move on with the project or not.

After some discussion about the time and location of the last public input meeting it was decided that the final community meeting would be set for May 4th at the Hispanic Church of God Princeton Pike West located at 1815 Tuley Rd. Hamilton, OH 45015. The meeting will be at 6:30pm. The ordinance will then be voted on at the May 11th City Council Meeting.

Motion by Wile, seconded by Naab that the motion that the ordinance be adopted was withdrawn.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
 NAYS: (0)
 ABSENT: Von Stein (1)

Motion by Fiehrer, seconded by Klink to table the topic until a date certain the May 11th City Council Meeting.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
 NAYS: (0)
 ABSENT: Von Stein (1)

7. An ordinance renaming Chapter 753 of the Codified Ordinances of the City of Hamilton, Ohio, and supplementing and amending certain sections of Chapter 753 of the Codified Ordinances of the City of Hamilton, Ohio, relative to peddlers, solicitors, itinerant vendors, and canvassers. (Second Reading). 



Motion by Brown, seconded by Fiehrer that the ordinance be adopted.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)

NAYS: (0)

ABSENT: Von Stein (1)

8. An ordinance renaming Chapter 754 and amending various sections of Chapter 754 and 901 of the Codified Ordinances of the City of Hamilton, Ohio relative to Street Vending. (Second Reading). **R**

Motion by Naab, seconded by Klink that the ordinance be adopted.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)

NAYS: (0)

ABSENT: Von Stein (1)

New Legislation:

9. An ordinance amending zoning ordinance No. 7503 by changing the zoning of the properties located at 200 N. Dick Avenue and 770 Park Avenue (City Lot Nos. 6546, 27530, and 27531), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two-Family Residence District (Penny N. Jackson, Applicants). (First Reading). **1**

Motion by Brown, seconded by Naab to table the topic.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)

NAYS: (0)

ABSENT: Von Stein (1)

10. An ordinance amending zoning ordinance No. 7503 by changing the zoning of the property located at 202 N. Dick Avenue (City Lot No. 6545), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two-Family Residence District (Brenda S. Oliver, Applicant). (First Reading). **1**

Motion by Naab, seconded by Wile to table the topic.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)

NAYS: (0)

ABSENT: Von Stein (1)

11. An ordinance amending zoning ordinance No. 7503 by changing the zoning of the property located at 204 N. Dick Avenue (City Lot No. 6544), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two-Family Residence District (Donna M. Baden, Applicant). (First Reading). **1**

Motion by Fiehrer, seconded by Wile to table the topic.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)

NAYS: (0)

ABSENT: Von Stein (1)

12. An ordinance amending zoning ordinance No. 7503 by changing the zoning of the property located at 206 N. Dick Avenue (City Lot No. 16545), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two-Family Residence District (Pamela C. Lunsford,, Applicant). (First Reading). **1**

Motion by Klink, seconded by Wile to table the topic.



YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

13. An ordinance amending zoning ordinance No. 7503 by changing the zoning of the property located at 814 – 816 Park Avenue (City Lot No. 6551), located in the City of Hamilton, First Ward North Side, from R-1 Single Family Residential District to R-2A Two-Family Residence District (Robert and Janet Hoffman, Applicants). (First Reading). ①

Motion by Naab, seconded by Brown to table the topic.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

14. An ordinance amending Schedule “A” of the City’s Classification and Compensation Plan, as set forth in ordinance No. OR2016-1-4, adopted January 13, 2016 and as amended from time to time, relative to the classification of Electric Distribution Supervisor, and repealing relevant portion of existing Schedule “A”. (Two Readings). ①

Motion by Naab, seconded by Fiehrer that the rules be suspended and said ordinance be read a second time by its title.

Motion adopted by the following roll call vote:

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

Motion by Naab, seconded by Fiehrer that the ordinance be adopted.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

15. An ordinance making supplemental appropriations for current expenses and other expenditures of the City of Hamilton, during the fiscal year ending December 31, 2016. (Two Readings). ①

Motion by Wile, seconded by Brown that the rules be suspended and said ordinance be read a second time by its title.

Motion adopted by the following roll call vote:

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

Motion by Wile, seconded by Brown that the ordinance be adopted.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

16. An ordinance waiving requirements of Chapter 169 of the Codified Ordinances of the City of Hamilton, Ohio, ratifying bid process and approving award of 2016 Miscellaneous Water Main Replacements Contract to Adleta Construction. (Two Readings). ①

Motion by Brown, seconded by Fiehrer that the rules be suspended and said ordinance be read a second time by its title.



Motion adopted by the following roll call vote:

YEAS: Fiehrer, Wile, Brown, Moeller (4)
NAYS: Klink, Naab (2)
ABSENT: Von Stein (1)

The motion failed due to not receive the six required votes to read the ordinance twice resulting in this ordinance only being read once as a first reading.

17. An ordinance waiving requirements of Chapter 169 of the Codified Ordinances of the City of Hamilton, Ohio, ratifying bid process and approving award of 2016 Miscellaneous Natural Gas Main Replacements Contract to Premier Energy Services, LLC. (Two Readings). 

No motion was made to read the ordinance for a second time resulting in this ordinance only having a first reading.

18. An Emergency Ordinance adding Subparagraph 943.19 to Chapter 943 – Electricity, of the Codified Ordinances of the City of Hamilton, Ohio, relative to Fiber Optic Lease Rates. (Two Readings).   

Motion by Wile, seconded by Naab that the rules be suspended and said ordinance be read a second time by its title.

Motion adopted by the following roll call vote:

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

Motion by Wile, seconded by Naab that the ordinance be adopted.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

19. An ordinance authorizing and directing the City Manager to execute an agreement for the lease of fiber optic facilities between the City of Hamilton, Ohio, Department of Utilities and Level 3 Communications, LLC. (Two Readings). 

