

Pat Moeller
Mayor

Eric Pohlman
Vice Mayor

Carla Fiehrer
Council Member

Susan Vaughn
Council Member

Michael Ryan
Council Member

Timothy Naab
Council Member

Robert Brown
Council Member

1 Public Hearing

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. Coronavirus/Covid 19 Presentation Update by Health Commissioner Kay Farrar

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.

For the time being only those who wish to speak regarding a specific agenda item will be permitted to give their comments in person. If Citizens wish to have an issue addressed by City Council or City Administration they should email those questions or comments to the City Clerk at: nick.garuckas@hamilton-oh.gov. The City Clerk may read your comments into the record during the appropriate Council Meeting. If comments are submitted far enough in advance of an upcoming meeting, an official City response may also be read into the record. You must still provide your name and address for the record. Please be concise with potential comments.

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 Council Information
- Caucus Reports
- [Informational Report – February 2020 Monthly Financial Report](#)
- [Informational Report – February 2020 Monthly Investment Report](#)

Committee of the Whole

The Committee of the Whole is intended to allow the City Council to consider all reports on the Consent or Caucus Agendas under suspended rules that would normally apply to the City Council. City Council may ask questions, provide direction, or comment on reports.

Unless City Council states otherwise this section of the agenda will not be held at this time.



Caucus Agenda March 25, 2020

1. [Recommendation Relative to the Application for a Liquor Permit Transfer from Ashapura Enterprises, Inc. dba Smith’s Drive Thru, 1255 Central Ave., Hamilton, OH 45011 to Hamilton Drive Thru & Carwash LLC, dba Hamilton Drive Thru & Carwash, 1255 Central Ave., Hamilton, OH 45011.](#)
2. [Recommendation Relative to the Application for a liquor permit transfer from City of Hamilton, OH dba Potter’s Grill & 18 Hole Golf Course, 417 New London Road Pro Shop & Patio, Hamilton, OH 45013 to Hamilton Parks Conservancy dba Potters Park Golf Course, 417 New London Rd., Hamilton, OH 45013.](#)
3. [Recommendation Relative to the Application for a liquor permit transfer from City of Hamilton, OH dba Twin Run Grill Golf Course & Patio, 2505 Eaton Road, Hamilton, OH 45013 to Hamilton Parks Conservancy dba Twin Run Golf Course & Patio, 2505 Eaton Road, Hamilton, OH 45013.](#)
4. [Recommendation Relative to a Petition: request to vacate two \(2\) portions of right of way, which includes a portion of Arch Street Alley, and a portion of unnamed alley; both portions of right-of-way located between South C Street and South D Street, situated in the First Ward, South Side, City of Hamilton, Ohio. \(City of Hamilton, Applicant\).](#)

Public Hearing

2. [A Public Hearing regarding amending certain sections of Zoning Ordinance No. 7503, Sections 1131.200 TN-1 \(Traditional Neighborhood-One\) District, 1131.300 TN-2 \(Traditional Neighborhood-Two\) District, 1131.400 TN-3 \(Traditional Neighborhood-Three\) District and 1131.500 TN-4 \(Traditional Neighborhood-Four\). \(City of Hamilton, Applicant\).](#)

These icons illustrate which strategic goals Council Actions align to

<p>Work</p> <p>I Generate \$125 mm in new private investment</p>	<p>Live</p> <p>P Exceed total county growth rate median home sale prices</p>	<p>Play</p> <p>R Generate \$40mm in investment for recreational amenities</p>
<p>J Increase gross wages paid by Hamilton employers by \$100mm</p>	<p>O General Operations & Government Business</p>	<p>E Engage 500,000 participants in special events, arts, & recreation activities</p>

Council Actions Pertaining to Legislative Items:





Pending Legislation:

3. [An ordinance approving the conveyance of certain real property located within the City of Hamilton, Ohio's urban renewal area, acquired through the Land Bank to Neighborhood Housing Services of Hamilton, Inc. \(NHS\). \(320, 326, and 330 Washington Street\). \(Second Reading\).](#) **P**
4. [An ordinance approving the conveyance of certain real property located within the City of Hamilton, Ohio's urban renewal area, acquired through the Land Bank to Neighborhood Housing Services of Hamilton, Inc. \(NHS\). \(1101 Lane Street\). \(Second Reading\).](#) **P**
5. [An ordinance for the Conveyance of City Owned Real Property, 320 Main Street, to the Community Improvement Corporation of Hamilton, Ohio. \(Second Reading\).](#) **I P**

New Legislation:

6. [An ordinance amending certain sections of Zoning Ordinance No. 7503, Sections 1131.200 TN-1 \(Traditional Neighborhood-One\) District, 1131.300 TN-2 \(Traditional Neighborhood-Two\) District, 1131.400 TN-3 \(Traditional Neighborhood-Three\) District and 1131.500 TN-4 \(Traditional Neighborhood-Four\). \(City of Hamilton, Applicant\). \(First Reading\).](#) **I P O**
7. [An ordinance approving a request for a conditional use certificate to operate a dealer-to-dealer automobile auction/sales business at 8340 North Gilmore Road; and a variance to the paving requirement allowing the rear portion of the property to remain a graveled lot, property zoned "I-2" \(Industrial\) Zoning District, situated in the Sixth Ward, City of Hamilton, Ohio. \(First Reading\).](#) **I P R O**
8. [An ordinance amending subparagraph 947.12\(b\) of Chapter 947 – Gas Service, of the Codified Ordinances of the City of Hamilton, Ohio, relative to the Gas Cost Recovery Rate, as it pertains to the definition of Base Gas Cost Only, and repealing said portion of Subparagraph 947.12\(b\) as it currently exists. \(First Reading\).](#) **O**
9. [An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a sidelot. \(531 Central Avenue\). \(First Reading\).](#) **P**
10. [An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a sidelot. \(1141 Lane Street\). \(First Reading\).](#) **P**
11. [An ordinance making supplemental appropriations for current expenses and other expenditures of the City of Hamilton, during the fiscal year ending December 31, 2020. \(Two Readings\).](#) **O**





12. [An Emergency Ordinance authorizing and directing the sale of property to C Moyer Realty Holdings, LLC relative to certain property known as 632 High Street and Butler County Auditor's Parcel Numbers: P644101100056 - P644101100061. \(Two Readings\).](#) 0

13. [An Emergency Ordinance affirming the City's ongoing relationship with the Hamilton Economic Development Corporation \(HEDC\), for the purposes of advancing, encouraging and promoting general economic development and community welfare within the City and authorizing a grant in the amount of \\$300,000 to be made to the Hamilton Economic Development Corporation \(HEDC\), for public purposes, and declaring an emergency. \(Two Readings\).](#) I J P R E

14. [A resolution authorizing the City Manager or his designee to seek funding and enter into contracts and/or purchasing materials related to Covid-19.](#) 0

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: Dave Jones, Finance Director
RE: FEBRUARY, 2020 MONTHLY FINANCIAL REPORT TO COUNCIL

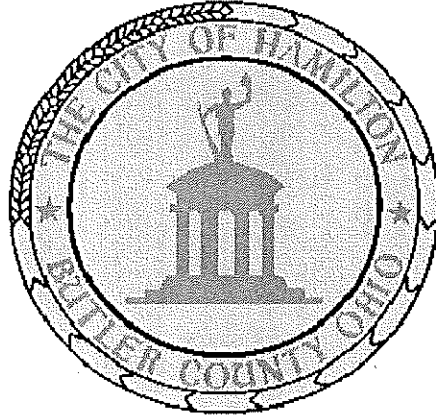
Dear Mayor and Members of Council:

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

Choose Strategic Goal(s)

- I** Generate 125mm in new private investment
- J** Increase gross wages paid by Hamilton Employers by \$100mm
- P** Exceed total county growth rate median home sale prices
- R** Generate \$40mm in investment for recreational amenities
- 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

FEBRUARY 29, 2020

**INCOME STATEMENT GENERAL FUND
MONTH ENDING February 29, 2020
(Budgetary Basis)**

Comparative Revenue

Description	Revenue This Month Current Year	Revenue Year To Date	Revenue Prior Year To Date	Revenue Estimated	% Est Received
General	\$2,833,925.40	\$5,426,318.73	\$4,873,443.27	\$30,649,750.00	17.70%
Public Works	125.50	125.50	1,360.38	4,200.00	2.99%
Police	77,003.50	194,181.25	92,467.90	857,750.00	22.64%
Fire	159,110.64	311,006.52	335,138.86	1,908,000.00	16.30%
Public Health	97,234.38	126,630.28	144,503.92	443,200.00	28.57%
Parks & Recreation	5,741.89	17,260.21	5,072.05	100,000.00	17.26%
Municipal Court	65,415.33	122,522.58	117,717.04	905,175.00	13.54%
Construction Services	88,026.12	166,547.25	116,024.12	714,320.00	23.32%
Planning	2,325.00	5,360.00	5,140.00	46,500.00	11.53%
Transfer In	0.00	0.00	0.00	0.00	0.00%
Proceeds From Debt	0.00	0.00	0.00	0.00	
Reimbursement of Expense	866,364.22	1,731,314.62	1,561,373.90	12,230,505.00	14.16%
TOTAL REVENUES	\$4,195,271.98	\$8,101,266.94	\$7,252,241.44	\$47,859,400.00	16.93%

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	\$6,210.15	\$15,084.36	\$12,010.29	\$80,856.00	18.66%
City Clerk	5,922.54	14,060.34	12,898.69	103,311.00	13.61%
Municipal Court	131,216.99	419,369.55	390,354.75	2,088,296.00	20.08%
City Manager	40,313.88	107,426.96	96,474.88	425,945.00	25.22%
Department of Neighborhoods	27,088.29	57,891.71	0.00	411,947.00	14.05%
Construction Services	39,124.35	115,926.01	130,740.17	558,270.00	20.77%
Planning	38,295.89	210,145.89	170,925.40	734,559.00	28.61%
Law	55,783.65	135,320.76	194,861.66	894,296.00	15.13%
Human Resources	0.00	0.00	\$122.09	0.00	
Civil Service	37,518.37	81,136.79	72,509.12	531,425.00	15.27%
Finance - Administration	86,235.67	184,682.13	179,644.26	1,167,153.00	15.82%
Finance - Purchasing	17,371.39	35,109.41	44,185.84	291,881.00	12.03%
Finance - Building Services	19,588.57	93,994.53	163,374.39	345,667.00	27.19%
Finance - Taxation	62,557.07	135,071.90	91,865.73	609,500.00	22.16%
Finance - Utility Cashiers	11,146.04	23,078.18	25,814.33	136,873.00	16.86%
PW - Administration	26,629.02	47,467.55	37,359.38	184,798.00	25.69%
PW - Engineering	38,458.08	91,622.41	89,777.45	606,773.00	15.10%
PW - Traffic Engineering	15,496.96	39,468.01	35,434.56	218,528.00	18.06%
PW - Signal	25,860.46	95,027.87	87,663.58	295,274.00	32.18%
Police	1,151,658.56	2,688,869.52	2,540,440.34	16,351,493.00	16.44%
Bldg Maint - Criminal Justice	10,100.53	68,335.25	122,650.30	166,896.00	40.94%
Corrections	0.00	1,440.00	78,283.38	1,440.00	100.00%
Fire	743,606.36	1,967,737.37	1,975,275.34	11,285,724.00	17.44%
Fire Building Maintenance	19,623.95	148,841.51	179,452.79	261,025.00	57.02%
EMT/Paramedic Levy Expenditures	235,269.25	846,697.80	785,032.30	2,424,837.00	34.92%
Health - Administration	41,946.21	123,280.64	93,952.97	599,403.00	20.57%
Environmental Health	35,634.99	102,478.76	126,808.93	570,862.00	17.95%
Nursing	776.03	16,192.60	48,061.36	144,308.00	11.22%
Special Approp - General	383,058.89	2,679,981.65	3,787,500.91	4,282,018.00	62.59%
Special Appropriations	277,775.05	461,928.33	447,032.32	1,293,275.00	35.72%
Income Tax Refunds	28,188.37	44,794.35	57,305.78	480,000.00	9.33%
Transfers Out	61,057.44	415,721.25	124,403.22	1,747,906.00	23.78%
CDBG Expense	184.78	3,122.26	7,438.61	50,000.00	6.24%
TOTAL EXPENDITURES	\$3,673,697.78	\$11,471,305.65	\$12,209,655.12	\$49,344,539.00	23.25%
FUND NET GAIN / LOSS	\$521,574.20	(\$3,370,038.71)	(\$4,957,413.68)	(\$1,485,139.00)	

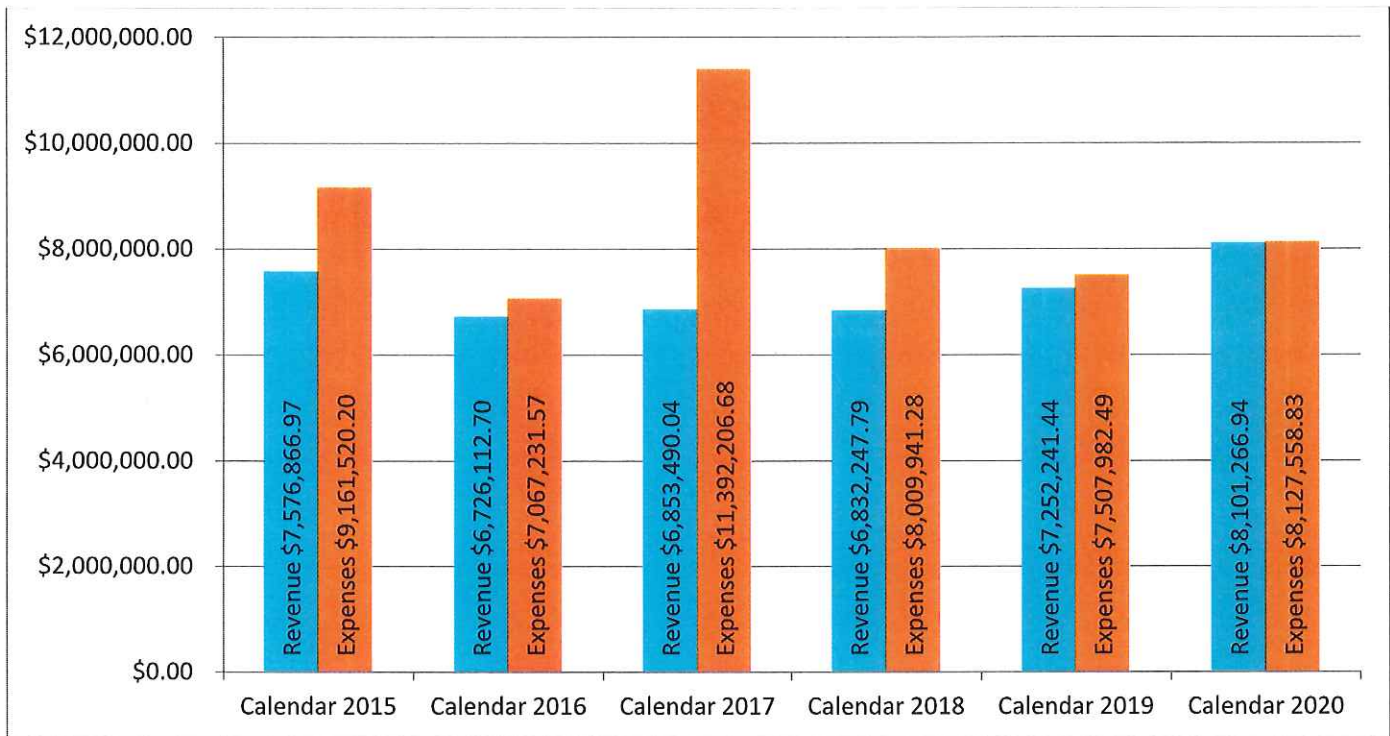
**INCOME STATEMENT - GENERAL FUND
SUPPORTING SCHEDULE - GENERAL REVENUE
MONTH ENDING February 29, 2020
(BUDGETARY BASIS)**

	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	\$ 597,445.00	\$ 597,445.00	\$ 521,708.00	14.52%	\$ 2,300,000.00	25.98%
Personal Property Taxes	-	-	-	-	-	-
Income Tax - General Fund	1,722,942.00	3,753,980.58	3,543,532.83	5.94%	22,000,000.00	17.06%
Income Tax - JEDD 1	47,544.18	88,563.87	-	100.00%	430,000.00	20.60%
Income Tax - JEDD 2	12,000.65	22,383.70	-	100.00%	135,000.00	16.58%
Income Tax - JEDD 3	2,533.48	3,019.52	-	100.00%	10,000.00	30.20%
Motel Tax	-	25,949.28	-	100.00%	150,000.00	17.30%
2/3rd KWH Tax Revenue	122,116.70	240,616.09	248,810.17	-3.29%	1,550,000.00	15.52%
1/3rd KWH Tax Revenue	61,057.44	120,306.25	124,403.22	-3.29%	775,000.00	15.52%
SUB-TOTAL-TAXES	\$ 2,565,639.45	\$ 4,852,264.29	\$ 4,438,454.22	9.32%	\$ 27,350,000.00	17.74%
LICENSES & PERMITS:						
Cable TV Franchise Fees	\$ -	\$ 50,148.84	\$ 55,075.23	-8.94%	\$ 650,000.00	7.72%
Other Licenses, Permits	250.00	7,440.00	1,810.00	311.05%	6,450.00	115.35%
SUB-TOTAL LICENSES & PERMITS	\$ 250.00	\$ 57,588.84	\$ 56,885.23	1.24%	\$ 656,450.00	8.77%
INTERGOVERNMENTAL						
ULGF - County	\$ 99,551.95	\$ 182,334.77	\$ 173,757.36	4.94%	\$ 975,000.00	18.70%
ULGF - Direct	20,236.82	35,561.19	-	100.00%	196,000.00	18.14%
Inheritance Taxes	-	-	-	-	-	-
Other Intergovernmental	9,530.50	9,530.50	1,891.40	403.89%	398,500.00	2.39%
SUB-TOTAL INTERGOVERNMENTAL	\$ 129,319.27	\$ 227,426.46	\$ 175,648.76	29.48%	\$ 1,569,500.00	14.49%
CHARGES FOR SERVICES	\$ 42,770.81	\$ 104,359.53	\$ 90,730.16	15.02%	\$ 690,100.00	15.12%
INVESTMENT INCOME	\$ 44,327.68	\$ 78,698.79	\$ 50,486.93	55.88%	\$ 175,000.00	44.97%
MISCELLANEOUS	\$ 51,618.19	\$ 105,980.82	\$ 61,237.97	-73.06%	\$ 208,700.00	50.78%
TOTAL	\$ 2,833,925.40	\$ 5,426,318.73	\$ 4,873,443.27	11.34%	\$ 30,649,750.00	17.70%

**INCOME STATEMENT - GENERAL FUND
SUPPORTING SCHEDULE - REIMBURSEMENT OF EXPENSE
MONTH ENDING February 29, 2020
(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	\$ 5,821.88	\$ 11,423.70	\$ 13,841.25	-17.47%	\$ 85,600.00	13.35%
FEMA Reimbursement Fund 205	-	-	-	-	-	-
Stormwater Fund 279	12,644.14	25,259.89	22,567.15	11.93%	135,950.00	18.58%
Refuse Fund 280	6,874.69	12,262.98	9,707.47	26.33%	49,200.00	24.92%
Street Maintenance Fund 281	36,552.04	86,806.44	77,852.58	11.50%	455,890.00	19.04%
Gas Fund 501	129,760.74	249,609.57	198,086.31	26.01%	1,333,070.00	18.72%
Electric Fund 502	141,571.58	284,039.41	230,058.83	23.46%	1,502,210.00	18.91%
Water Fund 503	129,760.74	249,609.57	198,086.31	26.01%	1,333,070.00	18.72%
Wastewater Fund 504	120,184.85	210,421.79	175,965.70	19.58%	1,116,920.00	18.84%
Parking Fund 550	3,094.45	7,404.63	6,334.27	16.90%	42,595.00	17.38%
Golf Fund 560	-	-	-	-	-	-
CDBG Reimbursement	6,015.78	46,309.98	80,707.37	-42.62%	50,000.00	92.62%
Public Safety & Health Inc Tax Fund 210	46,583.33	93,166.66	93,166.66	0.00%	566,000.00	16.46%
SUB-TOTAL GENERAL	\$ 638,864.22	\$ 1,276,314.62	\$ 1,106,373.90	15.36%	\$ 6,670,505.00	19.13%
Law Enforcement Funds:						
Safety Helmet Grant Fund 232	-	-	-	-	-	-
DARE Grant Fund 239	\$ -	\$ -	\$ -	-	\$ -	-
Police Pension Fund 246	-	-	-	100.00%	240,000.00	0.00%
Law Enforcement Block Grant 225	-	-	-	-	-	-
2002 Police Levy Fund 249	-	-	-	100.00%	725,000.00	0.00%
Court Special Project Fund 207	-	-	-	-	70,000.00	0.00%
Public Safety & Health Inc Tax Fund 210	113,750.00	227,500.00	227,500.00	0.00%	1,380,000.00	16.49%
CDBG Reimbursement	-	-	-	-	-	-
SUB-TOTAL POLICE	\$ 113,750.00	\$ 227,500.00	\$ 227,500.00	0.00%	\$ 2,415,000.00	9.42%
Fire Funds:						
Fire Pension Fund 250	\$ -	\$ -	\$ -	100.00%	\$ 240,000.00	0.00%
Charter Fire Force Fund 252	-	-	-	100.00%	800,000.00	0.00%
2002 Fire Levy Fund 253	-	-	-	100.00%	725,000.00	0.00%
Public Safety & Health Inc Tax Fund 210	113,750.00	227,500.00	227,500.00	0.00%	1,380,000.00	16.49%
CDBG Reimbursement	-	-	-	-	-	-
SUB-TOTAL FIRE	\$ 113,750.00	\$ 227,500.00	\$ 227,500.00	0.00%	\$ 3,145,000.00	7.23%
TOTAL	\$ 866,364.22	\$ 1,731,314.62	\$ 1,561,373.90	10.88%	\$ 12,230,505.00	14.16%

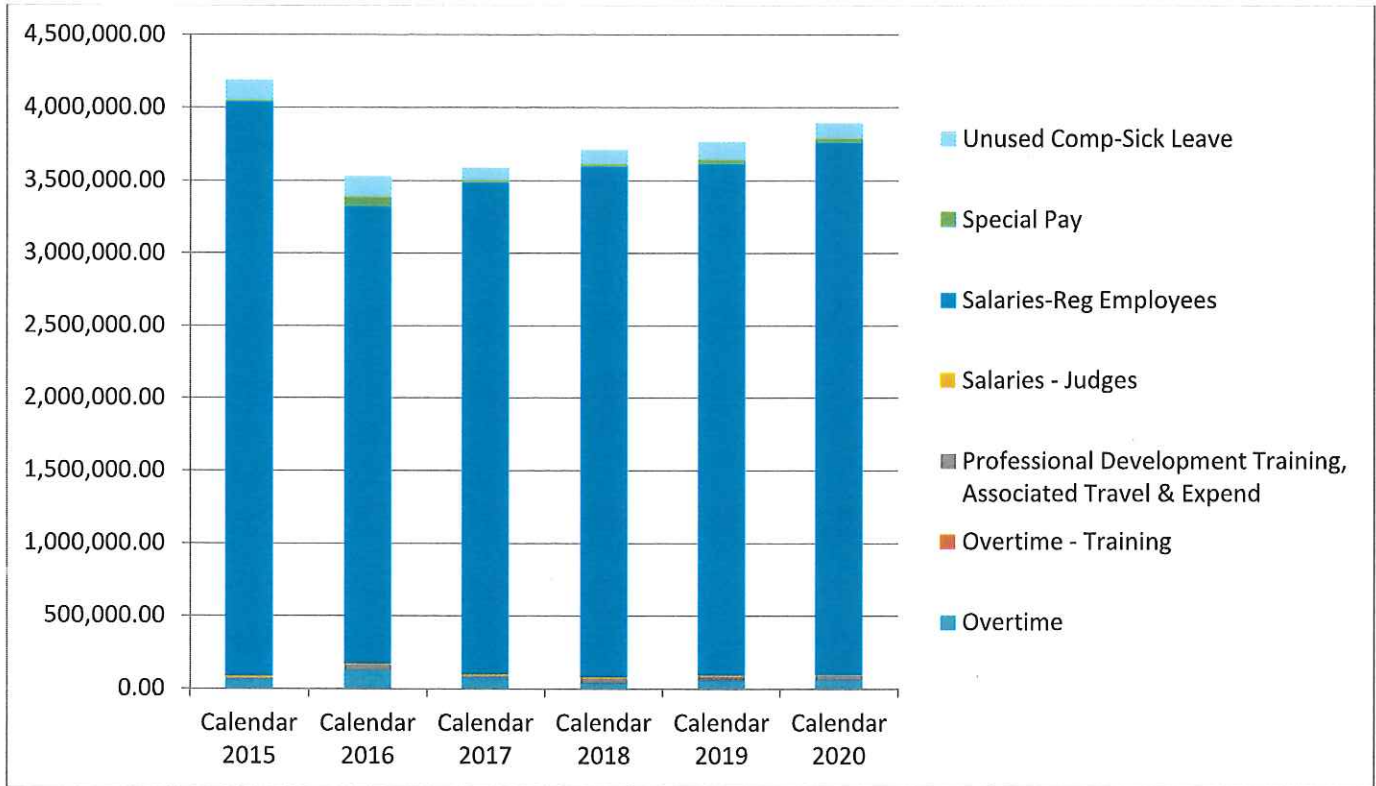
GENERAL FUND: 2020 STATEMENT OF ACTIVITIES YTD THROUGH FEBRUARY



Account Classification	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Revenue	7,576,866.97	6,726,112.70	6,853,490.04	6,832,247.79	7,252,241.44	8,101,266.94
Charges For Services	2,337,255.07	1,762,199.70	2,350,809.37	2,261,530.75	2,110,847.22	2,391,393.80
Fines And Forfeits	110,565.49	142,714.95	122,028.51	124,040.90	113,495.82	95,152.43
Intergovernmental Revenue	123,454.72	217,100.77	201,719.21	203,880.08	200,913.44	319,885.47
Licenses & Permits	285,036.95	312,173.37	219,905.37	381,893.75	268,950.12	306,475.32
Miscellaneous Revenue	42,804.15	107,123.54	139,888.83	71,704.68	117,030.94	133,520.33
Other Financing Sources	0.00		0.00	2,524.32	2,549.68	2,575.30
Recreation Fees	10,650.00	0.00	0.00	0.00	0.00	0.00
Taxes	4,052,651.18	4,184,800.37	3,819,138.75	3,786,673.31	4,438,454.22	4,852,264.29
Transfers In	614,449.41					
Expenses	9,161,520.20	7,067,231.57	11,392,206.68	8,009,941.28	7,507,982.49	8,127,558.83
Other Expenditures	3,542,227.56	2,238,290.75	6,060,915.22	2,447,833.04	1,938,575.50	2,312,711.65
Internal Services	207,098.97	194,004.68	215,407.79	220,977.37	288,410.71	322,347.03
Other Expenses	226,841.30	95,491.94	3,804,247.95	308,981.38	270,678.34	278,742.20
Other Purchased Services	428,555.72	443,116.03	759,835.58	526,149.73	422,828.91	588,500.63
Promotional Expenses	4,224.00	0.00	15,067.71	600.50	3,301.68	4,259.96
Purchased Professional & Technical Services	680,123.61	678,420.05	888,774.06	1,051,943.49	694,410.10	506,168.09
Supplies	82,048.43	135,683.34	145,244.78	100,930.76	134,542.54	196,972.49
Transfers	1,913,335.53	691,574.71	232,337.35	238,249.81	124,403.22	415,721.25
Personal Services & Benefits	5,619,292.64	4,828,940.82	5,331,291.46	5,562,108.24	5,569,406.99	5,814,847.18
Personal Services	4,187,432.26	3,529,134.43	3,587,334.90	3,709,825.42	3,764,362.11	3,893,375.08
Personal Services - Employee Benefits	1,431,860.38	1,299,806.39	1,743,956.56	1,852,282.82	1,805,044.88	1,921,472.10

NOTE: 2017 includes a \$3.45MM grant to the CIC.

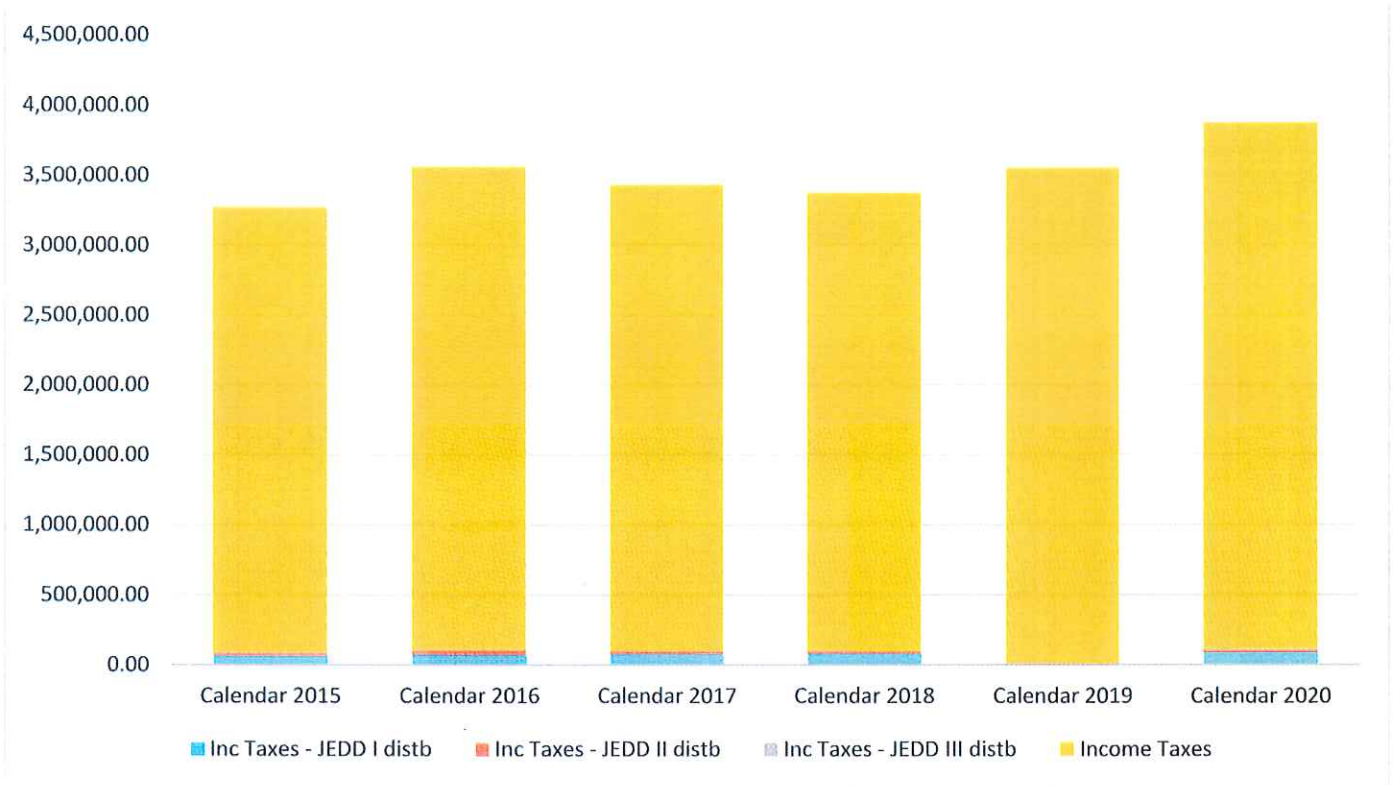
GENERAL FUND: 2020 WAGES PAID YTD THROUGH FEBRUARY



Pay Type	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Overtime	60,100.45	127,452.55	73,445.32	35,745.93	59,379.06	60,958.68
Overtime - Training			4,082.58	2,085.33	5,653.47	0.00
Professional Development Training, Associated Travel & Expend	12,445.51	34,327.03	9,204.00	31,568.01	21,238.37	30,286.87
Salaries - Judges	9,385.50	6,727.68	7,951.68	7,039.98	2,889.98	2,075.26
Salaries-Reg Employees	3,952,968.28	3,149,995.81	3,387,722.62	3,515,082.07	3,520,995.90	3,663,925.06
Special Pay	10,089.52	63,737.19	15,681.10	17,136.81	29,215.41	27,610.73
Unused Comp-Sick Leave	142,443.00	146,894.17	89,247.60	101,167.29	124,989.92	108,518.48
Totals	4,187,432.26	3,529,134.43	3,587,334.90	3,709,825.42	3,764,362.11	3,893,375.08

NOTE: The City experienced three pays in January 2015.

GENERAL FUND: 2020 INCOME TAX COLLECTIONS YTD THROUGH FEBRUARY



Tax Type	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Inc Taxes - JEDD I distb	63,746.53	71,065.41	76,098.52	81,420.03	0.00	88,563.87
Inc Taxes - JEDD II distb	23,838.06	34,878.67	22,491.61	13,652.72	0.00	22,383.70
Inc Taxes - JEDD III distb	0.00	0.00	0.00	0.00	0.00	3,019.52
Income Taxes	3,175,407.92	3,446,767.66	3,325,211.10	3,272,781.20	3,543,532.83	3,753,980.58
Totals	\$3,262,992.51	\$3,552,711.74	\$3,423,801.23	\$3,367,853.95	\$3,543,532.83	\$3,867,947.67

NOTE: Income tax collections for JEDD III began in April 2018.

**Summary of Cash Basis Activity
For the One Month Period Ending February 29, 2020**

	Balance Feb 01, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Feb 29, 2020	Purchase Orders Outstanding	Unencumbered Cash
GENERAL							
100 General	\$8,157,689.34	\$4,195,271.98	\$3,673,697.78	(\$61,139.27)	\$8,618,124.27	\$3,343,746.82	\$5,274,377.45
SPECIAL REVENUE							
200 One Renaissance Center Fd	966,436.41	\$184,255.00	\$43,283.87	(\$6,351.47)	\$1,101,056.07	380,830.58	\$720,225.49
2013 HOME FUND 2013	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
2014 HOME FUND 2014	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
2015 Home Fund 2015	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
2016 HOME FUND 2016	13,052.67	0.00	0.00	0.00	\$13,052.67	0.00	\$13,052.67
2017 HOME FUND 2017	26,575.42	0.00	0.00	0.00	\$26,575.42	0.00	\$26,575.42
2018 Home Fund 2018	77,478.55	0.00	23,555.61	0.00	\$53,922.94	40,412.63	\$13,510.31
2019 HOME FUND 2019	1,200.89	3,989.84	26,203.08	0.00	(\$21,012.35)	113,673.00	(\$134,685.35)
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.	46,670.75	4,122.70	0.00	0.00	\$50,793.45	0.00	\$50,793.45
208 Hamilton Court Sp Proj Fd	144,703.14	2,169.08	1,125.00	0.00	\$145,747.22	5,625.00	\$140,122.22
210 Pub Safety/Health Inc Tax	529,979.34	277,893.88	278,629.85	0.00	\$529,243.37	0.00	\$529,243.37
211 Rounding Up Util Acct Trs	2,103.05	453.37	1,705.98	74.43	\$924.87	0.00	\$924.87
212 Hamilton Mun Ct Cap Imp	184,468.69	8,310.20	0.00	0.00	\$192,778.89	3,060.80	\$189,718.09
213 MIT Aggregatn/Verifcln Fd	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
215 Hamln Cap Imp Debt Serv	839,951.37	222,315.09	212,171.54	(42,344.62)	\$807,750.30	406,646.48	\$401,103.82
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	37,558.46	927.00	374.13	0.00	\$38,111.33	0.00	\$38,111.33
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	0.00	0.00	0.00	0.00	\$0.00	10,067.00	(\$10,067.00)
226 Weed & Seed Grnt Exp Site	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
227 Land Reutilization Fund	15,360.18	0.00	8,920.58	0.00	\$6,439.60	0.00	\$6,439.60
230 Targeted Oriented Policing	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
231 Law Enforcement Trust	225,038.86	6,046.53	6,974.90	0.00	\$224,110.49	0.00	\$224,110.49
232 Safety Helmet Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
233 Safety Seat Belt Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
235 Public Safety Spec Proj	94,649.82	10,000.00	5,348.35	0.00	\$99,301.47	16,365.02	\$82,936.45
237 Police Hiring Supp Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
238 Probation Services Fund	20,295.41	15,513.90	21,084.60	0.00	\$14,724.71	0.00	\$14,724.71
239 Dara Program	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
240 Drug Law Enforcmnt Trust	111,805.79	7,488.75	239.11	0.00	\$119,055.43	5,654.34	\$113,401.09
241 Dui Enfrmnt & Eductn Trst	11,207.30	225.00	0.00	0.00	\$11,432.30	0.00	\$11,432.30
242 Indigent Drivers Alcohol Trt	232,219.01	2,312.12	0.00	0.00	\$234,531.13	8,610.00	\$225,921.13
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	137,959.74	0.00	0.00	0.00	\$137,959.74	0.00	\$137,959.74
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	387,618.24	0.00	0.00	0.00	\$387,618.24	0.00	\$387,618.24
250 Firemen's Pension Fund	128,168.56	0.00	0.00	0.00	\$128,168.56	0.00	\$128,168.56
251 Emergency Med Serv Grant	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
252 Charter Fire Force Fund	423,895.22	0.00	0.00	0.00	\$423,895.22	0.00	\$423,895.22
253 Fire EMS Levy Fund	387,618.24	0.00	0.00	0.00	\$387,618.24	0.00	\$387,618.24
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 Ping	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
260 Immunizatn Actn Plan Gran	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
261 Kathryn Weiland Trust Inc	11,096.67	21.79	0.00	0.00	\$11,118.46	0.00	\$11,118.46
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
278 Motor Vehicle License Tax Fund	0.00	18,758.77	0.00	0.00	\$18,758.77	0.00	\$18,758.77
279 Stormwater Mgmt. Fund	1,388,231.31	254,778.23	268,639.19	(15,319.60)	\$1,359,050.75	538,276.46	\$820,774.29
280 Refuse Fund	1,339,743.84	385,256.16	268,173.10	(293,325.65)	\$1,163,501.25	2,995,820.44	(\$1,832,319.19)
281 Street Maintenance Fund	969,299.28	344,405.82	283,574.13	33,625.29	\$1,063,756.26	412,151.14	\$651,605.12
282 Transit System	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
283 Convntn & Vistrs Bur Fund	23,074.07	0.00	0.00	0.00	\$23,074.07	0.00	\$23,074.07
284 Miami Conservancy Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
800 CDBG - Revolving Loan Fd	144,641.54	23,180.86	0.00	0.00	\$167,822.40	0.00	\$167,822.40
801 HOME - Revolving Loan Fnd	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
802 Neighborhood Stabl Prgrm	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	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
914 CDBG FUND 2014	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
915 CDBG FUND 915	28,398.96	0.00	0.00	0.00	\$28,398.96	0.00	\$28,398.96
916 CDBG Fund 2015-2016	12,801.43	0.00	0.00	0.00	\$12,801.43	0.00	\$12,801.43
917 CDBG Fund 2016-2017	0.00	0.00	0.00	0.00	\$0.00	14,462.01	(\$14,462.01)
918 CDBG Fund 2017-2018	(4,933.60)	0.00	0.00	0.00	(\$4,933.60)	51,440.68	(\$56,374.28)
919 CDBG Fund 2018-2019	22,364.13	32,594.96	32,745.44	0.00	\$22,213.65	55,444.51	(\$33,230.86)
920 CDBG Fund 2019-2020	45,067.11	62,467.24	81,894.08	0.00	\$25,640.27	236,906.33	(\$211,266.06)
Total Special Revenue	9,025,897.85	1,867,486.29	1,564,642.54	(323,641.62)	9,005,099.98	\$5,295,486.42	\$3,709,613.56
CAPITAL PROJECTS							
300 Capital Projects Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
301 Special Assessments	294,769.16	0.00	35,565.01	0.00	\$259,204.15	117,453.32	\$141,750.83
302 High Street Property	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
303 Loves MITIE Talawanda Fund	38,350.59	0.00	0.00	0.00	\$38,350.59	0.00	\$38,350.59
304 Walmart MITIE Hamilton Fund	53,873.74	0.00	0.00	0.00	\$53,873.74	0.00	\$53,873.74
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	65,000.00	65,000.00	0.00	\$0.00	0.00	\$0.00
308 Matandy Steel MPITIE Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
309 Robinson Schwenn MPITIE Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
310 Clean Ohio Grants Program	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
311 Infrastructure Renwl Prgrm	1,856,726.16	61,057.44	264,430.40	(17,150.12)	\$1,636,203.08	400,899.64	\$1,235,303.44
348 RIDs - MPITIE Citywide District	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
349 RIDs - MPITIE North District	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
350 RIDs - MPITIE South District	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
351 Quality Publishing MPITIE Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
352 Shoppes @ Hamilton MPITIE Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00

**Summary of Cash Basis Activity
For the One Month Period Ending February 29, 2020**

	Balance Feb 01, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Feb 29, 2020	Purchase Orders Outstanding	Unencumbered Cash
353 Historic Developers (Mercantile)	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
354 Tippman Properties MPITIE Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
355 Nature Manufacturing TIF	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
356 Champion Mill Sports Complex TIF	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
357 Mixed Use Development SODA - TIF	132,131.55	0.00	0.00	0.00	\$132,131.55	0.00	\$132,131.55
360 Governmental Bldg Sale Proceeds	4,141,983.92	0.00	1,359,139.98	0.00	\$2,782,843.94	705,536.06	\$2,077,307.88
Total Capital Projects	6,517,835.12	126,057.44	1,724,135.99	(17,150.12)	4,902,607.05	\$1,223,889.02	\$3,678,718.03
ENTERPRISE - GAS							
501 Gas Utility	2,586,569.47	2,697,128.88	2,088,407.08	(223,952.29)	\$2,971,338.98	229,543.69	\$2,741,795.29
510 Gas Sys Special Proj.Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
512 Gas Construction Fund	1,201,547.18	0.00	0.00	0.00	\$1,201,547.18	1,448.24	\$1,200,098.94
515 Gas Cap Imprmt Fund	1,146,421.61	900.00	34,523.69	(3,847.01)	\$1,108,950.91	739,991.18	\$368,959.73
516 Gas Rate Stabilization Fd	2,124,362.66	4,172.34	0.00	0.00	\$2,128,534.90	0.00	\$2,128,534.90
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	0.00	0.00	0.00	\$0.00	0.00	\$0.00
Sub-Total - Gas	8,091,900.82	2,702,201.22	2,122,930.77	(227,799.30)	8,443,371.97	\$970,983.11	\$7,472,388.86
ENTERPRISE - ELECTRIC							
502 Electric Utility	14,299,758.89	7,086,395.05	6,198,938.07	(268,665.75)	\$14,918,550.12	3,390,690.15	\$11,527,859.97
520 Elec Sys Spec Proj Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
522 Electric Construction Fd	15,242,262.82	0.00	0.00	0.00	\$15,242,262.82	2,904,593.15	\$12,337,669.67
523 Boiler No. 9 Scrubber Prj	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
524 Hydroelectric Oprtns Fund	256,230.73	331,990.30	158,967.00	(60.28)	\$429,193.75	59,870.03	\$369,323.72
525 Electric Cap Imprvmt Fund	6,783,812.94	98,299.09	791,627.40	309,856.36	\$6,400,340.99	5,761,746.31	\$638,594.68
526 Elec Rate Stablztn Fund	4,217,277.48	8,282.92	0.00	0.00	\$4,225,560.40	0.00	\$4,225,560.40
527 Elec System Reserve Fund	14,364,410.42	28,212.35	0.00	0.00	\$14,392,622.77	0.00	\$14,392,622.77
528 92 Electric Bd Service Fd	0.00	123,813.66	0.00	(123,813.66)	\$0.00	0.00	\$0.00
529 Electric Dabt Rductn Resv	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
Sub-Total - Electric	55,163,753.28	7,876,993.37	7,149,532.47	(82,683.33)	55,608,530.85	\$12,116,899.64	\$43,491,631.21
ENTERPRISE - WATER							
503 Water Utility	4,705,768.60	1,206,234.63	1,133,958.81	(104,647.71)	\$4,673,396.71	885,016.79	\$3,788,379.92
530 Water Sys Spec. Proj Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
531 Water Construction Fund	2,422,931.02	191,340.00	468,367.10	261,028.80	\$2,406,932.72	610,526.39	\$1,796,406.33
535 Water Cap Imprmt Fund	1,406,588.25	0.00	25,564.54	(55,756.14)	\$1,325,267.57	187,727.23	\$1,137,540.34
536 Water Rate Stablztn Fund	1,663,222.72	3,266.64	0.00	0.00	\$1,666,489.36	0.00	\$1,666,489.36
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	12,668,794.53	1,400,841.27	1,627,890.45	100,624.95	12,542,370.30	\$1,683,270.41	\$10,859,099.89
ENTERPRISE - WASTEWATER							
504 Wastewater Utility	5,875,055.40	1,104,536.95	1,009,439.71	61,099.91	\$6,031,252.55	504,345.51	\$5,526,907.04
540 Wastewater Sp Proj fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
541 Wastewater Constructn Fd	546,714.00	0.00	0.00	0.00	\$546,714.00	0.00	\$546,714.00
542 Wwater Debt Procds-Const.	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
543 Riverside Nature Area Con	26,086.28	51.23	0.00	0.00	\$26,137.49	0.00	\$26,137.49
545 Wastewater Cap Imprvmt Fd	6,592,813.55	4,227.00	161,980.74	(41,681.73)	\$6,393,398.08	1,101,993.39	\$5,291,404.69
546 Wastewtr Rate Stablztn Fd	2,137,595.29	4,198.33	0.00	0.00	\$2,141,793.62	0.00	\$2,141,793.62
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	298,780.64	0.00	(298,780.64)	\$0.00	0.00	\$0.00
Sub-Total - Wastewater	18,408,264.50	1,411,794.15	1,171,400.45	(279,362.46)	18,369,295.74	\$1,606,338.90	\$16,762,956.84
ENTERPRISE - OTHER							
550 Parking Fund	56,728.42	27,073.07	19,403.93	(529.69)	\$63,867.87	62,270.97	\$1,596.90
551 Pkg Capital Imprvmt Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
560 Golf Fund	222,129.48	5,220.97	180,600.94	(2,528.70)	\$44,220.81	77,496.11	(\$33,275.30)
561 Golf Rate Stblztn 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	278,857.90	32,294.04	200,004.87	(3,058.39)	108,088.68	\$139,767.08	(\$31,678.40)
Total - Enterprise	\$94,611,571.03	\$13,224,124.05	\$12,271,759.91	(\$492,278.53)	\$95,071,657.54	16,517,259.14	\$78,554,398.40
INTERNAL SERVICES							
610 Fleet Maintenance Fund	145,365.73	179,201.52	257,150.74	(20,343.18)	\$47,073.33	236,929.55	(\$189,856.22)
620 Central Services	14,819.09	941,022.48	936,571.29	(6,590.49)	\$12,679.79	866,873.58	(\$854,193.79)
640 Central Benefits Fund	1,541,301.54	0.00	3,465.95	0.00	\$1,537,835.59	54,286.46	\$1,483,549.13
650 Economic Budget Stabilization	2,000,000.00	0.00	0.00	0.00	\$2,000,000.00	0.00	\$2,000,000.00
Total - Internal Services	3,701,486.36	1,120,224.00	1,197,187.98	(26,933.67)	3,597,568.71	\$1,158,089.59	\$2,439,499.12
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	1,726,790.06	0.00	0.00	144,321.64	\$1,871,111.70	0.00	\$1,871,111.70
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	30,686.76	0.00	10.00	0.00	\$30,676.76	0.00	\$30,676.76
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	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
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	166,743.49	0.00	0.00	21,005.28	\$187,748.75	0.00	\$187,748.75
727 Ham.Cen.Bus.Sp.Imprv Dst.	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
728 Joint Ecnmic Dvlp Dstrc I	(1,458.36)	0.00	0.00	5,364.29	\$3,905.93	0.00	\$3,905.93
729 Phillipsburg Tax Collectn	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
730 Benninghoffen Trust Fund	75,532.82	147.52	421.97	0.00	\$75,258.17	0.00	\$75,258.17
731 Joint Ecnmic Dvlp Dist II	(1,213.84)	0.00	0.00	37.01	(\$1,176.83)	0.00	(\$1,176.83)
732 Village of New Paris Tax Collect	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
733 Joint Ecnmic Dvlp Dist III	11.90	0.00	0.00	(0.01)	\$11.89	0.00	\$11.89
740 Fire Damage Dep Escrow Fu	164,807.79	0.00	0.00	(11,900.79)	\$152,907.00	0.00	\$152,907.00
745 Police Prop.Rm Forfeiture	266,716.99	0.00	0.00	(10,458.00)	\$256,258.99	0.00	\$256,258.99
752 Municipal Court Cash	199,716.69	0.00	0.00	0.00	\$199,716.69	0.00	\$199,716.69
760 Treasury Investment Fund	0.00	0.00	0.00	0.00	\$0.00	0.00	\$0.00
775 Sinking Fund	3,870.30	90,193.30	90,193.30	0.00	\$3,870.30	0.00	\$3,870.30
Total - Trust and Agency	2,632,204.40	90,340.82	90,625.27	148,369.40	2,780,289.35	\$0.00	\$2,780,289.35
TOTAL	\$124,646,684.10	\$20,623,504.58	\$20,522,047.97	(\$772,773.81)	\$123,975,366.90	\$27,536,470.99	\$96,438,895.91

*Zero Balance Due to Funds Restricted for Future Bond Payments

**Summary of Cash Basis Activity
For the Two Months Period Ending February 29, 2020**

	Balance Jan. 1, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Feb 29, 2020	Purchase Orders Outstanding	Unencumbered Cash
GENERAL							
100 General	\$8,636,701.11	\$8,101,266.94	\$8,127,559.83	\$7,715.05	\$8,618,124.27	\$3,343,746.62	\$5,274,377.45
SPECIAL REVENUE							
200 One Renaissance Center Fd	822,814.28	364,733.34	89,018.86	2,527.11	1,101,056.07	380,850.58	\$720,225.49
2013 HOME FUND 2013	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
2014 HOME FUND 2014	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
2015 Home Fund 2015	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
2016 HOME FUND 2016	23,052.67	0.00	10,000.00	0.00	13,052.67	0.00	\$13,052.67
2017 HOME FUND 2017	26,575.42	0.00	0.00	0.00	26,575.42	0.00	\$26,575.42
2018 Home Fund 2018	54,278.55	23,200.00	23,555.61	0.00	53,922.94	40,412.63	\$13,510.31
2019 HOME FUND 2019	563.52	5,685.59	27,281.46	0.00	(21,012.35)	113,673.00	
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.	43,163.80	7,629.65	0.00	0.00	50,793.45	0.00	\$50,793.45
208 Hamilton Court Sp Proj Fd	148,349.93	3,897.29	6,500.00	0.00	145,747.22	5,626.00	\$140,122.22
210 Pub Safety/Health Inc Tax	479,154.19	605,480.75	555,391.57	0.00	529,243.37	0.00	\$529,243.37
211 Rounding Up Util Acct Trs	1,705.98	859.92	1,705.98	64.95	924.87	0.00	\$924.87
212 Hamilton Mun Cl Cap Imp	220,967.28	15,297.81	43,486.20	0.00	182,778.89	3,060.80	\$189,718.09
213 MIT Aggregain/Verifctn Fd	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
215 HamIn Cap Imp Debt Serv	1,387,635.76	485,842.92	1,075,783.76	10,055.38	807,750.30	406,646.48	\$401,103.82
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	36,852.81	1,710.00	451.48	0.00	38,111.33	0.00	\$38,111.33
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	0.00	0.00	0.00	0.00	0.00	10,087.00	(\$10,087.00)
226 Weed & Seed Gmt Exp Site	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
227 Land Reutilization Fund	20,443.06	0.00	14,003.46	0.00	6,439.60	0.00	\$6,439.60
230 Targeted Oriented Policing	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
231 Law Enforcement Trust	222,944.42	8,140.97	6,974.90	0.00	224,110.49	0.00	\$224,110.49
232 Safety Helmat Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
233 Safety Seat Belt Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
235 Public Safety Spec Proj	98,005.24	10,000.00	8,703.77	0.00	99,301.47	16,385.02	\$82,916.45
237 Police Hiring Supp Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
238 Probation Services Fund	28,009.81	29,392.98	42,678.08	0.00	14,724.71	0.00	\$14,724.71
239 Dare Program	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
240 Drug Law Enforcmt Trust	114,885.46	7,488.75	3,318.78	0.00	119,055.43	5,654.34	\$113,401.09
241 Dul Enfrmt & Educatn Trst	10,670.30	762.00	0.00	0.00	11,432.30	0.00	\$11,432.30
242 Indignt Drvrs AlcohI Trt	234,251.56	3,149.57	2,870.00	0.00	234,531.13	8,610.00	\$225,921.13
244 Mstro 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	137,959.74	0.00	0.00	0.00	137,959.74	0.00	\$137,959.74
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	387,618.24	0.00	0.00	0.00	387,618.24	0.00	\$387,618.24
250 Firemen's Pension Fund	128,168.56	0.00	0.00	0.00	128,168.56	0.00	\$128,168.56
251 Emergency Med Sery Grant	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
252 Charter Fire Force Fund	423,895.22	0.00	0.00	0.00	423,895.22	0.00	\$423,895.22
253 Fire EMS Levy Fund	387,618.24	0.00	0.00	0.00	387,618.24	0.00	\$387,618.24
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 Immunizatin Actn Plan Gran	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
261 Kathryn Weitand Trust Inc	9,619.41	1,499.05	0.00	0.00	11,118.46	0.00	\$11,118.46
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
278 Motor Vehicle License Tax Fund	0.00	18,758.77	0.00	0.00	18,758.77	0.00	\$18,758.77
279 Stormwater Mgmt. Fund	1,393,646.86	474,579.12	498,529.47	(10,645.76)	1,359,050.75	538,276.46	\$820,774.29
280 Refuse Fund	1,500,271.19	771,077.65	1,110,833.89	2,986.30	1,163,501.25	2,995,820.44	(\$1,832,319.19)
281 Street Maintenance Fund	919,883.38	671,734.41	566,799.30	38,937.76	1,063,756.26	412,151.14	\$651,605.12
282 Transit System	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
283 Conwnth & Vistrs Bur Fund	26,263.84	25,949.27	29,139.04	0.00	23,074.07	0.00	\$23,074.07
284 Miami Conservancy Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
800 CDBG - Revolving Loan Fd	142,187.57	25,634.83	0.00	0.00	167,822.40	0.00	\$167,822.40
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	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
914 CDBG FUND 2014	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
915 CDBG FUND 915	28,396.96	0.00	0.00	0.00	28,396.96	0.00	\$28,396.96
916 CDBG Fund 2015-2016	12,801.43	0.00	0.00	0.00	12,801.43	0.00	\$12,801.43
917 CDBG Fund 2016-2017	0.00	0.00	0.00	0.00	0.00	14,462.01	(\$14,462.01)
918 CDBG Fund 2017-2018	(4,933.60)	0.00	0.00	0.00	(4,933.60)	51,440.88	(\$56,374.28)
919 CDBG Fund 2018-2019	26,640.88	34,703.21	39,130.44	0.00	22,213.65	55,444.51	(\$33,230.86)
920 CDBG Fund 2019-2020	12,963.97	160,454.15	147,777.85	0.00	25,640.27	236,906.33	(\$211,266.06)
Total Special Revenue	\$9,507,425.93	\$3,757,862.01	\$4,303,913.70	\$43,925.74	\$9,005,099.98	\$5,295,486.42	\$3,709,613.58
CAPITAL PROJECTS							
300 Capital Projects Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
301 Special Assessments	310,366.56	0.00	51,162.41	0.00	259,204.15	117,453.32	\$141,750.83
302 High Street Property	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
303 Lowes MITIE Talawanda Fund	38,350.59	0.00	0.00	0.00	38,350.59	0.00	\$38,350.59
304 Walmart MITIE Hamilton Fund	53,873.74	0.00	0.00	0.00	53,873.74	0.00	\$53,873.74
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	65,000.00	65,000.00	0.00	0.00	0.00	\$0.00
308 Matandy Steel MPITIE Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
309 Robinson Schwenn MPITIE Fund	1,203.50	0.00	1,203.50	0.00	0.00	0.00	\$0.00
310 Clean Ohio Grants Program	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
311 Infrastructure Renwl Prgm	1,830,156.78	120,306.25	315,275.69	1,015.74	1,636,203.08	400,899.64	\$1,235,303.44
348 RIDs - MPITIE Citywide District	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
349 RIDs - MPITIE North District	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
350 RIDs - MPITIE South District	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
351 Quality Publishing MPITIE Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
352 Shoppes @ Hamilton MPITIE Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00