Motion by Brown, seconded by Fiehrer that the rules be suspended and said ordinance be read a second time by its title.

Motion adopted by the following roll call vote:

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

Motion by Brown, seconded by Fiehrer that the ordinance be adopted.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)
NAYS: (0)
ABSENT: Von Stein (1)

20. A resolution approving the terms and conditions of a successor Collective Bargaining Agreement negotiated between the City of Hamilton, Ohio, and the Fraternal Order of Police / Ohio Labor Council, Inc. (FOP/OLC), authorizing and directing the execution of said Collective Bargaining Agreement. 



Motion by Naab, seconded by Fiehrer that the resolution be adopted.

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller (6)

NAYS: (0)

ABSENT: Von Stein (1)

21. A resolution authorizing and directing the City Manager to execute an agreement consenting to the assignment and transfer of an Economic Development Agreement from Jackson’s Market & Deli to KJ Rooney Enterprises, LLC. ①

Motion by Klink, seconded by Fiehrer that the resolution be adopted.

YEAS: Fiehrer, Klink, Wile, Brown, Naab (5)

NAYS: (0)

ABSTAIN: Moeller (1)

ABSENT: Von Stein (1)

Audience of the City Manager

On April 28th at 6pm there will be a public meeting held about Main Street improvements from B Street to D Street and a letter would be going out to residents in that area about the meeting. There will also be a conversation about some improvements at the intersections of D and Main Street to Park and D Street. The conversation will include a number of issues. Some of these discussion points will include utility lines, street lights, and the elimination of street parking but an increase of side or rear parking. They are also looking at several bike corral areas for when visitors or users of the Great Miami River Recreational Trail come up off of the new bike ramp and want to go through Main Street. In addition the City would like to have a conversation about bump outs to have outdoor dining options.

A tour was held with a real estate organization. A student that went through Hamilton said this was the best trip they have ever had. Even one of the teachers who lives in Over the Rhine was impressed and wanted to move back to Hamilton.

The City also received \$1 million from the State’s Capital Budget for the proposed Sports Complex and the leadership of the Complex will be back in Hamilton to discuss the site on April 21st. It is expected to be a packed day. The City Manager went on to say that he feels that the next two years in Hamilton are about to be incredibly busy, as projects are beginning or are planned.

The Volunteer Dinner is also this week and it should be a fantastic opportunity to thank everything that the volunteers do. He also commended the utility workers who worked extremely hard when the weather became cold again and the power and utilities went out. The crews worked around the clock to get them back in working order.

Municipal Brew Works is coming along nicely and he is excited to see its progress. He also wanted to do some Meet the City Manager events for children so dialogue can be held at an early age about their community and their opinion of Hamilton.

Director of Public Works talked about South D Street where the bridge’s foundation is in need of repairs. The bridge is expected to be closed for at least 90 days after school is out. The Cleveland Avenue Bridge will also be closed for replacement after school is out. FEMA has



updated their flood plain maps and they have now stated that the 100 year flood elevation is about 6 feet higher than what previous records indicate. This causes concern because in June 2009 there was a massive rain event that did not even come close to what FEMA projects so the City will be appealing the new flood plain. The City needs to challenge this because businesses in this area near Two Mile Creek will be significantly impacted with flood insurance.

Audience of City Council

Council Member Klink discussed Butler County's new job connector line on the Butler County Transit Authority. She feels like it could be an important tool for transportation but people need to be aware of the route and times so they are catching the bus. But the route may still need to be examined to make sure the route is as efficient as possible.

Council Member Wile talked about the structure of different commissions and committees and feels like the City may not have enough communication among these groups. He felt that the process may be effective but it seems like there is some general confusion among groups and that there is a lack of central organization. He felt that sometime in the next 60 days there needs to be a summary of each board and commission and how they relate to each other. After that there may need to be changes on how these various boards operate. Council Member Wile also felt that their needed to be management driven charter changes. He does not believe that they need to wait 5 years for Charter Review. After that there should be a coming together all of the commissions, departments, and groups out in the community so everyone can better understand their roles in relation to the strategic plan. He believes we need more ownership of our strategic plan and that it starts with communication.

Mayor Moeller would like flow charts of the various groups so they can look at where exactly the evaluation of each group starts and ends.

Vice Mayor Fiehrer agreed that waiting 5 years is too long and that this may need to be an annual evaluation because 5 years is too long of a time to wait. Council Member Naab wondered if it could be a part the strategic planning session. Vice Mayor Fiehrer wanted to have a better means of communication so they are more informed about some of the issues that are up for vote. She would like to hear different opinions even from Council Members. Council Member Brown agreed that their needed to be a better form of communication between Council and many of the Commissions, which he feels are spending too much time on small issues. Council Member Wile felt that this structure of own making with the Commissions is dragging out answers that should be a few weeks to months.

Council Member Naab felt that the structure is preventing the City from having consistency in its decisions such as saying it is alright to paint bright colored murals on historical building but it is not alright for historical home owners to paint their homes particular colors.

The Mayor announced that there would be a park clean up for Combs Park on Saturday April 16th at 9am. The Lane Library is also celebrating it's 150th anniversary this year and that people should be on the lookout for special events that will be coming out later this year.



Executive Session

None

Adjournment

Motion by Fiehrer, seconded by Brown to adjourn the regular meeting at 9:02 p.m. by the following roll call vote:

Motion adopted by the following roll call vote:

YEAS: Fiehrer, Klink, Wile, Brown, Naab, Moeller	(6)
NAYS:	(0)
ABSENT: Von Stein	(1)