Summary of Cash Basis Activity
For the Two Months Period Ending February 29, 2020

	Balance Jan. 1, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance Feb 29, 2020	Purchase Orders Outstanding	Unencumbered Cash
353 Historic Developers (Mercantile)	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
354 Tippman Properties MPITIE Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
355 Nature Manufacturing TIF	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
356 Champion Mill Sports Complex TIF	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
357 Mixed Use Development SODA - TIF	132,131.55	0.00	0.00	0.00	132,131.55	0.00	\$132,131.55
360 Governmental Bldg Sale Proceeds	4,648,399.71	0.00	1,865,555.77	0.00	2,782,843.94	705,536.06	\$2,077,307.88
Total Capital Projects	\$7,014,482.43	\$185,306.25	\$2,298,197.37	\$1,015.74	\$4,902,607.05	\$1,223,889.02	\$3,678,718.03
ENTERPRISE - GAS							
501 Gas Utility	2,211,860.41	5,061,649.66	4,062,758.96	(239,412.13)	2,971,338.98	229,543.69	\$2,741,795.29
510 Gas Sys Special Proj.Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
512 Gas Construction Fund	1,201,547.18	0.00	0.00	0.00	1,201,547.18	1,448.24	\$1,200,098.94
515 Gas Cap Imprmt Fund	1,170,721.58	1,900.00	83,095.94	19,425.29	1,108,950.91	739,991.18	\$368,959.73
516 Gas Rate Stabilization Fd	2,121,250.53	7,284.37	0.00	0.00	2,128,534.90	0.00	\$2,128,534.90
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	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Gas	\$7,738,379.68	\$5,070,834.03	\$4,145,854.90	(\$219,986.84)	\$8,443,371.97	\$970,983.11	\$7,472,388.86
ENTERPRISE - ELECTRIC							
502 Electric Utility	13,506,098.21	13,632,489.50	12,255,100.46	35,082.87	14,918,550.12	3,390,690.15	\$11,527,859.97
520 Elec Sys Spec Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
522 Electric Construction Fd	15,242,262.82	0.00	0.00	0.00	15,242,262.82	2,904,593.15	\$12,337,669.67
523 Boiler No. 9 Scrubber Prj	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
524 Hydroelectric Oprtns Fund	405,065.88	346,858.30	322,730.43	0.00	429,193.75	59,870.03	\$369,323.72
525 Electric Cap Imprvmt Fund	7,151,911.18	98,599.09	1,216,812.59	366,643.31	6,400,340.99	5,761,746.31	\$638,594.68
526 Elec Rate Stablztn Fund	4,211,099.49	14,460.91	0.00	0.00	4,225,560.40	0.00	\$4,225,560.40
527 Elec System Reserve Fund	14,343,367.66	49,255.11	0.00	0.00	14,392,622.77	0.00	\$14,392,622.77
528 92 Electric Btl Service Fd	0.00	245,967.94	0.00	(245,967.94)	0.00	0.00	\$0.00
529 Electric Debt Rdcln Resv	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Electric	\$54,859,805.24	\$14,387,630.85	\$13,794,643.48	\$155,738.24	\$55,608,530.85	\$12,116,899.64	\$43,491,631.21
ENTERPRISE - WATER							
503 Water Utility	4,621,240.70	2,379,849.07	2,443,851.29	116,158.23	4,673,396.71	885,016.79	\$3,788,379.92
530 Water Sys Spec. Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
531 Water Construction Fund	2,549,152.93	484,629.30	887,878.31	261,028.80	2,406,932.72	610,526.39	\$1,796,406.33
535 Water Cap Imprmt Fund	1,569,299.82	0.00	244,032.25	0.00	1,325,267.57	187,727.23	\$1,137,540.34
536 Water Rate Stablztn Fund	1,660,786.23	5,703.13	0.00	0.00	1,666,489.36	0.00	\$1,666,489.36
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	\$12,870,763.62	\$2,870,181.50	\$3,575,761.85	\$377,187.03	\$12,542,370.30	\$1,683,270.41	\$10,859,099.89
ENTERPRISE - WASTEWATER							
504 Wastewater Utility	5,815,527.05	2,161,866.62	2,085,983.27	139,842.15	6,031,252.55	504,345.51	\$5,526,907.04
540 Wastewater Sp Proj fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
541 Wastewater Constructn Fd	550,330.94	0.00	3,616.94	0.00	546,714.00	0.00	\$546,714.00
542 Wwater Debt Procds-Const.	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
543 Riverside Nature Area Con	26,048.05	89.44	0.00	0.00	26,137.49	0.00	\$26,137.49
545 Wastewater Cap Imprvmt Fd	6,603,968.70	7,045.00	217,615.62	0.00	6,393,398.08	1,101,993.39	\$5,291,404.69
546 Wastewtr Rate Stablztn Fd	2,134,463.88	7,329.74	0.00	0.00	2,141,793.62	0.00	\$2,141,793.62
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	596,920.49	0.00	(596,920.49)	0.00	0.00	\$0.00
Sub-Total - Wastewater	\$18,360,338.62	\$2,773,251.29	\$2,307,215.83	(\$457,078.34)	\$18,369,295.74	\$1,606,338.90	\$16,762,956.84
ENTERPRISE - OTHER							
550 Parking Fund	86,461.59	53,147.79	76,423.58	682.07	63,867.87	62,270.97	\$1,596.90
551 Pkg Capital Imprvmt Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
560 Golf Fund	258,620.72	18,863.37	233,263.28	0.00	44,220.81	77,496.11	(\$33,275.30)
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	\$345,082.31	\$72,011.16	\$309,686.86	\$682.07	\$108,088.68	\$139,767.08	(\$31,878.40)
Total - Enterprise	\$94,174,369.47	\$25,173,908.83	\$24,133,162.92	(\$143,457.84)	\$95,071,657.54	16,517,259.14	\$78,554,398.40
INTERNAL SERVICES							
610 Fleet Maintenance Fund	174,323.46	400,956.64	537,629.88	9,423.11	47,073.33	236,929.55	(\$189,856.22)
620 Central Services	11,008.89	1,915,022.81	1,914,858.30	1,508.39	12,679.79	866,873.58	(\$854,193.79)
640 Central Benefits Fund	1,526,417.18	14,884.36	3,465.95	0.00	1,537,835.59	54,286.46	\$1,483,549.13
650 Economic Budget Stabilization	1,704,585.00	295,415.00	0.00	0.00	2,000,000.00	0.00	\$2,000,000.00
Total - Internal Services	\$3,416,334.53	\$2,626,278.81	\$2,455,954.13	\$10,929.50	\$3,597,588.71	\$1,158,089.59	\$2,439,499.12
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	2,400,353.00	0.00	0.00	(529,241.30)	1,871,111.70	0.00	\$1,871,111.70
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	32,251.76	0.00	1,575.00	0.00	30,676.76	0.00	\$30,676.76
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	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
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 Annx Tax Fund	141,699.31	0.00	0.00	46,049.44	187,748.75	0.00	\$187,748.75
727 Ham.Cen.Bus.Sp.Imprv Dst.	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
728 Joint Econmic Dvlp Dstrc I	9,953.86	0.00	0.00	(6,047.93)	3,905.93	0.00	\$3,905.93
729 Phillipsburg Tax Collecn	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
730 Benninghoffen Trust Fund	75,421.97	258.17	421.97	0.00	75,258.17	0.00	\$75,258.17
731 Joint Econmic Dvlp Dist II	71,820.74	0.00	0.00	(72,997.57)	(1,176.83)	0.00	(\$1,176.83)
732 Village of New Paris Tax Collect	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
733 Joint Econmic Dvlp Dist III	1,024.20	0.00	0.00	(1,012.31)	11.89	0.00	\$11.89
740 Fire Damage Dep Escrow Fu	146,504.40	0.00	0.00	6,402.60	152,907.00	0.00	\$152,907.00
745 Police Prop.Rm Forfeiture	246,575.13	0.00	0.00	9,683.86	256,258.99	0.00	\$256,258.99
752 Municipal Court Cash	199,716.69	0.00	0.00	0.00	199,716.69	0.00	\$199,716.69
760 Treasury Investment Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
775 Sinking Fund	\$3,870.30	\$180,533.33	\$180,533.33	\$0.00	\$3,870.30	0.00	\$3,870.30
Total - Trust and Agency	\$3,329,191.36	\$180,791.50	\$182,530.30	(\$547,163.21)	\$2,780,289.35	\$0.00	\$2,780,289.35
TOTAL	\$126,078,504.83	\$40,025,214.34	\$41,501,317.25	(\$627,035.02)	\$123,975,366.90	\$27,538,470.99	\$96,436,895.91

City Council Meeting Informational Report

TO: The Honorable Mayor and Members of the City Council
FROM: Dave Jones, Finance Director
RE: FEBRUARY, 2020 MONTHLY INVESTMENT REPORT TO COUNCIL

Dear Mayor and Members of Council:

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

Choose Strategic Goal(s)

- I** Generate 125mm in new private investment
- J** Increase gross wages paid by Hamilton Employers by \$100mm
- P** Exceed total county growth rate median home sale prices
- R** Generate \$40mm in investment for recreational amenities
- E** Engage 50,000 participants annually in special events, arts and recreation activities
- O** General Operations/ Government Business





UNITED AMERICAN CAPITAL

Investment Review



Prepared for

City of Hamilton

as of February 29, 2020



A Meeder
Investment
Management
Company

City of Hamilton
Portfolio Management
Investment Status Report - Investments
February 29, 2020

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)												
3136G4CG6	16-0104	FNMA	1,000,000.00	1.200	03/27/2020	09/28/2016	26	1.200	1,000,089.20	Received	1,000,000.00	1,000,000.00
3134G8TY5	16-0044	FHLMC	500,000.00	1.420	03/30/2020	03/30/2016	29	1.424	499,981.18		499,925.00	499,925.00
3134G9DP9	16-0059	FHLMC	775,000.00	1.375	04/27/2020	04/29/2016	57	1.381	774,902.73	Received	774,808.58	774,808.58
3133EGJD8	16-0078	FFCB	500,000.00	1.140	06/29/2020	06/29/2016	120	1.200	499,997.73		498,838.00	498,838.00
3134G9QB6	16-0060	FHLMC	500,000.00	1.500	11/25/2020	05/25/2016	269	1.500	501,166.68		500,000.00	500,000.00
3133ECJF2	17-0026	FFCB	800,000.00	1.770	03/18/2021	12/28/2017	382	2.098	806,703.56	Received	791,864.00	791,864.00
3133ECKF0	17-0022	FFCB	1,024,000.00	1.750	04/01/2021	11/07/2017	396	1.864	1,033,262.24	Received	1,020,160.00	1,020,160.00
3133EHNX7	17-0013	FFCB	525,000.00	1.650	06/21/2021	06/21/2017	477	1.720	530,003.48		523,582.50	523,582.50
3130A8QS5	16-0088	FHLB	1,000,000.00	1.125	07/14/2021	07/15/2016	500	1.269	1,002,014.43	Received	993,050.00	993,050.00
3133EHWM1	18-0005	FFCB	100,000.00	1.700	09/01/2021	06/21/2018	549	2.789	101,154.48	Received	96,692.00	96,692.00
3133EHSS3	17-0018	FFCB	600,000.00	1.875	09/26/2022	09/27/2017	939	1.928	614,357.59	Received	598,494.00	598,494.00
3133EKD60	19-0053	FFCB	500,000.00	1.560	02/21/2023	08/21/2019	1,087	1.586	509,021.17		499,560.00	499,560.00
3133EKVB9	19-0039	FFCB	500,000.00	1.860	10/17/2023	07/17/2019	1,325	1.961	516,143.04		497,956.02	497,956.02
3130AB3H7	19-0017	FHLB	500,000.00	2.375	03/08/2024	04/15/2019	1,468	2.467	527,187.74	Received	498,655.00	498,655.00
3130AGWK7	19-0056	FHLB	500,000.00	1.500	08/15/2024	08/20/2019	1,628	1.519	511,631.54	Received	499,545.00	499,545.00
3133EK3B0	19-0078	FFCB	500,000.00	1.500	10/16/2024	10/16/2019	1,690	1.515	511,138.69		499,640.00	499,640.00
Federal Agency - Coupon (NC) Totals			9,824,000.00				607	1.633	9,938,755.48	0.00	9,792,770.10	9,792,770.10
Negotiatble CDs												
05581W2M6	19-0069	BMO	247,000.00	1.950	09/30/2021	09/30/2019	578	1.953	248,928.33		247,000.00	247,000.00
17312Q3T4	19-0011	C	246,000.00	2.650	04/04/2022	04/04/2019	764	2.653	252,038.32	Received	246,000.00	246,000.00
33847E2J5	19-0032	FBC	246,000.00	2.500	06/13/2022	06/12/2019	834	2.510	251,661.94		245,938.50	245,938.50
02007GKL6	19-0033	ALLY	246,000.00	2.250	06/27/2022	06/28/2019	848	2.252	250,331.81	Received	246,000.00	246,000.00
05580ATH7	19-0099	BMW	247,000.00	1.800	11/29/2022	12/19/2019	1,003	1.852	248,876.71	243.62	246,644.32	246,887.94
949495AA3	19-0096	WFC	249,000.00	1.800	12/13/2022	12/13/2019	1,017	1.862	250,901.12		248,564.25	248,564.25
81768PAF3	20-0012	SFBS	249,000.00	1.600	02/21/2023	02/21/2020	1,087	1.670	249,454.18		248,502.00	248,502.00
61760AYA1	19-0012	MS	246,000.00	2.750	04/04/2023	04/05/2019	1,129	2.752	254,952.68	Received	246,000.00	246,000.00
949763YY6	19-0014	WELLS	249,000.00	2.750	04/10/2023	04/10/2019	1,135	2.778	257,910.47		248,751.00	248,751.00
20033AW36	19-0022	COME	249,000.00	2.650	05/15/2023	05/15/2019	1,170	2.678	257,593.99		248,751.00	248,751.00
06652CGX3	19-0035	BNKWST	249,000.00	2.050	06/27/2023	06/28/2019	1,213	2.180	253,016.12	Received	247,772.43	247,772.43
58404DET4	19-0045	MEDBNK	249,000.00	2.100	07/24/2023	07/22/2019	1,240	2.181	253,491.46		248,253.00	248,253.00
59013KBQ8	19-0047	MERICK	249,000.00	2.150	07/24/2023	07/23/2019	1,240	2.232	253,903.81		248,253.00	248,253.00
75472RAD3	19-0052	RJF	247,000.00	1.950	08/23/2023	08/23/2019	1,270	2.004	250,271.27		246,506.00	246,506.00
15118RRF6	19-0055	CII	249,000.00	1.800	08/30/2023	08/30/2019	1,277	1.861	251,039.56		248,422.32	248,422.32
29278TML1	19-0085	CMS	247,000.00	2.000	10/31/2023	10/31/2019	1,339	2.080	249,487.29		246,259.00	246,259.00
06426KBL1	19-0046	SONHBT	249,000.00	2.100	11/27/2023	07/26/2019	1,366	2.144	253,800.22		248,190.75	248,190.75
538036HC1	19-0095	LIVOAK	249,000.00	1.800	12/11/2023	12/11/2019	1,380	1.879	251,092.10		248,253.00	248,253.00

City of Hamilton
Portfolio Management
Investment Status Report - Investments
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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
Negotiatble CDs												
38148P5B9	19-0003	GOLD	246,000.00	3.100	02/13/2024	02/13/2019	1,444	3.178	260,327.53		245,139.00	245,139.00
07815AAAY3	20-0021	STBFAR	249,000.00	1.650	02/27/2024	02/27/2020	1,458	1.729	249,194.97		248,253.00	248,253.00
06251AW48	19-0016	BKHAP	246,000.00	2.900	03/25/2024	04/12/2019	1,485	2.903	258,694.09	Received	246,000.00	246,000.00
90348JJQ4	19-0010	UBS	249,000.00	2.900	04/03/2024	04/03/2019	1,494	2.903	261,938.04		249,000.00	249,000.00
7954502H7	19-0015	SLMA	245,000.00	2.800	04/17/2024	04/17/2019	1,508	2.900	256,800.92		243,897.50	243,897.50
14042RLP4	19-0024	CAP1NA	246,000.00	2.650	05/22/2024	05/22/2019	1,543	2.761	256,526.59		244,770.00	244,770.00
14042TAP2	19-0025	CAP1US	246,000.00	2.650	05/22/2024	05/22/2019	1,543	2.761	256,526.59		244,770.00	244,770.00
61690UGC8	19-0026	MSBKNA	246,000.00	2.600	05/23/2024	05/24/2019	1,544	2.743	256,028.93	Received	244,401.00	244,401.00
27002YEN2	19-0028	EAGLE	249,000.00	2.500	05/24/2024	05/24/2019	1,545	2.588	258,165.69		248,004.00	248,004.00
856285QG9	19-0031	INDIA	246,000.00	2.850	06/19/2024	06/19/2019	1,571	2.907	246,169.49		245,385.00	245,385.00
33767GAM0	19-0084	FIRSTB	249,000.00	1.850	10/25/2024	10/29/2019	1,699	1.910	251,367.99	Received	248,315.25	248,315.25
48128LVJ5	19-0101	JPMC	247,000.00	2.130	12/30/2024	12/30/2019	1,765	2.212	247,499.93		246,073.75	246,073.75
Negotiatble CDs Totals			7,426,000.00				1,283	2.366	7,597,992.14	243.62	7,408,069.07	7,408,312.69
Commercial Paper - Discount												
62479LC94	19-0088	MUFGBK	310,000.00	1.870	03/09/2020	11/06/2019	8	1.908	308,003.26		308,003.26	308,003.26
89233GCQ7	19-0071	TOYCC	1,000,000.00	1.960	03/24/2020	09/27/2019	23	2.007	990,254.44		990,254.44	990,254.44
63873JD64	19-0074	NATIX	1,000,000.00	1.940	04/06/2020	10/09/2019	36	1.986	990,300.00		990,300.00	990,300.00
62479LDH5	19-0082	MUFGBK	400,000.00	1.940	04/17/2020	10/25/2019	47	1.986	396,227.78		396,227.78	396,227.78
62479LDN2	19-0083	MUFGBK	1,000,000.00	1.910	04/22/2020	10/28/2019	52	1.955	990,609.16		990,609.16	990,609.16
4497W0FH6	19-0100	INGFDG	1,500,000.00	1.890	06/17/2020	12/20/2019	108	1.935	1,485,825.00		1,485,825.00	1,485,825.00
63873JFV7	19-0104	NATIX	575,000.00	1.900	06/29/2020	12/31/2019	120	1.945	569,507.15		569,507.15	569,507.15
62479LGT6	20-0007	MUFGBK	1,000,000.00	1.680	07/27/2020	01/30/2020	148	1.718	991,646.66		991,646.66	991,646.66
2254EAH55	20-0016	CSFBNY	650,000.00	1.620	08/05/2020	02/24/2020	157	1.655	645,232.25		645,232.25	645,232.25
Commercial Paper - Discount Totals			7,435,000.00				83	1.903	7,367,605.70	0.00	7,367,605.70	7,367,605.70
Federal Agency - Coupon (Callable)												
3134G9E60	16-0080	FHLMC	500,000.00	1.180	03/30/2020	06/30/2016	29	1.180	499,888.52		500,000.00	500,000.00
3136G3TY1	16-0074	FNMA	500,000.00	1.250	06/30/2020	06/30/2016	121	1.295	499,605.05		499,125.00	499,125.00
3135G0N66	16-0099	FNMA	1,000,000.00	1.400	08/24/2020	08/24/2016	176	1.406	1,000,595.61		999,750.00	999,750.00
3136G35C5	16-0101	FNMA	1,000,000.00	1.400	08/28/2020	08/30/2016	180	1.400	1,000,392.22		1,000,000.00	1,000,000.00
3130A9GQ8	16-0103	FHLB	500,000.00	1.500	09/23/2020	09/23/2016	206	1.500	500,172.53		500,000.00	500,000.00
3134G9X77	16-0092	FHLMC	800,000.00	1.470	01/27/2021	07/27/2016	332	1.470	800,252.69		800,000.00	800,000.00
3136G4AZ6	18-0001	FNMA	290,000.00	1.480	03/29/2021	01/25/2018	393	2.400	290,062.76	Received	281,880.00	281,880.00
3134GAEE0	16-0105	FHLMC	1,000,000.00	1.500	03/30/2021	09/30/2016	394	1.500	1,000,370.00		1,000,000.00	1,000,000.00
3133EFX36	18-0028	FFCB	500,000.00	1.680	04/05/2021	10/26/2018	400	3.010	500,014.79	Received	484,450.00	484,450.00
3136G3G82	19-0042	FNMA	320,000.00	1.550	07/27/2021	07/17/2019	513	2.119	320,261.22	Received	316,406.40	316,406.40

City of Hamilton
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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)												
3136G32C8	17-0025	FNMA	325,000.00	1.300	08/24/2021	12/28/2017	541	2.216	326,645.48	Received	314,600.00	314,600.00
3136G4AT0	19-0041	FNMA	230,000.00	1.625	09/30/2021	07/16/2019	578	2.090	230,110.32	Received	227,704.60	227,704.60
3130A9Z46	17-0016	FHLB	400,000.00	1.600	11/26/2021	09/05/2017	635	1.808	400,312.80	Received	396,620.00	396,620.00
3133EGPW9	17-0024	FFCB	600,000.00	1.625	05/09/2022	12/04/2017	799	2.257	600,015.91	Received	584,088.00	584,088.00
3136G3TZ8	19-0004	FNMA	350,000.00	1.500	06/30/2022	02/15/2019	851	2.673	350,099.01	Received	336,829.50	336,829.50
3133ELLX0	20-0014	FFCB	750,000.00	1.630	08/05/2022	02/21/2020	887	1.655	750,363.92	543.33	749,550.00	750,093.33
3135G0X81	20-0011	FNMA	1,000,000.00	1.700	01/30/2023	02/12/2020	1,065	1.700	1,001,292.02	566.67	1,000,000.00	1,000,566.67
3133EGRU1	19-0068	FFCB	1,000,000.00	1.730	02/23/2023	09/27/2019	1,089	1.865	1,000,014.56	Received	995,570.00	995,570.00
3130AJA33	20-0015	FHLB	500,000.00	1.800	02/28/2023	02/28/2020	1,094	1.800	500,567.83		500,000.00	500,000.00
3134GVDZ8	20-0020	FHLMC	500,000.00	1.725	02/28/2023	02/28/2020	1,094	1.725	500,176.92		500,000.00	500,000.00
3133EKX76	19-0076	FFCB	500,000.00	1.980	04/17/2023	10/17/2019	1,142	2.000	500,354.67		499,663.50	499,663.50
3134GUHH6	19-0077	FHLMC	500,000.00	1.500	04/24/2023	10/24/2019	1,149	1.636	500,307.68		497,700.00	497,700.00
3130A8FV0	20-0013	FHLB	500,000.00	2.010	06/16/2023	02/14/2020	1,202	2.010	500,014.41	1,619.17	500,000.00	501,619.17
3133ELGR9	20-0006	FFCB	500,000.00	1.780	07/13/2023	01/27/2020	1,229	1.795	500,141.32	346.11	499,750.00	500,096.11
3134GTC68	19-0038	FHLMC	500,000.00	2.220	07/17/2023	07/17/2019	1,233	2.220	501,612.07		500,000.00	500,000.00
3134GAGK4	19-0043	FHLMC	682,000.00	1.840	08/28/2023	07/17/2019	1,275	2.120	682,859.22	Received	674,498.00	674,498.00
3134GT4Z3	19-0066	FHLMC	500,000.00	2.050	09/05/2023	09/27/2019	1,283	2.063	500,024.30	626.39	499,750.00	500,376.39
3134GUJG6	19-0079	FHLMC	250,000.00	1.700	10/23/2023	10/23/2019	1,331	1.747	250,890.54		249,550.00	249,550.00
3136G4UC5	20-0008	FNMA	500,000.00	1.700	10/30/2023	01/30/2020	1,338	1.700	501,652.16		500,000.00	500,000.00
3134GU6Q8	20-0010	FHLMC	500,000.00	1.750	11/07/2023	02/07/2020	1,346	1.760	501,158.50		499,825.00	499,825.00
3133ELBG8	19-0092	FFCB	500,000.00	1.790	11/27/2023	11/27/2019	1,366	1.790	502,350.39		500,000.00	500,000.00
3134GUZE3	19-0097	FHLMC	500,000.00	2.000	12/18/2023	12/18/2019	1,387	2.000	500,161.59		500,000.00	500,000.00
3134GUM80	19-0102	FHLMC	650,000.00	2.000	12/27/2023	12/30/2019	1,396	2.000	650,381.69		650,000.00	650,000.00
3134GUGR5	19-0075	FHLMC	500,000.00	2.000	01/09/2024	10/09/2019	1,409	2.000	500,409.88		500,000.00	500,000.00
3134GUV64	20-0001	FHLMC	750,000.00	1.900	01/17/2024	01/17/2020	1,417	1.913	750,232.43		749,625.00	749,625.00
3133ELMJ0	20-0009	FFCB	500,000.00	1.690	02/12/2024	02/12/2020	1,443	1.690	500,996.86		500,000.00	500,000.00
3133ELNR1	20-0019	FFCB	500,000.00	1.770	02/20/2024	02/27/2020	1,451	1.770	500,236.09	172.08	500,000.00	500,172.08
3134GTAP8	19-0007	FHLMC	825,000.00	2.750	03/27/2024	03/27/2019	1,487	2.750	825,792.00		825,000.00	825,000.00
3134GUEN6	19-0072	FHLMC	500,000.00	1.875	03/28/2024	09/30/2019	1,488	1.875	502,908.59		500,000.00	500,000.00
3133ELJT2	20-0004	FFCB	500,000.00	1.940	04/23/2024	01/24/2020	1,514	1.940	500,356.92	26.94	500,000.00	500,026.94
3134GTNX7	19-0027	FHLMC	500,000.00	2.700	05/28/2024	05/28/2019	1,549	2.700	501,792.49		500,000.00	500,000.00
3134GVDY1	20-0018	FHLMC	500,000.00	1.700	05/28/2024	02/28/2020	1,549	1.703	500,315.07		499,950.00	499,950.00
3134GTXX6	19-0034	FHLMC	700,000.00	2.100	06/26/2024	06/28/2019	1,578	2.100	701,869.93		700,000.00	700,000.00
3134GTXS7	19-0036	FHLMC	1,250,000.00	2.220	06/26/2024	06/28/2019	1,578	2.220	1,254,013.45	Received	1,250,000.00	1,250,000.00
3130A8HU0	19-0054	FHLB	250,000.00	2.200	06/27/2024	08/19/2019	1,579	2.211	250,003.35	Received	249,875.00	249,875.00
3133EKTT3	19-0037	FFCB	600,000.00	2.230	07/08/2024	07/08/2019	1,590	2.230	601,869.14		600,000.00	600,000.00
3130AGQE8	19-0040	FHLB	500,000.00	2.270	07/22/2024	07/22/2019	1,604	2.291	501,802.99		499,500.00	499,500.00

City of Hamilton
Portfolio Management
Investment Status Report - Investments
February 29, 2020

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)												
3134GTV59	19-0060	FHLMC	250,000.00	2.150	08/05/2024	08/23/2019	1,618	2.096	250,828.23	Received	250,625.00	250,625.00
3133EKZN9	19-0059	FFCB	500,000.00	2.060	08/13/2024	08/23/2019	1,626	2.060	501,053.17	Received	500,000.00	500,000.00
3133EKC61	19-0051	FFCB	500,000.00	2.100	08/20/2024	08/20/2019	1,633	2.100	501,227.78		500,000.00	500,000.00
3133ELBA1	19-0094	FFCB	500,000.00	1.970	08/26/2024	12/03/2019	1,639	2.004	500,010.07	Received	499,250.00	499,250.00
3134GT5K5	19-0065	FHLMC	500,000.00	1.875	09/06/2024	09/06/2019	1,650	1.928	500,022.98		498,750.00	498,750.00
3133EKN93	19-0086	FFCB	260,000.00	1.960	09/16/2024	10/30/2019	1,660	1.998	261,012.16	622.84	259,545.00	260,167.84
3134GUHS2	19-0080	FHLMC	550,000.00	2.050	10/16/2024	10/24/2019	1,690	2.066	550,569.59	250.56	549,587.50	549,838.06
3134GUML1	19-0081	FHLMC	500,000.00	2.050	10/30/2024	10/30/2019	1,704	2.050	500,681.50		500,000.00	500,000.00
3134GUWH9	19-0093	FHLMC	500,000.00	2.000	11/27/2024	11/29/2019	1,732	2.000	500,935.26	55.56	500,000.00	500,055.56
3134GUN30	19-0103	FHLMC	525,000.00	2.070	12/30/2024	12/30/2019	1,765	2.070	526,286.20		525,000.00	525,000.00
3130AHXJ7	20-0002	FHLB	500,000.00	1.920	01/21/2025	01/24/2020	1,787	1.920	502,798.23	80.00	500,000.00	500,080.00
3134GU4M9	20-0005	FHLMC	500,000.00	2.000	01/21/2025	01/27/2020	1,787	2.000	501,193.88	166.67	500,000.00	500,166.67
3134GU5A4	20-0003	FHLMC	500,000.00	1.850	01/29/2025	01/29/2020	1,795	1.871	502,854.60		499,500.00	499,500.00
3130AJ4M8	20-0022	FHLB	785,000.00	1.750	02/12/2025	02/26/2020	1,809	1.750	786,745.27	534.24	785,000.00	785,534.24
3135G0Y23	20-0017	FNMA	500,000.00	1.900	02/18/2025	02/26/2020	1,815	1.900	500,842.68	211.11	500,000.00	500,211.11
Federal Agency - Coupon (Callable) Totals			34,392,000.00				1,187	1.923	34,442,783.49	5,821.67	34,298,517.50	34,304,339.17
Treasury Securities - Coupon												
91282VF4	17-0004	USTN	1,270,000.00	1.375	05/31/2020	01/27/2017	91	1.628	1,269,752.35	Received	1,259,582.02	1,259,582.02
91282NT3	18-0026	USTN	500,000.00	2.625	08/15/2020	10/03/2018	167	2.788	503,105.50	Received	498,515.63	498,515.63
91282L65	17-0003	USTN	1,000,000.00	1.375	09/30/2020	01/26/2017	213	1.718	1,000,703.00	Received	987,812.50	987,812.50
91282Q37	17-0007	USTN	600,000.00	1.250	03/31/2021	03/31/2017	395	1.801	601,195.20		587,296.88	587,296.88
91282R77	17-0021	USTN	650,000.00	1.375	05/31/2021	10/17/2017	456	1.764	652,717.00	Received	641,164.06	641,164.06
91282S76	17-0009	USTN	860,000.00	1.125	07/31/2021	04/20/2017	517	1.641	861,612.50	Received	841,725.00	841,725.00
91282T67	17-0010	USTN	550,000.00	1.250	10/31/2021	04/28/2017	609	1.791	552,771.45	Received	537,173.83	537,173.83
91282H86	17-0019	USTN	475,000.00	1.500	01/31/2022	09/27/2017	701	1.798	480,288.18	Received	469,099.61	469,099.61
91282YK0	19-0090	USTN	750,000.00	1.375	10/15/2022	11/14/2019	958	1.649	759,550.50	845.29	744,169.92	745,015.21
91282YH7	19-0098	USTN	1,000,000.00	1.500	09/30/2024	12/17/2019	1,674	1.705	1,026,094.00	3,196.72	990,625.00	993,821.72
Treasury Securities - Coupon Totals			7,655,000.00				582	1.777	7,707,789.68	4,042.01	7,557,164.45	7,561,206.46
Investment Totals			66,732,000.00				921	1.911	67,054,926.49	10,107.30	66,424,126.82	66,434,234.12

**City of Hamilton
Purchases Report
Sorted by Purchase Date - Fund
February 1, 2020 - February 29, 2020**

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
3134GU6Q8	20-0010	OP	FAC	FHLMC	500,000.00	02/07/2020	08/07 - 02/07	499,825.00		1.750	11/07/2023	1.760	499,825.00
3133ELMJ0	20-0009	OP	FAC	FFCB	500,000.00	02/12/2020	08/12 - 02/12	500,000.00		1.690	02/12/2024	1.690	500,000.00
3135G0X81	20-0011	OP	FAC	FNMA	1,000,000.00	02/12/2020	07/30 - 01/30	1,000,000.00	566.67	1.700	01/30/2023	1.700	1,000,566.67
3130A8FV0	20-0013	OP	FAC	FHLB	500,000.00	02/14/2020	03/11 - Final Pmt.	500,000.00	1,619.17	2.010	06/16/2023	2.010	501,619.17
3133ELLX0	20-0014	OP	FAC	FFCB	750,000.00	02/21/2020	08/05 - 02/05	749,550.00	543.33	1.630	08/05/2022	1.655	750,093.33
81768PAF3	20-0012	OP	NC2	SFBS	249,000.00	02/21/2020	03/21 - Monthly	248,502.00		1.600	02/21/2023	1.670	248,502.00
2254EAH55	20-0016	OP	COM	CSFBNY	650,000.00	02/24/2020	08/05 - At Maturity	645,232.25		1.620	08/05/2020	1.655	645,232.25
3130AJ4M8	20-0022	OP	FAC	FHLB	785,000.00	02/26/2020	08/12 - 02/12	785,000.00	534.24	1.750	02/12/2025	1.750	785,534.24
3135G0Y23	20-0017	OP	FAC	FNMA	500,000.00	02/26/2020	08/18 - 02/18	500,000.00	211.11	1.900	02/18/2025	1.900	500,211.11
3133ELNR1	20-0019	OP	FAC	FFCB	500,000.00	02/27/2020	08/20 - 02/20	500,000.00	172.08	1.770	02/20/2024	1.770	500,172.08
07815AAY3	20-0021	OP	NC2	STBFAR	249,000.00	02/27/2020	03/27 - Monthly	248,253.00		1.650	02/27/2024	1.729	248,253.00
3130AJA33	20-0015	OP	FAC	FHLB	500,000.00	02/28/2020	08/28 - 02/28	500,000.00		1.800	02/28/2023	1.800	500,000.00
3134GVDY1	20-0018	OP	FAC	FHLMC	500,000.00	02/28/2020	05/28 - 11/28	499,950.00		1.700	05/28/2024	1.703	499,950.00
3134GVDZ8	20-0020	OP	FAC	FHLMC	500,000.00	02/28/2020	08/28 - 02/28	500,000.00		1.725	02/28/2023	1.725	500,000.00
Total Purchases					7,683,000.00			7,676,312.25	3,646.60				7,679,958.85

**City of Hamilton
Sales/Call Report
Sorted by Redemption Date - Fund
February 1, 2020 - February 29, 2020**

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
3133EGEE1	19-0067	OP	FFCB FAC	09/27/2019	02/05/2020 06/13/2023	1,000,000.00	1.980	998,470.00	1,000,000.00	2,860.00	1,002,860.00 Call	4,390.00
3133EKV94	19-0073	OP	FFCB FAC	10/07/2019	02/06/2020 04/02/2024	500,000.00	2.120	500,147.22	500,000.00	3,651.11	503,651.11 Call	3,503.89
3130A9XS5	19-0087	OP	FHLB FAC	11/04/2019	02/22/2020 11/22/2023	500,000.00	2.000	499,925.00	500,000.00	2,500.00	502,500.00 Call	2,575.00
3130AGYJ8	19-0064	OP	FHLB FAC	08/30/2019	02/26/2020 08/26/2022	500,000.00	2.000	500,055.56	500,000.00	4,944.44	504,944.44 Call	4,888.88
3134GBE40	18-0006	OP	FHLMC FAC	06/29/2018	02/27/2020 11/27/2020	500,000.00	1.700	488,915.00	500,000.00	2,125.00	502,125.00 Call	13,210.00
3134GT3T8	19-0057	OP	FHLMC FAC	08/27/2019	02/27/2020 08/27/2024	500,000.00	2.125	500,000.00	500,000.00	5,312.50	505,312.50 Call	5,312.50
3134GT4C4	19-0058	OP	FHLMC FAC	08/27/2019	02/27/2020 08/27/2021	500,000.00	1.875	499,625.00	500,000.00	4,687.50	504,687.50 Call	5,062.50
3134GUSP6	19-0091	OP	FHLMC FAC	11/27/2019	02/27/2020 11/27/2023	500,000.00	2.000	500,000.00	500,000.00	2,500.00	502,500.00 Call	2,500.00
3134GS3G8	19-0006	OP	FHLMC FAC	02/28/2019	02/28/2020 02/28/2024	500,000.00	2.875	500,000.00	500,000.00	7,187.50	507,187.50 Call	7,187.50
Total Sales						5,000,000.00		4,987,137.78	5,000,000.00	35,768.05	5,035,768.05	48,630.27

**City of Hamilton
Maturity Report
Sorted by Maturity Date
Receipts during February 1, 2020 - February 29, 2020**

CUSIP	Investment #	Fund	Sec. Type	Issuer	Par Value	Maturity Date	Purchase Date	Rate at Maturity	Book Value at Maturity	Interest	Maturity Proceeds	Net Income
3130ADN32	18-0012	OP	NCB	FHLB	500,000.00	02/11/2020	08/07/2018	2.125	496,320.00	5,312.50	505,312.50	8,992.50
46640PBK8	19-0061	OP	COM	JPM	1,000,000.00	02/19/2020	08/26/2019	1.960	990,363.33	9,636.67	1,000,000.00	9,636.67
3136G32E4	16-0100	OP	NCB	FNMA	1,000,000.00	02/25/2020	08/25/2016	1.200	1,000,000.00	6,000.00	1,006,000.00	6,000.00
Total Maturities					2,500,000.00				2,486,683.33	20,949.17	2,511,312.50	24,629.17

**City of Hamilton
Interest History
Sorted by Fund
February 1, 2020 - February 29, 2020**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	Amount Received
BanWest Inc.										
06652CGX3	19-0035	OP	Negotiatble CDs	249,000.00	06/27/2023	2.050	02/27/2020	433.53	02/27/2020	433.53
			Subtotal	249,000.00		2.050		433.53		433.53
			BanWest Inc. Total	249,000.00				433.53		433.53
Celtic Bank										
15118RRF6	19-0055	OP	Negotiatble CDs	249,000.00	08/30/2023	1.800	02/29/2020	368.38	02/29/2020	368.38
			Subtotal	249,000.00		1.800		368.38		368.38
			Celtic Bank Total	249,000.00				368.38		368.38
Comenity Capital Bank										
20033AW36	19-0022	OP	Negotiatble CDs	249,000.00	05/15/2023	2.650	02/15/2020	560.42	02/15/2020	560.42
			Subtotal	249,000.00		2.650		560.42		560.42
			Comenity Capital Bank Total	249,000.00				560.42		560.42
Eagle Bank										
27002YEN2	19-0028	OP	Negotiatble CDs	249,000.00	05/24/2024	2.500	02/24/2020	528.70	02/24/2020	528.70
			Subtotal	249,000.00		2.500		528.70		528.70
			Eagle Bank Total	249,000.00				528.70		528.70
Federal Farm Credit Bank										
3133EKD60	19-0053	OP	Federal Agency - Coupon (NC)	500,000.00	02/21/2023	1.560	02/21/2020	3,900.00	02/21/2020	3,900.00
			Subtotal	500,000.00		1.560		3,900.00		3,900.00
3133EKC61	19-0051		Federal Agency - Coupon (Callable)	500,000.00	08/20/2024	2.100	02/20/2020	5,250.00	02/20/2020	5,250.00
			Subtotal	500,000.00		2.100		5,250.00		5,250.00
3133EKZN9	19-0059		Federal Agency - Coupon (Callable)	500,000.00	08/13/2024	2.060	02/13/2020	5,150.00	02/13/2020	5,150.00
							02/13/2020	-286.11	02/13/2020	-286.11
			Subtotal	500,000.00		2.060		4,863.89		4,863.89
3133EGEE1	19-0067		Federal Agency - Coupon (Callable)	0.00	06/13/2023	1.980	02/05/2020	2,860.00	02/05/2020	2,860.00
			Subtotal	0.00		1.980		2,860.00		2,860.00
3133EGRU1	19-0068		Federal Agency - Coupon (Callable)	1,000,000.00	02/23/2023	1.730	02/23/2020	8,650.00	02/23/2020	8,650.00
							02/23/2020	-1,633.89	02/23/2020	-1,633.89

City of Hamilton
Interest History
Sorted by Fund

February 1, 2020 - February 29, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Subtotal				1,000,000.00		1.730		7,016.11		7,016.11
3133EKV94	19-0073	OP	Federal Agency - Coupon (Callable)	0.00	04/02/2024	2.120	02/06/2020	3,651.11	02/06/2020	3,651.11
							02/06/2020	-147.22	02/06/2020	-147.22
Subtotal				0.00		2.120		3,503.89		3,503.89
3133ELBA1	19-0094		Federal Agency - Coupon (Callable)	500,000.00	08/26/2024	1.970	02/26/2020	2,462.50	02/26/2020	2,462.50
							02/26/2020	-191.53	02/26/2020	-191.53
Subtotal				500,000.00		1.970		2,270.97		2,270.97
Federal Farm Credit Bank Total				3,000,000.00				29,664.86		29,664.86
Federal Home Loan Bank										
3130ADN32	18-0012	OP	Federal Agency - Coupon (NC)	0.00	02/11/2020	2.125	02/11/2020	5,312.50	02/11/2020	5,312.50
Subtotal				0.00		2.125		5,312.50		5,312.50
3130AGWK7	19-0056		Federal Agency - Coupon (NC)	500,000.00	08/15/2024	1.500	02/15/2020	3,729.17	02/15/2020	3,729.17
							02/15/2020	-83.33	02/15/2020	-83.33
Subtotal				500,000.00		1.500		3,645.84		3,645.84
3130AGYJ8	19-0064		Federal Agency - Coupon (Callable)	0.00	08/26/2022	2.000	02/26/2020	4,944.44	02/26/2020	4,944.44
							02/26/2020	-55.56	02/26/2020	-55.56
Subtotal				0.00		2.000		4,888.88		4,888.88
3130A9XS5	19-0087		Federal Agency - Coupon (Callable)	0.00	11/22/2023		02/22/2020	2,500.00	02/22/2020	2,500.00
Subtotal				0.00		2.000		2,500.00		2,500.00
Federal Home Loan Bank Total				500,000.00				16,347.22		16,347.22
Federal Home Loan Mortgage Crp										
3134GBE40	18-0006	OP	Federal Agency - Coupon (Callable)	0.00	11/27/2020	1.700	02/27/2020	2,125.00	02/27/2020	2,125.00
Subtotal				0.00		1.700		2,125.00		2,125.00
3134GS3G8	19-0006		Federal Agency - Coupon (Callable)	0.00	02/28/2024	2.875	02/28/2020	7,187.50	02/28/2020	7,187.50
Subtotal				0.00		2.875		7,187.50		7,187.50
3134GAGK4	19-0043		Federal Agency - Coupon (Callable)	682,000.00	08/28/2023	1.840	02/28/2020	6,274.40	02/28/2020	6,274.40
Subtotal				682,000.00		1.840		6,274.40		6,274.40
3134GT3T8	19-0057		Federal Agency - Coupon (Callable)	0.00	08/27/2024	2.125	02/27/2020	5,312.50	02/27/2020	5,312.50
Subtotal				0.00		2.125		5,312.50		5,312.50
3134GT4C4	19-0058		Federal Agency - Coupon (Callable)	0.00	08/27/2021	1.875	02/27/2020	4,687.50	02/27/2020	4,687.50
Subtotal				0.00		1.875		4,687.50		4,687.50
3134GTV59	19-0060		Federal Agency - Coupon (Callable)	250,000.00	08/05/2024	2.150	02/05/2020	2,687.50	02/05/2020	2,687.50

**City of Hamilton
Interest History
Sorted by Fund
February 1, 2020 - February 29, 2020**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Federal Home Loan Mortgage Crp										
3134GTV59	19-0060	OP				2.150	02/05/2020	-268.75	02/05/2020	-268.75
			Subtotal	250,000.00		2.150		2,418.75		2,418.75
3134GUSP6	19-0091		Federal Agency - Coupon (Callable)	0.00	11/27/2023	2.000	02/27/2020	2,500.00	02/27/2020	2,500.00
			Subtotal	0.00		2.000		2,500.00		2,500.00
			Federal Home Loan Mortgage Crp Total	932,000.00				30,505.65		30,505.65
Firstbank Puerto Rico										
33767GAM0	19-0084	OP	Negotiatble CDs	249,000.00	10/25/2024	1.850	02/25/2020	391.24	02/25/2020	391.24
			Subtotal	249,000.00		1.850		391.24		391.24
			Firstbank Puerto Rico Total	249,000.00				391.24		391.24
Federal National Mortgage Assn										
3136G32E4	16-0100	OP	Federal Agency - Coupon (NC)	0.00	02/25/2020	1.200	02/25/2020	6,000.00	02/25/2020	6,000.00
			Subtotal	0.00		1.200		6,000.00		6,000.00
3135G0N66	16-0099		Federal Agency - Coupon (Callable)	1,000,000.00	08/24/2020	1.400	02/24/2020	7,000.00	02/24/2020	7,000.00
			Subtotal	1,000,000.00		1.400		7,000.00		7,000.00
3136G35C5	16-0101		Federal Agency - Coupon (Callable)	1,000,000.00	08/28/2020		02/28/2020	7,000.00	02/28/2020	7,000.00
			Subtotal	1,000,000.00		1.400		7,000.00		7,000.00
3136G32C8	17-0025		Federal Agency - Coupon (Callable)	325,000.00	08/24/2021	1.300	02/24/2020	2,112.50	02/24/2020	2,112.50
			Subtotal	325,000.00		1.300		2,112.50		2,112.50
			Federal National Mortgage Assn Total	2,325,000.00				22,112.50		22,112.50
Goldman Sachs Bank USA										
38148P5B9	19-0003	OP	Negotiatble CDs	246,000.00	02/13/2024	3.100	02/13/2020	3,844.34	02/13/2020	3,844.34
			Subtotal	246,000.00		3.100		3,844.34		3,844.34
			Goldman Sachs Bank USA Total	246,000.00				3,844.34		3,844.34
JP Morgan Securities LLC										
46640PBK8	19-0061	OP	Commercial Paper - Discount	0.00	02/19/2020	1.960	02/19/2020	9,636.67	02/19/2020	9,636.67
			Subtotal	0.00		1.960		9,636.67		9,636.67
			JP Morgan Securities LLC Total	0.00				9,636.67		9,636.67

City of Hamilton
Interest History
Sorted by Fund
February 1, 2020 - February 29, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Live oak Banking Co.										
538036HC1	19-0095	OP	Negotiatble CDs	249,000.00	12/11/2023	1.800	02/01/2020	380.66	02/01/2020	380.66
			Subtotal	249,000.00		1.800		380.66		380.66
			Live oak Banking Co. Total	249,000.00				380.66		380.66
Medallion Bank UTAH										
58404DET4	19-0045	OP	Negotiatble CDs	249,000.00	07/24/2023	2.100	02/22/2020	444.11	02/22/2020	444.11
			Subtotal	249,000.00		2.100		444.11		444.11
			Medallion Bank UTAH Total	249,000.00				444.11		444.11
Merrick Bank										
59013KBQ8	19-0047	OP	Negotiatble CDs	249,000.00	07/24/2023	2.150	02/23/2020	454.68	02/23/2020	454.68
			Subtotal	249,000.00		2.150		454.68		454.68
			Merrick Bank Total	249,000.00				454.68		454.68
Raymond James Financial, Inc.										
75472RAD3	19-0052	OP	Negotiatble CDs	247,000.00	08/23/2023	1.950	02/23/2020	2,428.04	02/23/2020	2,428.04
			Subtotal	247,000.00		1.950		2,428.04		2,428.04
			Raymond James Financial, Inc. Total	247,000.00				2,428.04		2,428.04
Bank of New England NH										
06426KBL1	19-0046	OP	Negotiatble CDs	249,000.00	11/27/2023	2.100	02/26/2020	444.11	02/26/2020	444.11
			Subtotal	249,000.00		2.100		444.11		444.11
			Bank of New England NH Total	249,000.00				444.11		444.11
UBS Bank USA										
90348JJQ4	19-0010	OP	Negotiatble CDs	249,000.00	04/03/2024	2.900	02/03/2020	613.29	02/03/2020	613.29
			Subtotal	249,000.00		2.900		613.29		613.29
			UBS Bank USA Total	249,000.00				613.29		613.29
U.S. Treasury Note										
912828NT3	18-0026	OP	Treasury Securities - Coupon	500,000.00	08/15/2020	2.625	02/15/2020	6,562.50	02/15/2020	6,562.50
			Subtotal	500,000.00		2.625		6,562.50		6,562.50
			U.S. Treasury Note Total	500,000.00				6,562.50		6,562.50

City of Hamilton
Interest History
Sorted by Fund
February 1, 2020 - February 29, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Wells Fargo Bank NA										
949763YY6	19-0014	OP	Negotiatble CDs	249,000.00	04/10/2023	2.750	02/10/2020	581.57	02/10/2020	581.57
			Subtotal	249,000.00		2.750		581.57		581.57
			Wells Fargo Bank NA Total	249,000.00				581.57		581.57
Wells Fargo Nat'l. Bank West										
949495AA3	19-0096	OP	Negotiatble CDs	249,000.00	12/13/2022	1.800	02/13/2020	380.66	02/13/2020	380.66
			Subtotal	249,000.00		1.800		380.66		380.66
			Wells Fargo Nat'l. Bank West Total	249,000.00				380.66		380.66
			Total	10,738,000.00				126,683.13		126,683.13

City of Hamilton
Period Realized Gains and Losses
Sorted By Maturity/Sale/Call Date
Sales/Calls/Maturities: February 1, 2020 - February 29, 2020

Investment #	Inv. Type	Purchase Date	Par Value	Sale Date	Days Active		Maturity/Sale	Realized	Total	Period	Period
Issuer			Current Rate	Maturity Date	Term	Book Value	Proceeds	Gain/Loss	Earnings	Net Earnings	Yield 365
19-0067	FAC	09/27/2019	1,000,000.00	02/05/2020	4	998,470.00	1,000,000.00	1,530.00	220.00	1,750.00	15.993
Federal Farm Credit Bank			1.980	06/13/2023	1,355						
19-0073	FAC	10/07/2019	500,000.00	02/06/2020	5	500,147.22	500,147.22	0.00	147.22	147.22	2.149
Federal Farm Credit Bank			2.120	04/02/2024	1,639						
18-0012	NCB	08/07/2018	500,000.00	02/11/2020	10	496,320.00	500,000.00	3,680.00	295.14	3,975.14	29.234
Federal Home Loan Bank			2.125	02/11/2020	553						
19-0061	COM	08/26/2019	1,000,000.00	02/19/2020	18	990,363.33	1,000,000.00	0.00	980.00	980.00	2.007
JP Morgan Securities LLC			1.960	02/19/2020	177						
19-0087	FAC	11/04/2019	500,000.00	02/22/2020	21	499,925.00	500,000.00	75.00	583.33	658.33	2.289
Federal Home Loan Bank			2.000	11/22/2023	1,479						
16-0100	NCB	08/25/2016	1,000,000.00	02/25/2020	24	1,000,000.00	1,000,000.00	0.00	800.00	800.00	1.217
Federal National Mortgage Assn			1.200	02/25/2020	1,279						
19-0064	FAC	08/30/2019	500,000.00	02/26/2020	25	500,055.56	500,055.56	0.00	694.44	694.44	2.028
Federal Home Loan Bank			2.000	08/26/2022	1,092						
18-0006	FAC	06/29/2018	500,000.00	02/27/2020	26	488,915.00	500,000.00	11,085.00	613.89	11,698.89	33.592
Federal Home Loan Mortgage Crp			1.700	11/27/2020	882						
19-0057	FAC	08/27/2019	500,000.00	02/27/2020	26	500,000.00	500,000.00	0.00	767.36	767.36	2.155
Federal Home Loan Mortgage Crp			2.125	08/27/2024	1,827						
19-0058	FAC	08/27/2019	500,000.00	02/27/2020	26	499,625.00	500,000.00	375.00	677.08	1,052.08	2.956
Federal Home Loan Mortgage Crp			1.875	08/27/2021	731						
19-0091	FAC	11/27/2019	500,000.00	02/27/2020	26	500,000.00	500,000.00	0.00	722.22	722.22	2.028
Federal Home Loan Mortgage Crp			2.000	11/27/2023	1,461						
19-0006	FAC	02/28/2019	500,000.00	02/28/2020	27	500,000.00	500,000.00	0.00	1,078.13	1,078.13	2.915
Federal Home Loan Mortgage Crp			2.875	02/28/2024	1,826						
Total Realized Gains/Losses						7,473,821.11	7,500,202.78	16,745.00	7,578.81	24,323.81	7.809

GREENUP PROCEEDS FUND

**City of Hamilton-Greenup Proc
Portfolio Management
Investment Status Report - Investments
February 29, 2020**

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)												
3133EGJD8	16-0079	FFCB	1,000,000.00	1.140	06/29/2020	06/29/2016	120	1.200	999,995.46		997,676.00	997,676.00
Federal Agency - Coupon (NC) Totals			1,000,000.00				120	1.200	999,995.46	0.00	997,676.00	997,676.00
Investment Totals			1,000,000.00				120	1.200	999,995.46	0.00	997,676.00	997,676.00

**City of Hamilton-Greenup Proc
Maturity Report
Sorted by Maturity Date
Receipts during February 1, 2020 - February 29, 2020**

CUSIP	Investment #	Fund	Sec. Type	Issuer	Par Value	Maturity Date	Purchase Date	Rate at Maturity	Book Value at Maturity	Interest	Maturity Proceeds	Net Income
3130ADN32	18-0020	GP	NCB	FHLB	1,100,000.00	02/11/2020	09/18/2018	2.125	1,090,958.00	11,687.50	1,111,687.50	20,729.50
Total Maturities					1,100,000.00				1,090,958.00	11,687.50	1,111,687.50	20,729.50

**City of Hamilton-Greenup Proc
Interest History
Sorted by Fund
February 1, 2020 - February 29, 2020**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	Amount Received
Federal Home Loan Bank										
3130ADN32	18-0020	GP	Federal Agency - Coupon (NC)	0.00	02/11/2020	2.125	02/11/2020	11,687.50	02/11/2020	11,687.50
			Subtotal	0.00		2.125		11,687.50		11,687.50
			Federal Home Loan Bank Total	0.00				11,687.50		11,687.50
			Total	0.00				11,687.50		11,687.50

City of Hamilton-Greenup Proc
Period Realized Gains and Losses
Sorted By Maturity/Sale/Call Date
Sales/Calls/Maturities: February 1, 2020 - February 29, 2020

<u>Investment #</u>	<u>Inv. Type</u>	<u>Purchase Date</u>	<u>Par Value</u>	<u>Sale Date</u>	<u>Days Active</u>						
<u>Issuer</u>			<u>Current Rate</u>	<u>Maturity Date</u>	<u>Term</u>	<u>Book Value</u>	<u>Maturity/Sale Proceeds</u>	<u>Realized Gain/Loss</u>	<u>Total Earnings</u>	<u>Period Net Earnings</u>	<u>Period Yield 365</u>
18-0020	NCB	09/18/2018	1,100,000.00	02/11/2020	10	1,090,958.00	1,100,000.00	9,042.00	649.31	9,691.31	32.424
Federal Home Loan Bank			2.125	02/11/2020	511						
Total Realized Gains/Losses						1,090,958.00	1,100,000.00	9,042.00	649.31	9,691.31	32.424

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

- | | |
|--------------------------|-----------------------------------|
| <input type="checkbox"/> | 1 st Reading Date: N/A |
| <input type="checkbox"/> | 2 nd Reading Date: |
| <input type="checkbox"/> | Resolution Date: |
| <input type="checkbox"/> | Public Hearing Date: |

RE: Application for a Liquor Permit Transfer from Ashapura Enterprises, Inc. dba Smith's Drive Thru, 1255 Central Ave., Hamilton, OH 45011 to Hamilton Drive Thru & Carwash LLC, dba Hamilton Drive Thru & Carwash, 1255 Central Ave., Hamilton, OH 45011

Dear Mayor and Members of Council:

Notification has been received from the Ohio Department of Liquor Control relative to a request for a C1 & C2 liquor permit transfer for Ashapura Enterprises, Inc. dba Smith's Drive Thru, 1255 Central Ave., Hamilton, OH 45011 to Hamilton Drive Thru & Carwash LLC, dba Hamilton Drive Thru & Carwash, 1255 Central Ave., Hamilton, OH 45011.

Per Ohio Revised Codes 4303.11 (C-1) and 4303.12 (C-2), the holder of this type of permit is the owner or operator of a retail food establishment 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. Under such permit, this also allows sales between the hours of ten a.m. and midnight on Sunday.

The appropriate City departments have investigated this request and have no objections. 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,

Joshua A. Smith
 City Manager

Caucus Report Prepared By:

Amy K. Bach
 City Manager's Office

Choose Strategic Goal(s)

- I** Generate 125mm in new private investment
- J** Increase gross wages paid by Hamilton Employers by \$100mm
- P** Exceed total county growth rate median home sale prices
- R** Generate \$40mm in investment for recreational amenities
- 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: Application for a liquor permit transfer from City of Hamilton, OH dba Potter's Grill & 18 Hole Golf Course, 417 New London Road Pro Shop & Patio, Hamilton, OH 45013 to Hamilton Parks Conservancy dba Potters Park Golf Course, 417 New London Rd., Hamilton, OH 45013

<input type="checkbox"/>	1 st Reading Date: N/A
<input type="checkbox"/>	2 nd Reading Date:
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

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 City of Hamilton dba Potter's Grill & 18 Hole Golf Course, 417 New London Road Pro Shop & Patio, Hamilton, OH 45013 to Hamilton Parks Conservancy dba Potters Park Golf Course, 417 New London Rd., Hamilton, OH 45013.

Per Ohio Revise Code, 4303.18 (D-5 permit), the holder of this type of permit is the owner or operator of a retail food establishment or a food service operation to sell beer and intoxicating liquor at retail, only by the individual drink in glass and from the container for consumption on the premises.

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 Department of Liquor Control that the City has no objections for this liquor permit transfer.

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

Sincerely,

Joshua A. Smith
City Manager

Caucus Report Prepared By:

Amy K. Bach
City Manager's Office

Choose Strategic Goal(s)	
<input type="checkbox"/>	I Generate 125mm in new private investment
<input type="checkbox"/>	J Increase gross wages paid by Hamilton Employers by \$100mm
<input type="checkbox"/>	P Exceed total county growth rate median home sale prices
<input type="checkbox"/>	R Generate \$40mm in investment for recreational amenities
<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 Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Application for a liquor permit transfer from City of Hamilton, OH dba Twin Run Grill Golf Course & Patio, 2505 Eaton Road, Hamilton, OH 45013 to Hamilton Parks Conservancy dba Twin Run Golf Course & Patio, 2505 Eaton Road, Hamilton, OH 45013.

- | | |
|--------------------------|-----------------------------------|
| <input type="checkbox"/> | 1 st Reading Date: N/A |
| <input type="checkbox"/> | 2 nd Reading Date: |
| <input type="checkbox"/> | Resolution Date: |
| <input type="checkbox"/> | Public Hearing Date: |

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 City of Hamilton, OH dba Twin Run Golf Course & Patio, 2505 Eaton Rd., Hamilton, OH 45013 to Hamilton Parks Conservancy dba Twin Run Golf Course & Patio, 2505 Eaton Rd., Hamilton, OH 45013.

Per Ohio Revised Code, 4303.18 (D-5 permit), the holder of this type of permit is the owner or operator of a retail food establishment or a food service operation to sell beer and intoxicating liquor at retail, only by the individual drink in glass and from the container for consumption on the premises.

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 Department of Liquor Control that the City has no objections for this liquor permit transfer.

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

Sincerely,

Joshua A. Smith
City Manager

Caucus Report Prepared By:

Amy K. Bach
City Manager's Office

Choose Strategic Goal(s)

- I** Generate 125mm in new private investment
- J** Increase gross wages paid by Hamilton Employers by \$100mm
- P** Exceed total county growth rate median home sale prices
- R** Generate \$40mm in investment for recreational amenities
- 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

1st Reading Date: N/A

2nd Reading Date:

Resolution Date:

Public Hearing Date:

RE: Petition: request to vacate two (2) portions of right of way, which includes a portion of Arch Street Alley, and a portion of unnamed alley; both portions of right-of-way located between South C Street and South D Street, situated in the First Ward, South Side, City of Hamilton, Ohio. (City of Hamilton, Applicant)

Dear Mayor and Members of Council:

The City of Hamilton Planning Department submitted a petition to vacate two (2) portions of right of way between South C Street and South D Street. The subject rights of way abut four (4) vacant properties at the 300 block of South C Street located at the Millikin Street intersection (Parcel Nos. #P6412113000031 & 32, and #P6412121000038, & 40).

The two (2) portions of right of way include the following:

- Arch Street Alley is located between parcels #P6412113000031 & 32, and abuts 350 South D Street to the rear. This alley runs east-west, measuring one-hundred ninety-nine, point six five feet (199.65') in length and ten feet (10') in width. This is an unimproved right-of-way, leading to a vegetation area. The right-of-way also has no point of access from the street.
- The unnamed right-of-way is located between parcels #P6412121000040 & 42. The unnamed right-of-way also abuts properties 372, 374, & 376 South D Street and 220 & 222 Millikin Street to the rear. This alley runs east-west for one-hundred, eighty-two, point nine zero feet (182.90') and angles north-south seventy-five feet (75'). This is also an unimproved right-of-way with a variable measurement, featuring different widths throughout the course of the right-of-way. The majority of the unnamed right-of-way is vacant land with vegetation.

Per External Services records, via the Health Department, the right-of-way and abutting vacant properties have been a constant site for dumping, with several instances of litter and trash found in the area. Additionally, the owner of the vacant properties, Hicks Blvd, LLC, expressed an interest in complying with Health Department orders, cleaning up the property and clearing out the honeysuckle. However, the owner prefers vacation of the right-of-way as part of this proposal.



After discussions with the City Clerk, he has determined that this report is sufficient to act as a petition submittal to the Office of the City Clerk. As this request is coming from a City Department, at this time he has waived the fifty and 00/100 Dollars (\$50.00) filing fee.

It is the recommendation of this office that Council receives this petition and recommends that it be forwarded to the City Planning Commission for review, a public hearing and recommendation.

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
City Manager

Ed Wilson, AICP
Associate Planner II

Choose Strategic Goal(s)

- I** *Generate 125mm in new private investment*
- J** *Increase gross wages paid by Hamilton Employers by \$100mm*
- P** *Exceed total county growth rate median home sale prices*
- R** *Generate \$40mm in investment for recreational amenities*
- E** *Engage 50,000 participants annually in special events, arts and recreation activities*
- O** *General Operations/ Government Business*

Attachments:

1. Exhibit A - Location Map of the Arch Street Alley and Unnamed Alley
2. Exhibit B - Exhibit Map of Arch Street Alley and Unnamed Alley



City Council Meeting Staff Report

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

Report From: Lauren Gersbach, Business Development Specialist

Agenda Item: An ordinance approving the conveyance of certain real property located within the City of Hamilton, Ohio's urban renewal area, acquired through the Land Bank to Neighborhood Housing Services of Hamilton, Inc. (NHS). (320, 326, and 330 Washington Street).

<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"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-11-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 3-25-2020 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> 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): Caucus Report 2-26-20 City Council Meeting</p>	
<p>Contract</p>	<input checked="" type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: \$</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	<p>Expenditure: \$</p>	
	<p>Source Funds:</p>	

Policy Issue

Does City Council wish to adopt legislation to convey the City-owned property located at 320, 326, and 330 Washington Street to Neighborhood Housing Serves of Hamilton, Inc. (NHS) pursuant to Codified Ordinance Section 175.10 - Disposition of Property in an Urban Renewal Area? (This transfer is consistent with previously adopted Land Bank policies and procedures.)

Policy Alternative(s)

Council may choose to keep and maintain the City-owned property at 320, 326, and 330 Washington Street rather than adopt such legislation to convey the property to NHS.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary legislation to convey this property to NHS because it would increase affordable housing within the Urban Renewal Area, encourage home ownership, and improve the neighborhood.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton
- Codified Ordinance Section 175.10 and Land Bank policies and procedures.

Fiscal Impact Summary

The City will reduce future financial responsibilities by transferring ownership of this property.

Background Information

Address	Parcel Identification
320, 326, and 330 Washington Street, Hamilton, OH	P6421012000013 P6421012000012 P6421012000011

The property at 320 Washington Street was a vacant lot acquired through the Butler County Land Reutilization Corporation (Land Bank); 326 Washington Street was acquired and demolished through the Land Bank; 330 Washington Street was a vacant lot acquired from Arzella McKinnon.

NHS is a non-profit community development organization that seeks to build healthier and stronger communities. NHS accomplishes this by empowering low and moderate income families to share in the American Dream of homeownership, providing affordable loans and financial resources to first-time homebuyers, building communities through revitalization and development, providing micro-enterprise and small business lending and technical assistance, inspiring and supporting resident action leaders, and providing training and education. NHS leadership has been in communication with City of Hamilton representatives and has determined that the property at 320, 326, and 330 Washington Street, which is approximately .26 acres, is suitable for new infill development of a single-family house.

The City does not have a need for these parcels. Should the City agree to sell 320, 326, and 330 Washington Street to NHS for One and 00/100 Dollars (\$1.00), NHS will complete the construction of a new single-family home and sell it to a qualifying homeowner occupant.

Attached Information

- Exhibit No. 1 – Map of Property
- Exhibit No. 2 – Photos of new construction of single-family house in Lindenwald completed by NHS, similar to what is being proposed for 320, 326, and 330 Washington Street

Copies Provided to:

N/A





Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Esri Community Maps, 2014



320, 326, 330
Washington Street

Exhibit #1



ORDINANCE NO. _____

AN ORDINANCE APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF HAMILTON, OHIO'S URBAN RENEWAL AREA, ACQUIRED THROUGH THE LAND BANK TO NEIGHBORHOOD HOUSING SERVICES OF HAMILTON, INC. (NHS). (320, 326, and 330 Washington Street).

WHEREAS, the City of Hamilton, Ohio has received a request from Neighborhood Housing Services of Hamilton, Inc. (NHS) to convey 320, 326, and 330 Washington Street (Property), which is a vacant lot, located in the City's Urban Renewal Area; and

WHEREAS, NHS is a non-profit community development organization that seeks to build healthier and stronger communities; and

WHEREAS, NHS accomplishes this by empowering low and moderate income families to share in the American Dream of homeownership, providing affordable loans and financial resources to first-time homebuyers, building communities through revitalization and development, providing micro-enterprise and small business lending and technical assistance, inspiring and supporting resident action leaders, and providing training and education; and

WHEREAS, this conveyance of property is consistent with previously adopted Land Bank policies and procedures; and

WHEREAS, City Administration has determined that 320 Washington Street, acquired through the Butler County Land Reutilization Corporation (Land Bank); 326 Washington Street, acquired and demolished through the Land Bank; and 330 Washington Street, acquired from Arzella McKinnon, is property not needed for a municipal purpose; and

WHEREAS, City Administration has determined that NHS has qualified to acquire this Property pursuant to the Land Reutilization Policies and Procedures set forth in Resolution No. R2012-10-49, adopted October 24, 2012 ("Land Reutilization Policies"), that acquisition costs should be waived and that the property should be sold to the NHS for One and 00/100 Dollars (\$1.00) seen in Exhibit No. 1; and

WHEREAS, pursuant to Section 175.10 of the Codified Ordinances, City-owned property in an urban renewal area which is not to be retained by the City in accordance with the urban renewal plan may be disposed of, with Council's approval, by sale, lease or other method of disposition and may provide therein such covenants, conditions and restrictions, as are determined to be necessary and appropriate to carrying out the purpose of the urban renewal plan; and

WHEREAS, pursuant to the Land Reutilization Policies, it is also necessary to authorize the City Manager to execute a Land Bank Property Transfer Agreement with each purchaser to ensure that the purchaser maintain the Property according to Land Bank standards and requirements; and

WHEREAS, Council desires to authorize the conveyance of the ownership of this City-owned Property to NHS and to authorize and direct the City Manager to take all actions necessary to effect such conveyance; and

WHEREAS, Council determines that the conveyance of this Property will not only meet the goal of increasing affordable housing but also help to create better neighborhood environments by eliminating blight; and

WHEREAS, Council determines that the conveyance of this Property will contribute to providing safe, healthy and affordable housing units within the City;

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

SECTION I: That this Council hereby declares its intent to sell the following City-owned property acquired through the Land Bank, which is more fully described below to NHS for One and 00/100 Dollars (\$1.00), subject to the terms of a Land Bank Transfer Agreement, and waives any additional acquisition costs pursuant to the Land Reutilization Policies.

Ordinance No. _____ (cont'd)

Purchaser	Address	Parcel Identification
Neighborhood Housing Services of Hamilton, Inc. (NHS)	320, 326, and 330 Washington Street	P6421012000013 P6421012000012 P6421012000011

SECTION II: That this Council hereby finds that the conveyance of said property is in the public interest, comports with the City's Urban Renewal Plan and is made pursuant to the Land Reutilization Policies.

SECTION III: That the City Manager is authorized and directed to execute any and all documents necessary to effect this conveyance, including but not limited to a Land Bank Property Transfer Agreement, with the purchaser to ensure that the purchaser maintains the property according to Land Bank standards and requirements, subject to the conditions set forth herein.

SECTION IV: That this conveyance shall be subject to any easements currently of record and any easement determined necessary by the City for any utility purposes.

SECTION V: This ordinance 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, Nicholas 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 the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1



 Areas
320, 326, 330
Washington Street

Exhibit #1

City of Hamilton
BUTLER COUNTY OHIO 

City Council Meeting Staff Report

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

Report From: Lauren Gersbach, Business Development Specialist

Agenda Item: An ordinance approving the conveyance of certain real property located within the City of Hamilton, Ohio's urban renewal area, acquired through the Land Bank to Neighborhood Housing Services of Hamilton, Inc. (NHS). (1101 Lane Street).

<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"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-11-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 3-25-2020 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> 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): Caucus Report 2-26-20 City Council Meeting</p>	
<p>Contract</p>	<input checked="" type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: \$</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	<p>Expenditure: \$</p>	
	<p>Source Funds:</p>	

Policy Issue

Does City Council wish to adopt legislation to convey the City-owned property located at 1101 Lane Street to Neighborhood Housing Serves of Hamilton, Inc. (NHS) pursuant to Codified Ordinance Section 175.10 - Disposition of Property in an Urban Renewal Area? (This transfer is consistent with previously adopted Land Bank policies and procedures.)

Policy Alternative(s)

Council may choose to keep and maintain the City-owned property at 1101 Lane Street rather than adopt such legislation to convey the property to NHS.

Staff Recommendation

Staff recommends that Council receive this report and adopt the necessary legislation to convey this property to NHS because it would eliminate increase affordable housing within the Urban Renewal Area, encourage home ownership, and improve the neighborhood.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Codified Ordinance Section 175.10 and Land Bank policies and procedures.

Fiscal Impact Summary

The City will reduce future financial responsibilities by transferring ownership of this property.

Background Information

Address	Parcel Identification
1101 Lane Street, Hamilton, OH	P6421021000055 P6421021000056

This property was acquired and demolished through the Butler County Land Reutilization Corporation (Land Bank). NHS is a non-profit community development organization that seeks to build healthier and stronger communities. NHS accomplishes this by empowering low and moderate income families to share in the American Dream of homeownership, providing affordable loans and financial resources to first-time homebuyers, building communities through revitalization and development, providing micro-enterprise and small business lending and technical assistance, inspiring and supporting resident action leaders, and providing training and education. NHS leadership has been in communication with City of Hamilton representatives and has determined that the property at 1101 Lane Street is suitable for new infill development of a single-family house.

The City does not have a need for these parcels. Should the City agree to sell 1101 Lane Street to NHS for One and 00/100 Dollars (\$1.00), NHS will complete the construction of a new single-family home and sell it to a qualifying homeowner occupant.

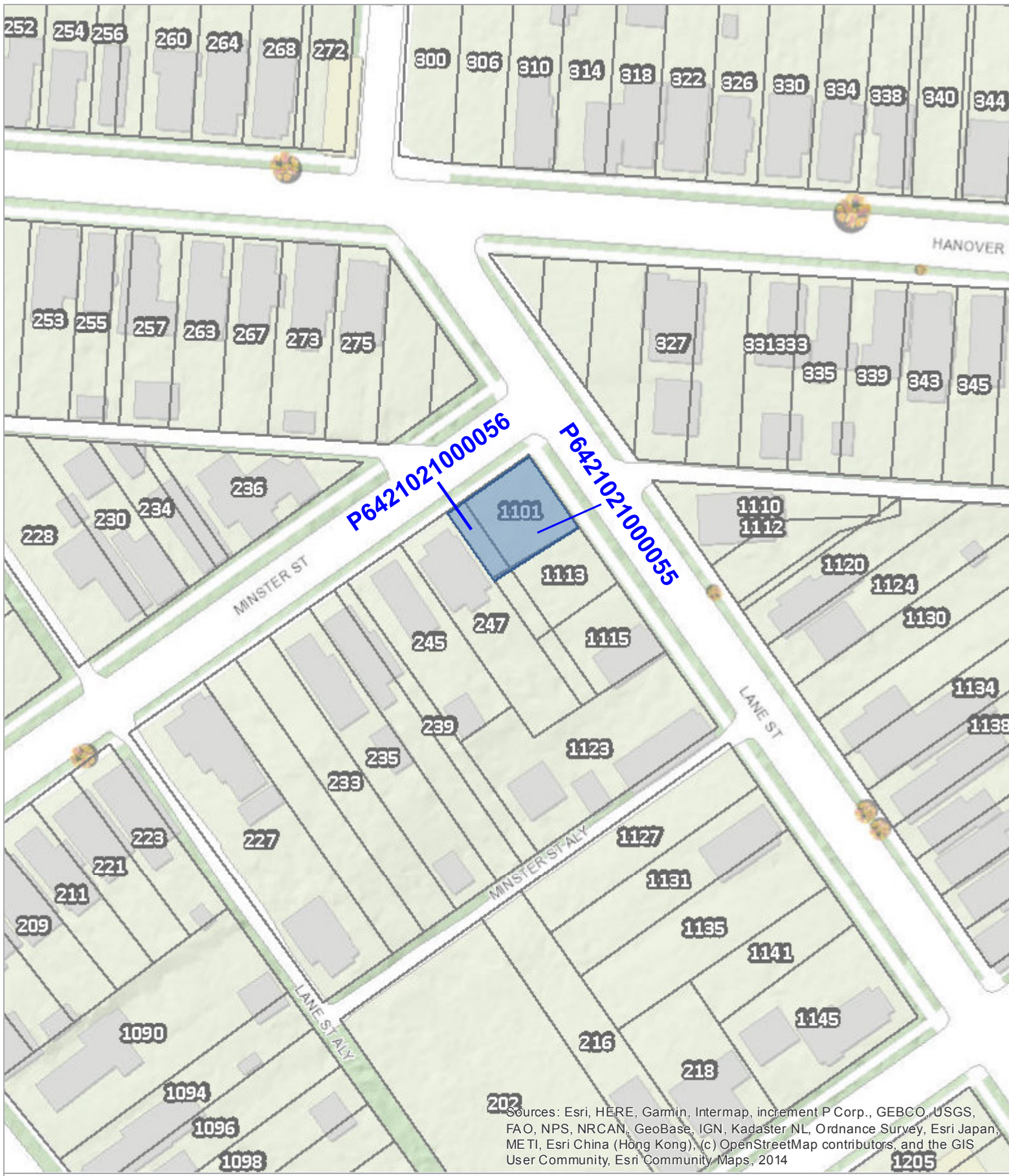
Attached Information

- Exhibit No. 1 – Map of Property
- Exhibit No. 2 – Photos of new construction of single-family house in Lindenwald completed by NHS, similar to what is being proposed for 1101 Lane Street

Copies Provided to:

N/A





Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Esri Community Maps, 2014



Areas
 1101 Lane Street

Exhibit #1



ORDINANCE NO. _____

AN ORDINANCE APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF HAMILTON, OHIO'S URBAN RENEWAL AREA, ACQUIRED THROUGH THE LAND BANK TO NEIGHBORHOOD HOUSING SERVICES OF HAMILTON, INC. (NHS). (1101 Lane Street).

WHEREAS, the City of Hamilton, Ohio has received a request from Neighborhood Housing Services of Hamilton, Inc. (NHS) to convey 1101 Lane Street, which is a vacant lot, located in the City's Urban Renewal Area; and

WHEREAS, NHS is a non-profit community development organization that seeks to build healthier and stronger communities; and

WHEREAS, NHS accomplishes this by empowering low and moderate income families to share in the American Dream of homeownership, providing affordable loans and financial resources to first-time homebuyers, building communities through revitalization and development, providing micro-enterprise and small business lending and technical assistance, inspiring and supporting resident action leaders, and providing training and education; and

WHEREAS, this conveyance of property is consistent with previously adopted Land Bank policies and procedures; and

WHEREAS, City Administration has determined that this property, acquired and demolished through the Butler County Land Reutilization Corporation (Land Bank), is not needed for a municipal purpose; and

WHEREAS, City Administration has determined that NHS has qualified to acquire this Property pursuant to the Land Reutilization Policies and Procedures set forth in Resolution No. R2012-10-49, adopted October 24, 2012 ("Land Reutilization Policies"), that acquisition costs should be waived and that the property should be sold to the NHS for One and 00/100 Dollars (\$1.00) seen in Exhibit No. 1; and

WHEREAS, pursuant to Section 175.10 of the Codified Ordinances, City-owned property in an urban renewal area which is not to be retained by the City in accordance with the urban renewal plan may be disposed of, with Council's approval, by sale, lease or other method of disposition and may provide therein such covenants, conditions and restrictions, as are determined to be necessary and appropriate to carrying out the purpose of the urban renewal plan; and

WHEREAS, pursuant to the Land Reutilization Policies, it is also necessary to authorize the City Manager to execute a Land Bank Property Transfer Agreement with each purchaser to ensure that the purchaser maintain the property according to Land Bank standards and requirements; and

WHEREAS, Council desires to authorize the conveyance of the ownership of this City-owned property to NHS and to authorize and direct the City Manager to take all actions necessary to effect such conveyance; and

WHEREAS, Council determines that the conveyance of this property will not only meet the goal of increasing affordable housing but also help to create better neighborhood environments by eliminating blight; and

WHEREAS, Council determines that the conveyance of this property will contribute to providing safe, healthy and affordable housing units within the City;

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

SECTION I: That this Council hereby declares its intent to sell the following City-owned property acquired through the Land Bank, which is more fully described below to NHS for One and 00/100 Dollars (\$1.00), subject to the terms of a Land Bank Transfer Agreement, and waives any additional acquisition costs pursuant to the Land Reutilization Policies.

Ordinance No. _____ (cont'd)

Purchaser	Address	Parcel Identification
Neighborhood Housing Services of Hamilton, Inc. (NHS)	1101 Lane Street	P6421021000055 P6421021000056

SECTION II: That this Council hereby finds that the conveyance of said property is in the public interest, comports with the City's Urban Renewal Plan and is made pursuant to the Land Reutilization Policies.

SECTION III: That the City Manager is authorized and directed to execute any and all documents necessary to effect this conveyance, including but not limited to a Land Bank Property Transfer Agreement, with the purchaser to ensure that the purchaser maintains the property according to Land Bank standards and requirements, subject to the conditions set forth herein.

SECTION IV: That this conveyance shall be subject to any easements currently of record and any easement determined necessary by the City for any utility purposes.

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

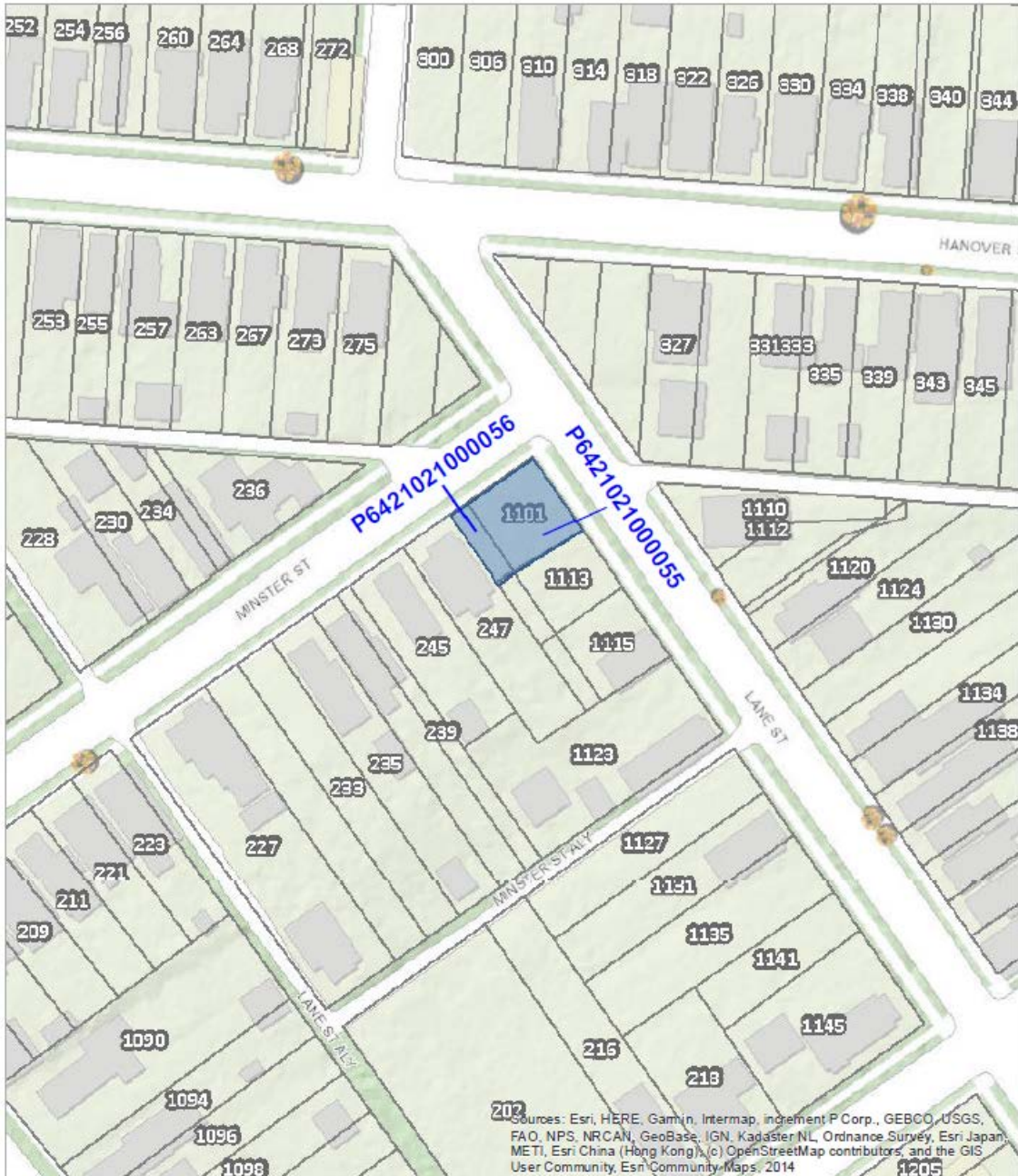
City Clerk

CERTIFICATE

I, Nicholas 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 the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1



City Council Meeting Staff Report

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

Report From: Lauren Gersbach, Business Development Specialist

Agenda Item: An ordinance approving the conveyance of certain real property to the Community Improvement Corporation of Hamilton, Ohio (CIC). (320 Main Street).

<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 checked="" type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-11-20 <input checked="" type="checkbox"/> 2 nd Reading Date: 3-25-20 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> 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): Caucus Report 2-26-20 City Council Meeting</p>	
<p>Contract</p>	<input checked="" 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 convey certain city-owned real property to the Community Improvement Corporation of Hamilton, Ohio (CIC)?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey certain city-owned property to the CIC.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to convey certain city-owned real property to the CIC, because the property in question is no longer required by the City for its purposes, and conveying to the CIC will promote overall redevelopment.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- ORC 1724.10(B)(3)

Fiscal Impact Summary

If the CIC sells any of the properties at a price in excess of the consideration received by the City for the transfer to the CIC, the CIC shall pay such excess to the City after deduction of various costs and expenses as set forth in ORC 1724.10(B)(3).

Background Information

The City Administration is recommending the conveyance of a property no longer required by the City for its purposes to the Community Improvement Corporation of Hamilton, Ohio (CIC). In compliance with Section 1724.10(B)(3) of the Ohio Revised Code, such City Property may be disposed of by sale, lease or other method of disposition to the CIC, with Council's approval.

<u>Address</u>	<u>Parcel ID</u>
320 Main Street	P6411003000040 / P641100300041

City Administration has determined that transfer of the property listed above to the CIC will promote the overall redevelopment of the City and rehabilitate underutilized/vacant property.

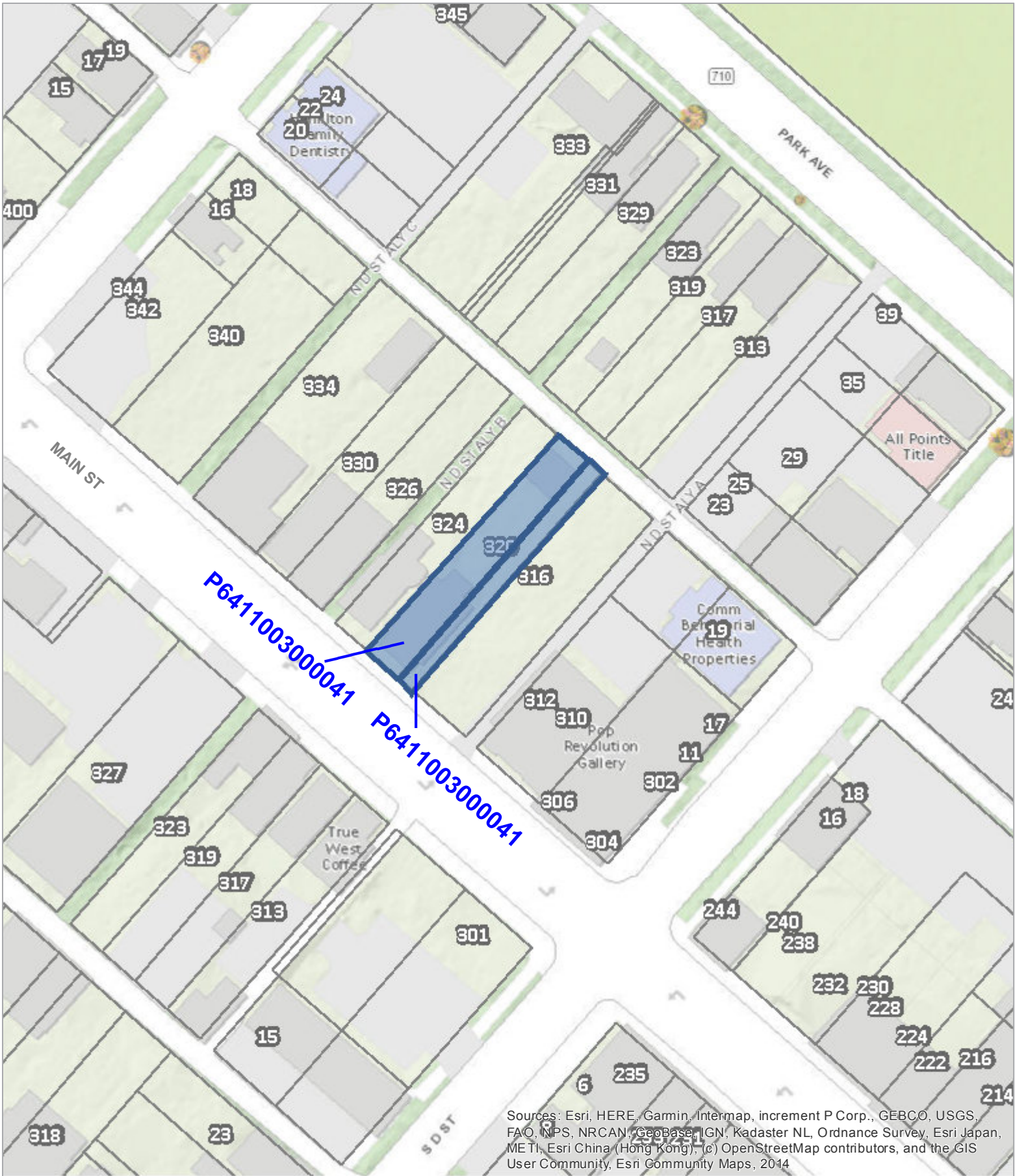
Attached Information

- Property Location Area Map

Copies Provided to:

N/A





Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), (c) OpenStreetMap contributors, and the GIS User Community, Esri Community Maps, 2014



Areas
 320 Main Street

Exhibit #1



ORDINANCE NO. _____

AN ORDINANCE APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY TO THE COMMUNITY IMPROVEMENT CORPORATION OF HAMILTON, OHIO (CIC). (320 Main Street).

WHEREAS, the Administration of the City of Hamilton, Ohio ("City") has determined that it is in the best interest of the City to transfer the City-owned real estate, currently vacant, 320 Main Street, which is no longer required by the City for its purposes; and

WHEREAS, the City wishes to convey ownership of the Property to the Community Improvement Corporation of Hamilton, Ohio ("CIC") as seen in the map attached as Exhibit No. 1 and under such terms and conditions as set forth in a Transfer Agreement; and

WHEREAS, City shall convey marketable fee title to the Property by Quit-Claim Deed to the CIC, subject only to Permitted Encumbrances; and

WHEREAS, in compliance with Section 1724.10(B)(3) of the Ohio Revised Code, such City Property may be disposed of by sale, lease or other method of disposition to the CIC, with Council's approval; and

WHEREAS, the City and CIC have entered into an Agreement whereby the City can convey real property to the CIC under the following circumstances pursuant to Section 1724.10(B)(3) of the Ohio Revised Code: (1) City Council determines the property is not required by the City for its purposes; (2) City Council determines that the use of the property will promote the welfare of the people of the City, stabilize the economy, provide employment, assist in the development of industrial, commercial, distribution, and research activities to the benefit of the people of the City, will provide additional opportunities for their gainful employment, or will promote the reclamation, rehabilitation, and utilization of vacant, abandoned, tax-foreclosed, or other real property within the City; and (3) without advertising and receipt of bids; and

WHEREAS, City Administration has determined that transfer of the Property to the CIC will promote the overall redevelopment of the City in accordance with the purposes set forth in Section 1724.10(B)(3) of the Ohio Revised Code; and

WHEREAS, because certain conditions related to the transfer of the Property to the CIC are not fully contemplated under the City's Codified Ordinances, it is necessary for Council to waive requirements set forth in Chapter 173 of the City's Codified Ordinances, specifically for this transfer; and

WHEREAS, this Council wishes to declare said Property to be surplus, waive any requirements, including advertising, set forth in Chapter 173 of the City's Codified Ordinance for this transfer only, authorize and direct the City Manager to convey the Property to the CIC and authorize and direct the City Manager to take all actions necessary to proceed with the transfer of the Property as described herein;

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

SECTION I: This Council hereby authorizes and directs the transfer of the following City-owned property, which is more fully described below to the CIC, subject to the terms of a Transfer Agreement(s), and waives any additional acquisition costs pursuant to the appropriate Codified Ordinance.

<u>Purchaser</u>	<u>Address</u>	<u>Parcel ID</u>
Hamilton CIC	320 Main Street	P6411003000040 / P641100300041

SECTION II: If the CIC sells any of the Properties at a price in excess of the consideration received by the City for the transfer to the CIC, the CIC shall pay such excess to the City after deduction of various costs and expenses as set forth in ORC 1724.10(B)(3).

SECTION III: That this Council hereby finds that the conveyance of said properties is in the public interest, comports with the City's Community Reinvestment Area, and is made pursuant to 173.07(d) of the Codified Ordinances of the City of Hamilton, Ohio.

Ordinance No. _____ (cont'd)

SECTION IV: That the City Manage is authorized and directed to execute any and all documents necessary to effect this conveyance, including, but not limited to a Property Transfer Agreement(s) with CIC to ensure the property is maintained according to proper standards and requirements, subject to the conditions set forth herein.

SECTION V: That this conveyance shall be subject to any easements currently of record and any easement determined necessary by the City for any utility purposes.

SECTION VI: This ordinance 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, Nicholas 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 the lobby of City Hall 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: Ed Wilson, AICP, Associate Planner II

Agenda Item: An ordinance amending certain sections of City of Hamilton Zoning Ordinance No. 7503, Sections 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four). (City of Hamilton, Applicant).

<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 checked="" type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R 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>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-25-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 4-8-2020 <input type="checkbox"/> Resolution Date: <input checked="" type="checkbox"/> Public Hearing Date: 3-25-2020	
<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): 3-11-2020 Caucus Report City Council Meeting Planning Commission Meeting: 3-5-2020</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: \$200.00</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	<p>Expenditure: \$200.00</p>	
	<p>Source Funds:</p>	

Policy Issue

Does City Council wish to amend the Zoning Ordinance of the City of Hamilton, Ohio Chapters 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four) District?

Policy Alternative(s)

Council may choose not to adopt such legislation to amend the Zoning Ordinance or may request changes to the text proposed to be added to the City of Hamilton Zoning Ordinance.

Staff Recommendation

Staff recommends that Council receives this report, concurs in the recommendation of the Planning Commission and adopts the necessary legislation to amend the Zoning Ordinance of the City of Hamilton, Ohio for Chapters 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four) District.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 1180.00, Amendments, City of Hamilton Zoning Ordinance
- Plan Hamilton, the City's Comprehensive Plan.

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the proposed text amendments of the Traditional Neighborhoods Zoning Districts, estimated at approximately \$200.00.

Background Information

The purpose of the Traditional Neighborhood zoning districts is the establishment of zoning regulations developed specifically for the established design of Hamilton's traditional and urban core neighborhoods. Plan Hamilton, the City's Comprehensive Plan recommended the implementation of Traditional Neighborhood Zoning Districts, zoning regulations designed for the unique built environments and character of the city's older and urban neighborhoods.

In late 2019, the City implemented the TN Zoning Districts for a portion of the Rossville Neighborhood and a part of the Prospect Hill neighborhood. With the implementation, the Planning Department has received feedback pertaining to the district regulations. Planning proposes zoning text revisions based on feedback and periodic reviews of the TN (Traditional Neighborhood) Zoning District chapters.

Petition Overview:

The proposed text amendments include moderate revisions to the new Traditional Neighborhoods (TN) zoning districts based on preliminary feedback compiled by staff as these districts are applied to more neighborhoods in the city. In addition, the proposed changes would correct minor textual items to clarify the lot size regulations for the TN Zoning Districts.

There are three (3) specific changes proposed as part of the zoning text amendment:

1. Proposed revision adding Bed and Breakfast as a Conditional Use in the Traditional Neighborhood-One (TN-1) district with nine (9) conditions that would apply for when a bed and breakfast may be appropriate. Staff is also recommending eliminating the regulation that a Bed and Breakfast has to be in a designated Historic Preservation District in TN-2, TN-3, and TN-4. This change is in response to interest from property owners in utilizing single-family homes that are most appropriately zoned TN-1 as bed and breakfasts.
2. Proposed change the Infill Development Standards regarding vinyl siding. The proposed change now includes a reference to the Residential Design Standards in Section 1110.00 of the Hamilton Zoning Ordinance, which contains guidelines such as vinyl thickness. Additionally, the proposal changes the regulations on vinyl siding allowing it on the front façade if the character of the surrounding houses and surrounding area also contains vinyl siding on the front façade.
 - Because there are areas of Lindenwald and Prospect Hill where vinyl is common, Staff believes that it could be appropriate to include vinyl siding on infill development. It remains identified as an accessory material only. These regulations are found in TN-1 but apply to TN-2, TN-3, and TN-4 as well.
3. Proposed changes, resolving an issue in the text regarding Minimum Lot area regulations where there was conflicting information. Staff deleted the 7,500 square feet lot area minimum and kept the 4,000 square feet minimum. This change occurs in TN-1 and TN-2.

For the full list of changes to the four (4) Traditional Neighborhood Zoning Districts, please see the exhibit attachment to this report (See Exhibit A).



Legal Review

The proposed changes have been reviewed and approved by Frost Brown Todd, outside legal counsel for the City.

Notification

The Planning Department posted a notice of public hearing for the March 5, 2020 Planning Commission and a notice of public hearing for the March 25, 2020 City Council on the City Website, Planning Commission page, per the recently revised statutes of Section 1180.00 of the Hamilton Zoning Ordinance (HZO).

- Planning Commission Public Hearing Notice: Posted February 19, 2020 (Exhibit B)
- City Council Public Hearing Notice: Posted February 20, 2020 (Exhibit C)

Planning received no inquiries pertaining to the proposed text amendments.

Findings for Approval

Staff recommends the amendment to the TN Districts for the following reasons:

1. Removing the language about requiring Bed and Breakfasts to be located only in designated historic districts and adding Bed and Breakfast as a Conditional Use in TN-1 is responsive to feedback we have received from property owners in Hamilton's traditional and urban core neighborhoods who are interested in utilizing their properties for bed and breakfast purposes. Where appropriate conditions exist, including large lot sizes and off-street parking availability, bed and breakfasts can integrate into Hamilton's urban core and traditional neighborhoods.
2. Changing the infill guidelines regulations about vinyl siding allows for infill development that is appropriate to sections of Hamilton's traditional neighborhoods where vinyl siding is common. Regulating the thickness of the vinyl as well as only allowing it as an accessory material on the façade maintains the goal of high-quality development in Hamilton's neighborhoods.
3. Eliminating the conflicting language included in the minimum lot area regulations eliminates confusion on how to interpret the Hamilton Zoning Ordinance for Staff, developers, and citizens.
4. While the changes allow for greater flexibility in use and material, the TN Districts provide the proper oversight ensuring that all developments properly integrate with the character and form of the surrounding areas and, as such, they will not adversely affect the public health, safety, or welfare of the public.

Planning Commission Recommendation

After conducting a public hearing on March 5, 2020, the Planning Commission recommended Council approve the amendment to the Zoning Ordinance of the City of Hamilton, Ohio for Chapters 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four) District.

It is the recommendation of the Planning Department that Council receives this report, concurs in the recommendation of the Planning Staff and the Planning Commission, conducts a public hearing, and passes the necessary legislation.

Attached Information

- 1) Exhibit A – Proposed Hamilton Zoning Text Amendments: Sections: 1131.200 (TN-1), 1131.300 (TN-2), 1131.400 (TN-3), and 1131.500 (TN-4)
- 2) Exhibit B – Notice of Public Hearing, Planning Commission March 5, 2020
- 3) Exhibit C – Notice of Public Hearing, City Council March 25, 2020
- 4) Exhibit D – Planning Commission Staff Report: March 5, 2020

Copies Provided to:

N/A



**TN (Traditional Neighborhood) Zoning Text Amendments
Exhibit A - Proposed Zoning Ordinance Amendments**

General Attachment Notice:

For ease of viewing, only those portions of the Zoning Ordinance pertaining to the requests within the submitted application have been included within these attachments.

The complete zoning code can be viewed online at:
<https://www.hamilton-city.org/262/Planning-Department>

EXHIBIT A

Proposed Text Amendments to City of Hamilton Zoning Ordinance
Words to be **deleted** are [~~lined through~~] - Words to be **added** are **highlighted**

**TN (Traditional Neighborhood) Zoning Districts
[TN-1, TN-2, TN-3, & TN-4]**

Proposed Changes to Traditional Neighborhood-1 (TN-1) District

1131.260 Conditional Uses: The following uses shall be permitted only if specifically authorized by the City Council in accordance with the provisions of Section 1155.00. (REVISED OR2015-9-80). Where applicable, buildings and structures shall be compliant with the Infill Development Standards established in Section 1131.280.

1131.260.5 Bed and Breakfast: A maximum of three (3) bedrooms in the principal residential structure on a lot may be used as Rentable Units, subject to the following conditions:

1131.260.5.1 Minimum Lot Size for Operation: 6,000 square feet.

1131.260.5.2 Minimum Lot Size per Rentable Unit: 1,500 square feet.

1131.260.5.3 The submitted plan mitigates adverse impacts on the surrounding areas associated with the increase in density and intensity. Considerations include, but are not limited to, overcrowding, noise, trash, off-street parking, and screening or buffering.

1131.260.5.4 The use shall not generate pedestrian or vehicular traffic beyond that which is reasonable or normal to the area in which the site is located.

1131.260.5.5 One (1) off-street parking space shall be provided per bedroom available for rent. Off-street parking shall be provided as indicated in the approved plan. Applicants shall demonstrate the ability to provide parking for employees and customers on-site and / or through the use of public facilities or some other off-site location, either of which shall be located within 500 feet of the site. A minimum of seventy percent (70%) of the required off-street parking shall be provided on-site in areas featuring a high concentration of residential land uses.

1131.260.5.6 Operations shall be compliant with all applicable state and local regulations, including any and all applicable licensing requirements.

1131.260.5.7 No outdoor storage of any material (usable or waste) shall be permitted on site, unless such outdoor storage is approved in the plan through the Conditional Use Process set forth in this Zoning Ordinance.

1131.260.5.8 No lighting shall be permitted in association with a Bed and Breakfast which would produce a glare on any street or into any adjacent property beyond that which is reasonable or normal to the Zoning District and within surrounding areas.

1131.260.5.9 No use shall create hazardous, offensive or objectionable odor, dust, cinders, fumes, noise, vibration, radiation, or refuse matter.

1131.270 Minimum Lot Area: The Minimum Lot Area of newly created lots shall be within five percent (5%) of the average lot size of all lots located on the same block face and in the same zoning district. ~~In no instance shall the lot area of a new lot used for residential purposes have an area that is less than 7,500 square feet.~~ In no instance shall the lot area of a new lot used for residential purposes have an area that is less than 4,000 square feet.

1131.280 Infill Development Standards: Infill Development standards of this Section apply to the construction of all new structures located within a TN District.

1131.280.3 Building Materials: All exterior building materials shall be quality materials that produce aesthetics that are consistent or compatible with typical construction materials used in traditional and urban neighborhoods. Examples include brick, wood “clapboard” type siding, wood composite “clapboard” type siding or cement board “clapboard” type siding, stone, concrete, and other materials which are formed to have a stone, wood, shake, or brick appearance. Vinyl may be used as an accessory material in the following instances:

1131.280.3.1 The style of the vinyl material appropriately mimics typical construction materials used in traditional and urban neighborhoods and meets the Residential Design Standards in Section 1110.00.

1131.280.3.2 The portion of the exterior where vinyl is utilized is not directly viewable from the public right of way on the front facade if vinyl is not a material used on the principal structures on the two (2) adjoining lots located on the same block face.

Proposed Changes to Traditional Neighborhood-2 (TN-2) District

1131.360 Conditional Uses: The following uses shall be permitted only if specifically authorized by the City Council in accordance with the provisions of Section 1155.00. (REVISED OR2015-9-80). Where applicable, buildings and structures shall be compliant with the Infill Development Standards established in Section 1131.280.

1131.362 Bed and Breakfast: A maximum of three (3) bedrooms in the principal residential structure on a lot ~~located within a designated Historic Preservation District~~ may be used as Rentable Units, subject to the following conditions:

1131.370 Area and Height Requirements: Unless otherwise stated within this Section of the Zoning Ordinance, the following area and height requirements shall be observed within the TN-2 Zone:

1131.371 Maximum Height: Three (3) stories or thirty (30) feet in height.

1131.372 Minimum Lot Area: The Minimum Lot Area of newly created lots shall be within ten percent (10%) of the average lot size of all lots located on the same block face and in the same zoning district. ~~In no instance shall the lot area of a new lot used for residential purposes have an area that is less than 7,500 square feet.~~ In no instance shall the lot area of a new lot used for residential purposes have an area that is less than 4,000 square feet.

Proposed Changes to Traditional Neighborhood-3 (TN-3) District

1131.460 Conditional Uses: The following uses shall be permitted only if specifically authorized by the City Council in accordance with the provisions of Section 1155.00. (REVISED OR2015-9-80). Where applicable, buildings and structures shall be compliant with the Infill Development Standards established in Section 1131.280.

1131.461.3 Bed and Breakfast: A maximum of five (5) bedrooms in the principal residential structure on a lot ~~located within a designated Historic Preservation District~~ may be used as Rentable Units, subject to the following conditions:

Proposed Changes to Traditional Neighborhood-4 (TN-4) District

1131.560 Conditional Uses: The following uses shall be permitted only if specifically authorized by the City Council in accordance with the provisions of Section 1155.00. (REVISED OR2015-9-80). Where applicable, buildings and structures shall be compliant with the Infill Development Standards established in Section 1131.280.

1131.563 Bed and Breakfast: A maximum of seven (7) bedrooms in the principal residential structure on a lot ~~located within a designated Historic Preservation District~~ may be used as Rentable Units, subject to the following conditions:



Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

LEGAL NOTICE TO CITY WEBSITE

City Contact: Ed Wilson, AICP
Date Sent: February 20, 2020
Run Time: February 20, 2020 through March 5, 2020

LEGAL NOTICE OF PUBLIC HEARING ON AMENDMENTS TO ZONING ORDINANCE

A public hearing will be held before The City of Hamilton Planning Commission, meeting as a Committee of the Whole, on **Thursday, March 5, 2020, at 1:30 P.M.**, in the Council Chambers located at 345 High Street, First Floor, One Renaissance Center, Municipal Building on amending the Hamilton Zoning Ordinance No. 7503:

- APPLICANT:** City of Hamilton
REQUEST: Proposed changes to the Zoning Ordinance of the City of Hamilton for the following sections:
- Section 1131.200 (TN-1, Traditional Neighborhood District 1);
 - Section 1131.300 (TN-2, Traditional Neighborhood District 2);
 - Section 1131.400 (TN-3, Traditional Neighborhood District 3); and
 - Section 1131.500 (TN-4, Traditional Neighborhood District 4)

Hamilton Zoning Ordinance found here: (<https://www.hamilton-city.org/262/Planning>)

An application for this project is on file and available for your review at the Planning Department located at 345 High Street, Suite 350. These materials, in addition to future updates and reports completed by staff during the review process, can found online at: <https://www.hamilton-city.org/266/Planning-Commission>.

If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting.

If you or anyone planning to attend this hearing have a disability for which we need to provide accommodations, please notify staff of your requirements at least three (3) days prior to the public hearing. The phone number for the Planning Department is 513.785.7350.

Ed Wilson, AICP
Associate Planner II
City of Hamilton, Ohio

Home > Government > Boards & Commissions > Planning Commission

Application for Appointment

Architectural Design Review Board

Board of Revisions of Assessments

Board of Zoning Appeals

Civil Service Commission

Diversity and Inclusion Commission

Hamilton Community Authority

Nuisance Appeal Board

Ordinance Review Commission

Planning Commission

Records Commission

Tree Board

Utilities Commission

Hamilton Youth Commission

Planning Commission

Board Calendar

Click Here to access the Calendar of events for the City of Hamilton Planning Commission. (The 2020 Meeting Calendar has been published as of December 10, 2019).

Notice of Public Hearing

All Planning Commission Meetings are open to the public. This posting serves as notice of public meeting Planning Commission Meetings in 2020. Posting of all meeting agendas on this webpage also serves as notice of public meeting for all Planning Commission meetings.

Current Applications

March 5, 2020 - 1:30 P.M. [Agenda TBD]

345 High Street, Council Chambers

Agenda items:

8340 North Gilmore Road:

Conditional Use for Auto Sales (Auto Auction) - (Public Hearing)

Conditional Use request for Auto Sales / Auto Auction use.

Zoning Text Amendments:

TN (Traditional Neighborhood Districts 1, 2, 3 & 4) - (Public Hearing)

Request to amend the City of Hamilton Zoning Ordinance (HZO) pertaining to Sections: 1131.200, 300, 400 and 500 (Traditional Neighborhoods)

Public Hearing Notice (posted 2/20/2020): [\[Here\]](#)

Hamilton Zoning Ordinance: [\[Here\]](#)

March 19, 2020 - 6:00 P.M. [Agenda TBD]

345 High Street, Council Chambers

Agenda items:

Lindenwald & Prospect Hill:

Proposed Rezoning of Specific Properties

Contact Us

345 High Street, 3rd Floor
Hamilton, OH 45011
Phone: 513-785-7350
Fax: 513-785-7359

Calendar

Thu Feb. 20

Cancelled: Planning Commission Meeting

Tue Mar. 3

ADRB - Architectural Design Review Board Meeting

Thu Mar. 5

Board of Zoning Appeals Meeting

[View All](#)



Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

LEGAL NOTICE TO CITY WEBSITE

City Contact: Ed Wilson, AICP
Date Sent: February 20, 2020
Run One (1) Time: February 20, 2020

**LEGAL NOTICE OF PUBLIC HEARING ON
AMENDMENTS TO ZONING ORDINANCE**

The Hamilton City Council will hold a public hearing on Wednesday evening, March 25, 2020 at 6:00 P.M. in the Council Chambers of the City Building located at 345 High Street, First Floor, One Renaissance Center, Municipal Building on amending the Hamilton Zoning Ordinance No. 7503:

- APPLICANT:** City of Hamilton
REQUEST: Proposed changes to the Zoning Ordinance of the City of Hamilton for the following sections:
- Section 1131.200 (TN-1, Traditional Neighborhood District 1);
 - Section 1131.300 (TN-2, Traditional Neighborhood District 2);
 - Section 1131.400 (TN-3, Traditional Neighborhood District 3); and
 - Section 1131.500 (TN-4, Traditional Neighborhood District 4)

An application for this project is on file and available for your review at the Planning Department located at 345 High Street, Suite 350. These materials, in addition to future updates and reports completed by staff during the review process, can found online at:
<https://www.hamilton-city.org/266/Planning-Commission>.

If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting.

If you or anyone planning to attend this hearing have a disability for which we need to provide accommodations, please notify staff of your requirements at least three (3) days prior to the public hearing. The phone number for the Planning Department is 513.785.7356.

Nick Garuckas
City Clerk
City of Hamilton, Ohio

City Council Items:

March 25, 2020 - 6:00 P.M.

345 High Street - City Council Chambers

Tentative - TN (Traditional Neighborhood Districts 1, 2, 3 & 4) - (Public Hearing)

Tentative - 8340 North Gilmore Road, Auto Auction Conditional Use

April 8, 2020 - 6:00 P.M.

345 High Street - City Council Chambers

Lindenwald & Prospect Hill:

Proposed Rezoning of Specific Properties (Public Hearing)

Lindenwald:

Map [\[here\]](#) -- List of Properties [\[here\]](#)

Prospect Hill:

Map [\[here\]](#) -- List of Properties [\[here\]](#)

Meeting Information

Planning Commission meetings are regularly held on the 1st and 3rd Thursday of every month. The first meeting of the month is a day meeting which begins at 1:30 pm. The second meeting of the month is an evening meeting which begins at 6:00 pm. Special meeting times and dates will be scheduled as necessary.

All meetings are held in the Hamilton City Council Chambers located at 345 High Street in Hamilton Ohio 45011.

Agendas & Minutes

[Click Here](#) to view the current and previous meeting agendas.



For the Planning Commission Meeting of March 5, 2020

To: Planning Commission
From: Liz Hayden
 Larry Bagford
 Ed Wilson, AICP
Date: February 19, 2020

Subject: **AGENDA ITEM #1 – New Business**
Zoning Text Amendments – TN (Traditional Neighborhood) Districts

Applicant: City of Hamilton

Request: To Amend the Zoning Ordinance of the City of Hamilton, Ohio by amending Chapter 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four) District (City of Hamilton, Applicant)

BASIC INFORMATION	
Applicant/Property Owner	City of Hamilton – Planning Department
Architect/Engineer/Consultant	N/A
Size of Property	N/A
Current Zoning	N/A
Proposed Zoning	N/A
Comp. Plan Land Use Designation	N/A
Special Purpose/CRA	N/A
ADJACENT LAND USE/ZONING INFORMATION	
N/A	
ZONING/DIMENSIONAL INFORMATION	
N/A	

Section A: Introduction & Background

The purpose of the Traditional Neighborhood zoning districts is to establish zoning regulations developed specifically for the established design of Hamilton’s traditional and urban core neighborhoods. The submitted application would amend the new Traditional Neighborhoods zoning districts based on preliminary feedback that staff is compiling as these districts are being applied to more neighborhoods. The proposed changes include:

(Report continues on Next Page)



Synopsis of Changes:

1. To add Bed and Breakfast as a Conditional Use in the Traditional Neighborhood-One (TN-1) district with nine conditions that would apply for when a bed and breakfast may be appropriate. Staff is also recommending eliminating the regulation that a Bed and Breakfast has to be in a designated Historic Preservation District in TN-2, TN-3, and TN-4. This change is in response to interest from property owners in utilizing single-family homes that are most appropriately zoned TN-1 as bed and breakfasts.
2. Change the Infill Development Standards regarding vinyl siding. The proposed change now includes a reference to the Residential Design Standards in Section 1110.00 of the Hamilton Zoning Ordinance, which contains guidelines such as vinyl thickness. It also changes the regulations on vinyl siding from not allowing it on the front façade to allowing it on the front façade if the character of the surrounding area contains vinyl siding on the front façade.
 - Because there are areas of Lindenwald and Prospect Hill where vinyl is common, Staff believes that it could be appropriate to include vinyl siding on infill development. It remains identified as an accessory material only. These regulations are found in TN-1 but apply to TN-2, TN-3, and TN-4 as well.
3. Fix an error in the text regarding Minimum Lot area regulations where there was conflicting information. Staff deleted the 7,500 square feet lot are minimum and kept the 4,000 square feet minimum. This change occurs in TN-1 and TN-2.

Section B: Petition Review

The proposal consists of a text amendment to the Hamilton Zoning Ordinance, amending Chapters 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four) District.

The proposed changes to the four (4) TN (Traditional Neighborhood) zoning districts are summarized below. The full version of the TN District zoning with the changes identified are included as attachments to the staff report (See Exhibit A).

No other changes are proposed for the TN zoning districts.

(Report continues on Next Page)



Proposed Changes to Traditional Neighborhood-1 (TN-1) District

1. Add New Section to Conditional Uses: Bed and Breakfast
 - a. Maximum of three (3) bedrooms in the principal residential structure may be used as rentable units.
 - b. Add Conditions pertaining to a Bed and Breakfast in a TN-1 District
 - i. Minimum Lot Size: 6,000 square feet.
 - ii. Minimum Lot Size per rentable unit: 1,500 square feet.
 - iii. The Bed & Breakfast plan must mitigate impacts on surrounding areas (noise, overcrowding, trash, screening, parking, etc.).
 - iv. No outdoor storage of materials or waste.
 - v. No lighting shall produce glare on any street or adjacent property.
 - vi. Bed & Breakfast must be compliant with local regulations (Zoning, Health, Public Safety) and any relevant licensing requirements.
2. Minimum Lot Area – (For any lot in the TN-1 District)
 - a. 4,000 square feet minimum lot size.
 - b. Eliminated conflicting language: 7,500 square feet.
3. Infill Development Standards – (new construction of structures)
 - a. Add language that new structures and facades must meet Residential Design Standards, Section 1110.00.
 - b. Revise language pertaining to vinyl siding: Vinyl may be used on the front facade if vinyl is not a material used on the principal structures on the two (2) adjoining [adjacent, neighboring] lots located on the same block face.

Proposed Changes to Traditional Neighborhood-2 (TN-2) District

1. Revise Bed and Breakfast language to allow in all TN-2 as a Conditional Use:
 - a. Eliminate “located within a Historic District” language.
 - b. Maximum number of bedrooms will remain as three (3) bedrooms.
2. Minimum Lot Area – (For any lot in the TN-2 District)
 - a. 4,000 square feet minimum lot size.
 - b. Eliminated conflicting language: 7,500 square feet.



Proposed Changes to Traditional Neighborhood-3 (TN-3) District

1. Revise Bed and Breakfast language to allow in all TN-3 as a Conditional Use:
 - a. Eliminate “located within a Historic District” language.
 - b. Maximum number of bedrooms will remain as five (5) bedrooms.

Proposed Changes to Traditional Neighborhood-4 (TN-4) District

1. Revise Bed and Breakfast language to allow in all TN-4 as a Conditional Use:
 - a. Eliminate “located within a Historic District” language.
 - b. Maximum number of bedrooms will remain as seven (7) bedrooms.

Section C: Notification

The City of Hamilton posted notification of the zoning text amendments on the Planning Department’s website, per Section 1180.00 of the Hamilton Zoning Ordinance. They were posted on February 19, 2020, located on the Planning Commission’s website.

At the time of writing this report, Planning staff has received no phone calls about these text amendments.

Section D: Statutes

Section 1180.00 of the Hamilton Zoning Ordinance provides the basis and process for amending zoning districts.

Plan Hamilton is the updated Comprehensive Plan for the city; a living document meant to guide land use and zoning decisions for the present and future of the city. Plan Hamilton recommends the implementation of the Traditional Neighborhood zoning.

Section E: Recommendation

If approved by the Planning Commission, the Planning Department recommends the following motion:

1. The Planning Commission recommends that City Council approve the request to amend the Zoning Ordinance of the City of Hamilton, Ohio, by amending Chapters 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four) District.



Section F: Staff Comments / Basis for Recommendation

Staff recommends the amendment TN Districts for the following reasons:

1. Removing the language about requiring Bed and Breakfasts to be located only in designated historic districts and adding Bed and Breakfast as a Conditional Use in TN-1 is responsive to feedback we have received from property owners in Hamilton's traditional and urban core neighborhoods who are interested in utilizing their properties for bed and breakfast purposes. Where appropriate conditions exist, including large lot sizes and off-street parking availability, bed and breakfasts can integrate into Hamilton's urban core and traditional neighborhoods.
2. Changing the infill guidelines regulations about vinyl siding allows for infill development that is appropriate to sections of Hamilton's traditional neighborhoods where vinyl siding is common. Regulating the thickness of the vinyl as well as only allowing it as an accessory material on the façade maintains the goal of high-quality development in Hamilton's neighborhoods.
3. Eliminating the conflicting language included in the minimum lot area regulations eliminates confusion on how to interpret the Hamilton Zoning Ordinance for Staff, developers, and citizens.
4. While the changes allow for greater flexibility in use and material, the TN Districts provide the proper oversight to ensure that all developments properly integrate with the character and form of the surrounding areas and, as such, will not adversely impact the public health, safety, or welfare of the public.

Section G: Attachments:

Exhibit A – Proposed Hamilton Zoning Ordinance Sections:

1131.200 (TN-1), 1131.300 (TN-2), 1131.400 (TN-3), and 1131.500 (TN-4)



ORDINANCE NO. _____

AN ORDINANCE AMENDING CERTAIN SECTIONS OF ZONING ORDINANCE NO. 7503, SECTIONS 1131.200 TN-1 (TRADITIONAL NEIGHBORHOOD-ONE) DISTRICT, 1131.300 TN-2 (TRADITIONAL NEIGHBORHOOD-TWO) DISTRICT, 1131.400 TN-3 (TRADITIONAL NEIGHBORHOOD-THREE) DISTRICT AND 1131.500 TN-4 (TRADITIONAL NEIGHBORHOOD-FOUR). (City of Hamilton, Applicant).

WHEREAS, the City of Hamilton established new zoning districts that are developed specifically for the established design of Hamilton's traditional and urban core neighborhoods; and

WHEREAS, Plan Hamilton, the City's Comprehensive Plan, recommends the implementation of the TN Districts (Traditional Neighborhood District) within urban and traditional neighborhoods; and

WHEREAS, Planning Staff reviewed the City of Hamilton Zoning Ordinance and proposed text amendments to the TN Zoning Districts based on feedback and periodic review; and

WHEREAS, the proposed changes to the City of Hamilton Zoning Ordinance include specific revisions of Sections 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four) District; and

WHEREAS, the Planning Commission on March 5, 2020 conducted a public hearing regarding the proposed changes, to receive public input and for review of the proposed text amendments; and

WHEREAS, public notice included legal advertisement published on the Hamilton City Website, pursuant revised to local ordinance (Section 1180.00 "Amendments", Hamilton Zoning Ordinance); and

WHEREAS, Planning Commission approved said zoning text amendments and recommended City Council approval; and

WHEREAS, this Council desires to adopt such zoning text amendments to the City's Zoning Ordinance No. 7503 as proposed.

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

SECTION I: That the Hamilton Zoning Ordinance No. 7503, is hereby amended by revising Sections 1131.200 TN-1 (Traditional Neighborhood-One) District, 1131.300 TN-2 (Traditional Neighborhood-Two) District, 1131.400 TN-3 (Traditional Neighborhood-Three) District and 1131.500 TN-4 (Traditional Neighborhood-Four) District, as set forth in Exhibit No.1 attached hereto, incorporated herein by reference and made a part.

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

Ordinance No. _____ (Cont'd)

CERTIFICATE

I, Nicholas 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 the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1

**TN (Traditional Neighborhood) Zoning Districts
[TN-1, TN-2, TN-3, & TN-4]**

Changes to Traditional Neighborhood-1 (TN-1) District

1131.260 Conditional Uses: The following uses shall be permitted only if specifically authorized by the City Council in accordance with the provisions of Section 1155.00. (REVISED OR2015-9-80). Where applicable, buildings and structures shall be compliant with the Infill Development Standards established in Section 1131.280.

1131.260.5 Bed and Breakfast: A maximum of three (3) bedrooms in the principal residential structure on a lot may be used as Rentable Units, subject to the following conditions:

1131.260.5.1 Minimum Lot Size for Operation: 6,000 square feet.

1131.260.5.2 Minimum Lot Size per Rentable Unit: 1,500 square feet.

1131.260.5.3 The submitted plan mitigates adverse impacts on the surrounding areas associated with the increase in density and intensity. Considerations include, but are not limited to, overcrowding, noise, trash, off-street parking, and screening or buffering.

1131.260.5.4 The use shall not generate pedestrian or vehicular traffic beyond that which is reasonable or normal to the area in which the site is located.

1131.260.5.5 One (1) off-street parking space shall be provided per bedroom available for rent. Off-street parking shall be provided as indicated in the approved plan. Applicants shall demonstrate the ability to provide parking for employees and customers on-site and / or through the use of public facilities or some other off-site location, either of which shall be located within 500 feet of the site. A minimum of seventy percent (70%) of the required off-street parking shall be provided on-site in areas featuring a high concentration of residential land uses.

Ordinance No. _____ (Cont'd)

1131.260.5.6 Operations shall be compliant with all applicable state and local regulations, including any and all applicable licensing requirements.

1131.260.5.7 No outdoor storage of any material (usable or waste) shall be permitted on site, unless such outdoor storage is approved in the plan through the Conditional Use Process set forth in this Zoning Ordinance.

1131.260.5.8 No lighting shall be permitted in association with a Bed and Breakfast which would produce a glare on any street or into any adjacent property beyond that which is reasonable or normal to the Zoning District and within surrounding areas.

1131.260.5.9 No use shall create hazardous, offensive or objectionable odor, dust, cinders, fumes, noise, vibration, radiation, or refuse matter.

1131.270 Minimum Lot Area: The Minimum Lot Area of newly created lots shall be within five percent (5%) of the average lot size of all lots located on the same block face and in the same zoning district. In no instance shall the lot area of a new lot used for residential purposes have an area that is less than 4,000 square feet.

1131.280 Infill Development Standards: Infill Development standards of this Section apply to the construction of all new structures located within a TN District.

1131.280.3 Building Materials: All exterior building materials shall be quality materials that produce aesthetics that are consistent or compatible with typical construction materials used in traditional and urban neighborhoods. Examples include brick, wood “clapboard” type siding, wood composite “clapboard” type siding or cement board “clapboard” type siding, stone, concrete, and other materials which are formed to have a stone, wood, shake, or brick appearance. Vinyl may be used as an accessory material in the following instances:

1131.280.3.1 The style of the vinyl material appropriately mimics typical construction materials used in traditional and urban neighborhoods and meets the Residential Design Standards in Section 1110.00.

1131.280.3.2 The portion of the exterior where vinyl is utilized on the front facade if vinyl is not a material used on the principal structures on the two (2) adjoining lots located on the same block face.

Ordinance No. _____ (Cont'd)

Changes to Traditional Neighborhood-2 (TN-2) District

1131.360 Conditional Uses: The following uses shall be permitted only if specifically authorized by the City Council in accordance with the provisions of Section 1155.00. (REVISED OR2015-9-80). Where applicable, buildings and structures shall be compliant with the Infill Development Standards established in Section 1131.280.

1131.362 Bed and Breakfast: A maximum of three (3) bedrooms in the principal residential structure on a lot may be used as Rentable Units, subject to the following conditions:

1131.370 Area and Height Requirements: Unless otherwise stated within this Section of the Zoning Ordinance, the following area and height requirements shall be observed within the TN-2 Zone:

1131.371 Maximum Height: Three (3) stories or thirty (30) feet in height.

1131.372 Minimum Lot Area: The Minimum Lot Area of newly created lots shall be within ten percent (10%) of the average lot size of all lots located on the same block face and in the same zoning district. In no instance shall the lot area of a new lot used for residential purposes have an area that is less than 4,000 square feet.

Changes to Traditional Neighborhood-3 (TN-3) District

1131.460 Conditional Uses: The following uses shall be permitted only if specifically authorized by the City Council in accordance with the provisions of Section 1155.00. (REVISED OR2015-9-80). Where applicable, buildings and structures shall be compliant with the Infill Development Standards established in Section 1131.280.

1131.461.3 Bed and Breakfast: A maximum of five (5) bedrooms in the principal residential structure on a lot may be used as Rentable Units, subject to the following conditions:

Changes to Traditional Neighborhood-4 (TN-4) District

1131.560 Conditional Uses: The following uses shall be permitted only if specifically authorized by the City Council in accordance with the provisions of Section 1155.00. (REVISED OR2015-9-80). Where applicable, buildings and structures shall be compliant with the Infill Development Standards established in Section 1131.280.

1131.563 Bed and Breakfast: A maximum of seven (7) bedrooms in the principal residential structure on a lot may be used as Rentable Units, subject to the following conditions:

City Council Meeting Staff Report

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

Report From: Larry Bagford, Planning & Zoning Specialist

Agenda Item: An ordinance approving a request for a conditional use certificate to operate a dealer-to-dealer automobile auction/sales business at 8340 North Gilmore Road: and a variance to the paving requirement allowing the rear portion of the property to remain a graveled lot, property zoned "I-2" (Industrial) Zoning District, situated in the Sixth Ward, City of Hamilton, Ohio.

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 Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R 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: 3-25-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 4-8-2020 <input type="checkbox"/> Resolution 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): 3-11-2020 Caucus Report City Council Meeting Planning Commission Meeting: 3-5-2020	
Contract	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$200.00	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure: \$200.00	
	Source Funds:	

Policy Issue

Does City Council wish to approve a Conditional Use Certificate, allowing Freeman Auto Auction LLC, to operate a dealer-to-dealer Automobile Auction/Sales Business at 8340 N. Gilmore Road and a variance to the paving requirement allowing the rear portion of the property to remain a graveled lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to approve a Conditional Use Certificate, allowing Freeman Auto Auction LLC, to operate a dealer-to-dealer Automobile Auction/Sales Business at 8340 N. Gilmore Road and a variance to the paving requirement allowing the rear portion of the property to remain a graveled lot.



Staff Recommendation

Planning Staff recommends that Council receives this report, concurs in the recommendation of the Planning Commission and adopts the necessary legislation to approve a Conditional Use Certificate allowing Freeman Auto Auction LLC, to operate a dealer-to-dealer Automobile Auction /Sales Business at 8340 N. Gilmore Road and a variance to the paving requirement allowing the rear portion of the property to remain a graveled lot based on the Planning Commission's recommendation to approve from its March 5, 2020 meeting.

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the preparation of the documentation for the request for a Conditional Use Certificate with a variance, allowing Freeman Auto Auction LLC, to operate a dealer-to-dealer Automobile Auction/Sales Business at 8340 N. Gilmore Road, is estimated at approximately \$200.00.

Background Information

Freeman Auto Auction requests a conditional use certificate with a variance to allow an Automobile Auction business at 8340 N. Gilmore Road. The property in question is zoned I-2 (Industrial) zoning district, and the applicant's petition requires a conditional use review and approval.

Freeman Auto Auction will be a weekly dealer only auction held during regular business hours on a weekday. The preliminary time and day is 2:00 pm every Wednesday. Each auction will last two to four (2-4) hours.

This dealer-to-dealer auction allows only licensed auto dealers to sell their inventory through the auction to other licensed dealers who intend to resell them at their own dealership.

Freeman Auto Auction does not own the inventory, which it is selling, instead the cars are all consigned from dealers. The vehicles will primarily be from new car dealers intending to sell their unwanted trade-in vehicles. The buyers will be used car dealers looking to purchase inventory for their own businesses.

Vehicles will not to be stored at the auction. All vehicles that are on the premises are there in preparation for the next auction or have already been sold and are awaiting pickup by the purchasing dealer. Some vehicles may be kept on site for the next week's auction because they did not sell at the previous week's sale.

Submitted Requests

Request #1

Freeman Auto Auction LLC is requesting a variance to the paving requirement. They propose paving 90,845 sq.ft of the lot for customer parking. The remainder of the property will remain gravel surfaced and will be used for parking of auction vehicles with the northeast section of the property to be used by the trucking business.

Request #2

Freeman Auto Auction LLC is requesting conditional use approval in order to operate an automobile auction/sales business at 8340 N. Gilmore Rd.

Submission Details

- To accommodate the proposed business, the office portion of the building will be renovated and ADA compliant restrooms will be included.
- The plans propose 5-7 full time employees. In addition, there will be six to eight (6-8) temporary workers for a four (4) hour period on the auction day only. Total workers on the auction day may be up to twenty (20).



- The first three bays of the concrete block portion of the building will be used for the auto auction and the easterly three bays will be separated for the existing trucking business.
- The building will be repainted in a color matching as closely as possible to the existing color
- The applicant proposes to install a 10 -ft. landscape bed along the Gilmore Road right of way. The landscape will contain 20 trees of three different evergreen species:
 - 1) Approximately 5’ height, Quantity 7 “Emerald Green Arborvitae”, 8’ mature height,
 - 2) Approximately 5’ height Quantity 7 “Centennial Girl Holly Tree”, 8-9’ mature height,
 - 3) Approximately 5’ height Quantity 6 “Hetzi Juniper”, 8-9’ mature height
- These varieties are all on the City Arborist’s approved list of trees for planting under utility lines.
- The corresponding three shrubs per tree (60 shrubs), will be a mix of Boxwood, Yews, Taxus, and Euonymus Shrubs.
- The plans are to pave 90845-sq.ft. (the western portion of the property) with asphalt and provide 128 striped parking spaces for employees and auction attendees in the paved area.
- Customer parking will be separated from auction vehicles by a 6-ft high chain-link fencing with barbwire on top for a total height of approximately 7 feet, matching the existing fence.
- The majority of the area for auction car parking will remain as existing gravel.

Statutes

Per Section 1124.39.4 of the Hamilton Zoning Ordinance (HZO), Automobile and Other Vehicle Sales requires a Conditional Use Approval in the I-2 (Industrial) Zoning District.

Per Section 1155.00, Conditional Uses

1. Conditional Use Review Criteria – nine (9) criteria for considering a Conditional Use
2. Use Specific Standards and Variances – four (4) criteria for considering a Variance request

Interdepartmental Review:

The plans were circulated for Interdepartmental Review and there were no objections to the proposal.

Planning Commission Recommendation

On March 5, 2020, the Planning Commission recommended Council approve a conditional use allowing Freeman Auto Auction LLC, to operate a dealer-to-dealer Automobile Auction /Sales Business at 8340 N. Gilmore Road; and a variance to the paving requirement allowing the rear portion of the property to remain a graveled lot.

They denied a second variance request to waive the ten foot (10-ft) landscaping requirement along the north, east, and south property lines and requested the applicant and the Butler County Metro Parks meet on site and develop a buffer along those property lines. A plan agreed upon by both parties was submitted and is included in the attachments (also see Condition #2, below).

The Planning Commission took action and recommends that City Council approve the Conditional Use and the requested variance to allow for the operation of a major automotive repair business on the site in question, with the following conditions of approval:



Conditions of Approval:

1. That a variance to waive the ten foot (10-ft) landscaped setback requirement on the north, east and south sides of the property is not approved.
2. In reference to Condition of Approval #1: the applicant, property owner, City Staff and MetroParks shall work to identify the specifics of the buffer to address stormwater, aesthetics, and cost. Grass shall be along the south side (southern property line) and along the northwest property line that is not adjacent to MetroParks property, with a condition that the width shall be subject to stormwater and drainage requirements.
3. A revised landscape plan shall be submitted indicating compliance with the ten foot (10-ft) landscape setback along the north, east, and south property lines.
4. That a variance to the paving requirement for the rear portion of the existing gravel lot as shown on the plans is approved.
5. The existing exterior fence is straightened and repaired where damaged.
6. The storm water management shall be subject to City of Hamilton, Interdepartmental Review and shall not increase or concentrate flow onto adjacent properties. Measures to prevent the discharge of gasoline, oil, antifreeze, or other chemicals shall be identified on the storm water management plan.
7. All required permits and inspections shall be obtained prior to the business commencing operation.
8. All site improvements as proposed and all conditions shall be in compliance prior to the business commencing operation.
9. All signs shall conform to the requirements of Section 1138.00 – Signs of the Hamilton Zoning Ordinance.
10. The portion of the new chain-link fence enclosing the auction vehicles will have vinyl slats installed to screen the graveled parking area and the vehicles parked there.
11. No auction vehicles shall remain on the property for more than thirty (30) days.
12. There shall be no automobile repair on the site as part of the auto auction business.
13. No auto parts or tires shall be stored on the property.
14. All conditions shall be maintained while the business is located at his location. If at any time the property does not comply with this approval a Notice of Violation will be sent to the applicant allowing thirty days to achieve compliance.

It is the recommendation of the Planning Commission that Council receives this report, concurs in the recommendation and directs the passage of the necessary legislation.

Attached Information

- 1) Exhibit A – Plans and Application
- 2) Exhibit B – Revised Landscape Plan
- 3) Exhibit C – Recommended Conditions of Approval
- 4) Exhibit D - Location Map
- 5) Exhibit E – Zoning Map
- 6) Exhibit F – Notice of Public Hearing Letter
- 7) Exhibit G – Planning Commission Staff Report

Copies Provided to:

N/A







Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

Planning | 2020

CONDITIONAL USE APPLICATION

Note: Staff correspondence pertaining to updates on your application, including reports and notifications, is conducted via email. Please be sure to include an email address for each of the contacts below. Staff is also able to notify additional individuals by providing their name and email address on a separate page titled "Additional Contacts" which should be included within your application.

PROPERTY ADDRESS: 8340 N Gilmore Rd Hamilton OH 45015

Property Owner: 8340 Gilmore Road Investments, LLC

Owner's Mailing Address: 11129 Kenwood Road Blue Ash, OH 45242

Email Address: jared@mw1corp.com **Phone Number:** (513)794-9700

Applicant's Name (if different from owner): Freeman Auto Auction, LLC C/O Evan Connor

Applicant's Mailing Address: 8216 Princeton Glendale Rd West Chester, OH 45069

Email Address: FreemanAutoAuction@Gmail.com **Phone Number:** 502-418-2457

Architect / Engineer: Kiessling Architecture Inc, Bernard Kiessling

Mailing Address: 9435 Waterstone Blvd, Suite 140, Cincinnati, OH 45249

Email Address: bk@kiesslingarchitecture.com **Phone Number:** (513) 703-9677

Previous Legal Use of Property: Several trucking companies and wholesale auto dealer

Date Previous Use Discontinued: up to and including present

Proposed New Use of Property: Auto Auction, licensed auto dealer only

PLEASE NOTE:
Incomplete applications or applications missing the required materials necessary to conduct a review will not be reviewed by staff nor will they be placed on the agenda to be heard by the Planning Commission until all required information has been submitted.

CERTIFICATION:
I certify that all of the information contained in this Application is complete, true, and accurate.

Applicant's Signature: Evan Patrick Connor **Date:** 02/12/2020

Property Owner's Signature: [Signature] **Date:** 2/12/20

For questions or more information, please contact Planning at 513 785-7350 | www.hamilton-city.org

City of Hamilton

Planning Department 345 High Street, 3rd floor Hamilton, Ohio 45011

BUTLER COUNTY OHIO

CONDITIONAL USE APPLICATION

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PROPERTY ADDRESS:

Property Owner:

Owner's Mailing Address: _

Email Address:

__Phone Number:

Applicant's Name (If different from owner): _

Applicant's Mailing Address: _

Email Address:

_Phone Number:

Architect / Engineer:

Mailing Address:

Email Address:

_Phone Number:

Previous Legal Use of Property:

Date Previous Use Discontinued:

Proposed New Use of Property: _

PLEASE NOTE: Incomplete applications or applications missing the required materials necessary to conduct a review will not be reviewed by staff nor will they be placed on the agenda to be heard by the Planning Commission until all required information has been submitted.

CERTIFICATION: I certify that all of the information contained in this Application

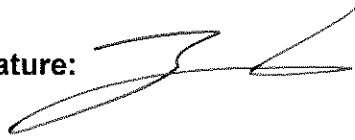
is complete, true, and accurate.

Applicant's Signature:

Date:

Property Owner's Signature:

Date: 2/12/20



For questions or more information, please contact Planning at 513 785-7350 | www.hamilton-city.org

Continued on the Next Page

Page 8 of 10

Freeman Auto Auction, LLC % Evan Connor
8340 N Gilmore Hamilton, OH 45015 P 502-418-2457
F 513-522-5600 FreemanAutoAuction@Gmail.com

Application for Conditional Use Permit

Application Requirements:

General Requirements:

- Pre Application Meeting: Completed 02/04/2020, with Larry Bagford
- Completed Conditional Use Application Form, enclosed
- Required Application Fee, \$200 fee paid via telephone
- Required Application Material enclosed

Project Overview:

Description of Request(s):

- Conditional Use, for wholesale dealer only Auto Auction to be held once a week
- Variance sought: Ten foot Landscape buffer/border installation on only 1 of 4 sides
- Variance sought: To allow existing gravel to remain on eastern most approximately 3 acres to allow parking for auction cars only, no customer parking on gravel. Customer parking area to be entirely paved.

Project Description:

- Introduction/Background of Proposal, see attached “Summary of Business, Conditional Use Permit Application”
- Scope of business operations, see attached “Summary of Business, Conditional Use Permit Application”
- Description of how project addresses review criteria:

A. Conditional Use Criteria, (Section 1155.30)

1. Freeman Auto Auction is located in a district wherein such use may be permitted, and is subject to the requirement of this section and zoning standards.

2. Freeman Auto Auction will not substantially or permanently injure the appropriate use of neighboring property and will serve the public convenience and welfare.
3. Freeman Auto Auction will be harmonious with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area.
4. Freeman Auto Auction is adequately served by essential public facilities and services such as, but not limited to: Roads, public safety forces, storm water facilities, water, sanitary sewer, refuse, and schools.
5. Freeman Auto Auction will have vehicular approaches to the property which shall be so designed so as to not create an interference with traffic on surrounding streets.
6. Freeman Auto Auction will comply with all applicable development standards, except as specifically altered in the approved conditional use.
7. Freeman Auto Auction will not be hazardous to or have a negative impact on existing or future neighboring uses.
8. Freeman Auto Auction will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristics not comparable to the uses permitted in the base zoning district.
9. Freeman Auto Auction will not impede the normal and orderly development of the surrounding property for the used permitted in the district.
10. How the proposal relates to the existing land use of the vicinity: Freeman Auto Auction is a wholesale, dealer only establishment which only provides services to licensed auto dealers. The area in which the auction is situated is surrounded almost entirely by other wholesale or business to business types of operations/companies. Freeman Auto Auction will complement the existing nature of the surrounding businesses because we too are wholesale and a business to business operation. Because they, and we, are nearly all wholesale, business to business establishments, our hours of operation will be nearly the same. Our hours will be approximately 9am-5pm, closed on the weekends. Freeman Auto Auction will only be held one day per week, (preliminarily on Wednesday at 2pm), therefore very little customer traffic will be present on the other days which we are open but not hosting an auction. Monday, Tuesday, Thursday, and Friday will be auction preparation days or post auction business days.

B) Variances, (Section 1155.30), see "Supplement to Application for Conditional Use Permit"

Site Plans:

Basic Drawing and Location Information:

- North Orientation Arrow, *please see attached architectural plans*
- Drawing Scale Information, *please see attached architectural plans*
- Property Lot Lines, *please see attached architectural plans*
- Street Locations and names, *please see attached architectural plans*

Proposed, Location, Dimensions, Height, Areas, and setbacks to property Lines:

- Buildings, *please see attached architectural plans*
- Signage, possible code complying street sign, or building sign, possibly both, *please see attached architectural plans*
- Fencing, *please see attached architectural plans*
- Parking, *please see attached architectural plans*
- Dumpster enclosures, *please see attached architectural plans*
- Accessory structures, *please see attached architectural plans*

Access, and circulation on the site:

- Vehicles, *please see attached architectural plans*
- Pedestrians, interior gathering area is inside first three bay doors, attendees will also be present in and around auction car parking inside of the fenced in area as they inspect the vehicles they may purchase

Location of off street parking:

- Off Street parking areas, *please see attached architectural plans*
- Driveways, *please see attached architectural plans*
- Parking locations, 123 total parking spaces, *please see attached architectural plans for both customer parking and auction car parking areas*
- Parking space dimensions, 123 total parking spaces, per standards of 18' x 9'
- Surface materials, customer parking areas are entirely fresh asphalt, some auction vehicle parking is existing gravel and some is new asphalt. *Please see attached architectural plans for exact areas to be paved*

Signage:

- **Location, Setbacks, Area, and Height:** We may elect to do a sign on the building and/or a street sign. Should there be a street sign, it will be set back a minimum 5 feet from the road, and not to exceed 150 square feet and 8 feet tall, with all being code compliant. There will also be a smaller sign on the north end of the property directing the existing trucking company to their designated parking area which is completely separated from the auction operations by fencing.

Location of landscaped areas:

- *Please see attached architectural plans*

Fencing Height and materials:

- Standard 6 feet tall chain link fencing plus approximately 1 foot of barbed wire for a total height of approximately 7 feet. *Please see attached architectural plans for exact fencing layout and measurements. It will tie into existing fencing running north/south in the approximately middle point of the property.*

Building Plans:

Color of exterior building and elevation drawings:

- Buildings to be repainted to a color very similar to existing color, *please see attached architectural plans*
- Building Heights, *please see attached architectural plans*
- Building Materials, (existing buildings to remain), *please see attached architectural plans*
- Architectural details, *please see attached architectural plans*
- Features, *please see attached architectural plans*

Interior floor plan showing:

- Room/area uses, *please see attached architectural plans*
- Interior room dimensions, *please see attached architectural plans*

Location of areas/facilities relevant to the conditional use:

- *Please see attached architectural plans*

Landscaping Plan:

Plans showing number, type, and location of:

- Trees, see below for type and please see *attached architectural plans for placement*
 - Three types of trees (all evergreen): 1) Approximately 5' height, Quantity 7 "Emerald Green Arborvitae", 8' mature height, 2) Approximately 5' height Quantity 7 "Centennial Girl Holly Tree", 8-9' mature height, 3) Approximately 5' height Quantity 6 "Hetzi Juniper", 8-9' mature height
 - Shrubs, an appropriate corresponding number of a mix of Boxwood Shrubs, Yew/Taxus, and Euonymus

Lighting Plan: Not applicable, using existing lighting, and there are no night operations

Freeman Auto Auction, LLC % Evan Connor
8340 N Gilmore Hamilton, OH 45015 P 502-418-2457 F 513-522-5600
FreemanAutoAuction@Gmail.com

Summary of Business, Conditional Use Permit Application

Summary, Scope and Description of Auto Auction

Intro

Freeman Auto Auction will be a weekly dealer only auction held during regular business hours on a weekday. The preliminary time and day is 2pm every Wednesday and will take 2-4 hours. As a state licensed auto auction, Freeman Auto Auction is regulated by the Ohio BMV and must remain in good standing with the Ohio Bureau of Motor Vehicles/Dealer Licensing Division. Ohio BMV mandates all prospective auction owners and current auction owners to meet and maintain certain financial worthiness requirements. There are plans to have 5-7 full time employees, and 6-8 temporary workers for a four hour period on auction day only. Total workers on auction day may be 20. There will be minor office renovations and the addition of ADA compliant restrooms.

Customers

The customers will all be licensed auto dealers, (new and used), from any state as long as they have and maintain a valid dealer license. Their guests are also permitted, although their guests are not permitted to buy or sell, only the dealer or dealer representative is. Having this auction dealer only greatly reduces the potential crowd size. The only attendees will be dealers intending to purchase or sell vehicles. Public auto auctions generally attract lots of spectators, people who are not there to purchase vehicles.

Purpose

The purpose of this auction is to allow dealers to sell their inventory through the auction to dealers who intend to purchase. The target selling customer will be a new car dealer intending to sell their unwanted traded in vehicles. This allows new car dealers to quickly liquidate their unwanted traded in vehicles. The buyers will almost entirely be used car dealers looking to purchase inventory for their car lots.

Financial

Freeman Auto Auction's profit comes from fees charged from the sale of vehicles, it charges a separate fee to the seller and to the buyer. Freeman Auction does not own the inventory which it is selling, the cars are all consigned from dealers, this is how all vehicles are sold at auto auctions. For safety, transactions are rarely done with cash.

Transportation

Vehicles generally arrive at the auction by our drivers who work directly for the auction. There are times when vehicles arrive by truck or trailer, but generally vehicles are driven to the auction. Purchasing dealers may also use us to transport their vehicles purchased to their premises.

Security

All vehicles are kept behind a 7 foot tall barbed wire fence which encompasses the entire area where the vehicles are kept in preparation for the auction. There is one twenty foot cantilever gate, (slide gate), and two separate people gates on either side of the building. Total of one vehicle gate and two separate people gates. A local law enforcement official may be present on auction day for security.

Storage

Vehicles are not considered to be stored at the auction. All vehicles which are on the premises are there in preparation for the next auction or have already been sold and are awaiting pickup by the purchasing dealer. Some vehicles may be kept on site for next week's auction because they did not sell at the previous week's sale. They are simply sent through the auction again until either sold or taken back to the owning dealership.

Food and Drink

We do intend to invite local food trucks to offer food and beverages at the auction. Their food service vehicles will only be on site during the auction day. All food and beverage providers are licensed and must provide proof to us that they adhere to all applicable regulations.

Other Services

Minor Services will be offered such as basic cleaning etc. There will not be any major mechanical repair done to vehicles. If a vehicle becomes mechanically disabled at the auction, major work may not be done at the auction. Some vehicles are brought to the auction in non-running condition and thus will be sold as “Non-Running” vehicles which a salvage or parts dealer may purchase.

Other Tenants

We do intend to keep the tenant “Royal Trucking” in the northeast quadrant, and possibly the tenant occupying the adjacent three east bay doors. Their respective operations will not encroach on our operations because our areas of operation will be completely separated by fencing or a building wall.

Signage and parking

Our main sign will be at least code distance from the road and will comply with Hamilton size codes. It will be no taller than 8 feet and no larger than 150 square feet. We would also like to place a small sign on the north side of the property directing the trucking company tenant to their respective parking area. There will be a total of 123 parking spaces with the applicable amount of ADA compliant spaces.

Drawing 2.1

Shows a summary of proposed changes to the site. The only item lacking will be a potential 20 ft shipping container used for business equipment storage. These are commonly used on construction sites. It will be located adjacent to the dumpsters and out of view from the street.

Drawing 2.2

Shows all major aerial measurements of property and buildings. It also shows acreage breakdowns.

Drawing 2.3

Shows proposed fence location and dimensions

Drawing 2.4

Shows area to be paved.

Drawing 2.5

Renders interior layout of our three bays used for the auction, including proposed bleachers. The adjacent 3 bays which are not occupied by the auction are mislabeled as "Vehicle Repair Garage", this is actually occupied by a small trucking company.

Drawing 2.6

Renders exterior building, which will be painted an appropriate color. Building dimensions are also shown.

Freeman Auto Auction, LLC % Evan Connor
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F 513-522-5600 FreemanAutoAuction@Gmail.com

Supplement to Application for Conditional Use Permit

Specific Requested Variances in code

13th February 2020

1170.60.1

Reading:

Exceptional Circumstances: That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district:

Request

Freeman Auto Auction is requesting a variance from the required landscaping buffer/border on all sides of the property. We are requesting to only do the landscape buffer/border on the west side of the property, which borders North Gilmore Road. Freeman Auto Auction is also requesting a variance to keep the existing gravel on approximately 3 acres for parking of auction cars only, no customer parking on gravel. We are asking for the following reason(s):

- A. The property is bordered on the north side by another industrial property with a natural buffer of semi dense forest type natural growth already in place. This already serves as a foliage buffer. This presents *exceptional circumstances* for the property because this already serves as a natural border. The property is bordered on the east side by natural wetlands which make a landscaping border/buffer irrelevant. This presents *exceptional circumstances* for the property because it would be without general purpose to place a landscape buffer along an area adjacent to natural wetlands.
- B. The property is bordered on the south side by another industrial property, (military depot/storage/recruiting), which is separated by a typical 6' tall chain link fence with barbed wire on top. Placing a landscape buffer along a bordering industrial property of

similar appearance would be highly redundant as their respective property uses do not conflict, rather they compliment each other.

- C. We feel that using the existing gravel to park auction cars on is sufficient. The gravel area would not be used for customer parking. Additionally we feel that It would not serve the property's best interest or ideal use to pave the entire property with asphalt.
- D. It would be impractical from a logistical standpoint to require the entire property to be paved, given the other tenants
- E. Finally, it would be cost prohibitive to pave the entire property.

1170.60.2

Reading:

Preservation of Property Rights: That such a variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same zoning district and the same vicinity.

Freeman Auto Auction is requesting a variance from the required landscaping buffer/border along the three remaining sides of the property. Freeman Auto Auction is also requesting a variance to keep the existing gravel on approximately 3 acres for parking of auction cars only, no customer parking on gravel. We are asking for the following reason(s):

- A. Neighboring properties enjoy the same or similar variation from code whether directly granted or grandfathered in. To the best of our knowledge, there are no other properties in the same area with similar surroundings as we have that have been required to place substantial landscape buffers in places like where we are requesting a variance from.
- B. Neighboring properties of similar look, appearance, and use enjoy the same property layout as we are requesting.
- C. Neighboring properties enjoy a largely gravel area in which to conduct their wholesale operations while the only paved areas is their designated customer parking area(s).

1170.60.3

Reading:

Absence of Detriment: That the authorizing of such a variance will not be of substantial detriment to the adjacent property, and will not materially impair the purposes of the ordinance of the public interest.

Freeman Auto Auction is requesting a variance from the required landscaping buffer/border along the three remaining sides of the property. Freeman Auto Auction is also requesting a variance to keep the existing gravel on approximately 3 acres for parking of auction cars only, no customer parking on gravel. We are asking for the following reason(s):

- A. The requested variance to leave out a landscaping buffer on three sides of the property will not in any way, shape or form, harm our or any neighboring property.
- B. The occupancy of Freeman Auto Auction will actually notably improve our property from an aesthetic standpoint because of our paving, painting, and landscaping. So, rather than absence of detriment, we are greatly improving the appearance of our property
- C. Freeman Auto Auction feels it does no harm to this or neighboring properties to leave the subject areas with their existing gravel to only be used for auction vehicle parking, no gravel areas are to be used for customer parking.

1170.60.4

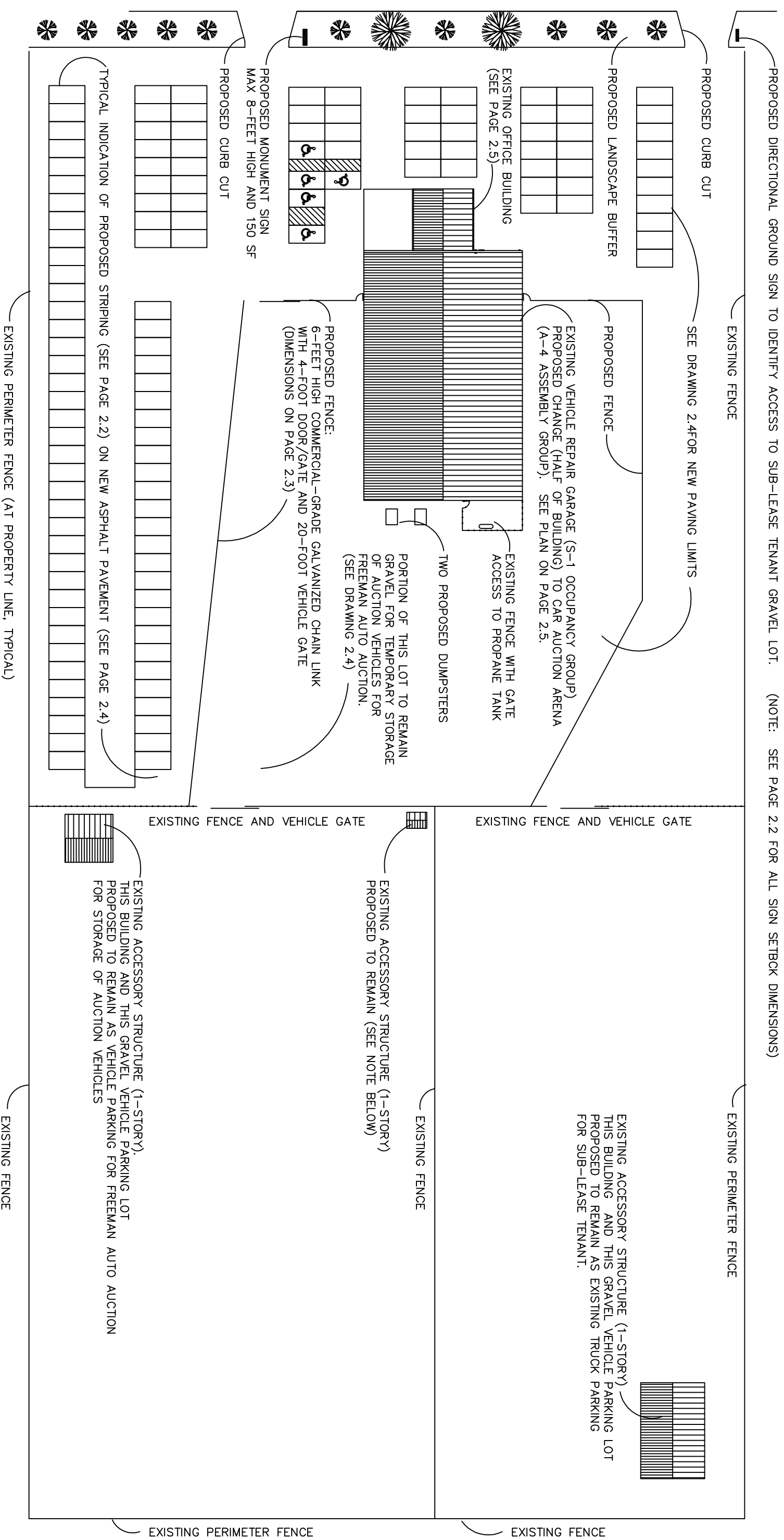
Reading:

Not of General Nature: No Grant of a variance shall be authorized unless the Board specifically finds that the condition or situation of the specific piece of property for which variance is sought is not so general of recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.

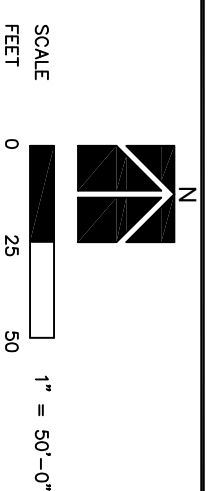
Freeman Auto Auction is requesting a variance from the required landscaping buffer/border along the three remaining sides of the property. Freeman Auto Auction is also requesting a variance to keep the existing gravel on approximately 3 acres for parking of auction cars only, no customer parking on gravel. We are asking for the following reason(s):

- A. The requested variance by Freeman Auto Auction is not of a general nature therefore it does not necessitate the need for new regulations.
- B. The special characteristics of the property are such that these variances are sensible in nature but are not common enough to necessitate a change in regulation.
- C. The variance sought to allow the subject areas with their existing gravel does not necessitate a change to and existing regulations.

GILMORE ROAD



Preliminary Plot Plan for
 Freeman Auto Auction
 8340 N. Gilmore Rd. Hamilton, Ohio
 Drawing No. 2.1
 Issue Date 01-31-20
 Project No. 1187-001



**Kiessling
 Architecture**
 9435 Waterstone Blvd., Suite 140, Cincinnati, Ohio 45249
 kai@kiesslingarchitecture.com (513) 444-2027

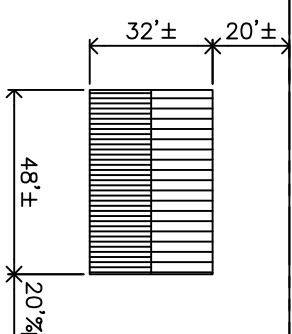
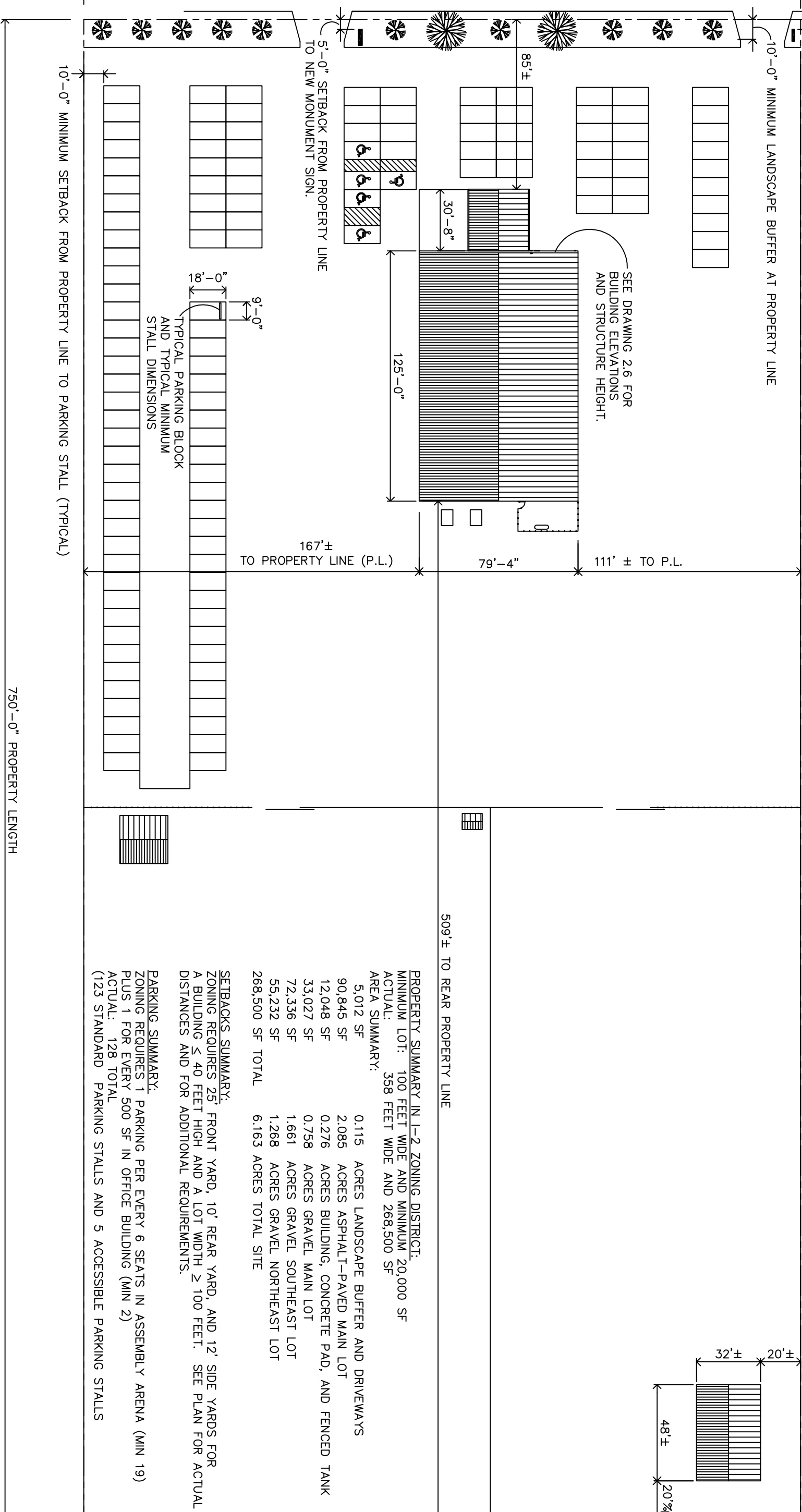
5'-0" SETBACK TO SIGN FROM PROPERTY LINE

10'-0" MINIMUM LANDSCAPE BUFFER AT PROPERTY LINE

SEE DRAWING 2.6 FOR BUILDING ELEVATIONS AND STRUCTURE HEIGHT.

358'-0" PROPERTY WIDTH

NOTE: NEW FENCING NOT SHOWN FOR DRAWING CLARITY. SEE DRAWING 2.4 FOR FENCE LOCATIONS



509'± TO REAR PROPERTY LINE

PROPERTY SUMMARY IN I-2 ZONING DISTRICT:

MINIMUM LOT: 100 FEET WIDE AND MINIMUM 20,000 SF
 ACTUAL: 358 FEET WIDE AND 268,500 SF

AREA SUMMARY:

5,012 SF	0.115	ACRES LANDSCAPE BUFFER AND DRIVEWAYS
90,845 SF	2.085	ACRES ASPHALT-PAVED MAIN LOT
12,048 SF	0.276	ACRES BUILDING, CONCRETE PAD, AND FENCED TANK
33,027 SF	0.758	ACRES GRAVEL MAIN LOT
72,336 SF	1.661	ACRES GRAVEL SOUTHEAST LOT
55,232 SF	1.268	ACRES GRAVEL NORTHEAST LOT
268,500 SF TOTAL	6.163	ACRES TOTAL SITE

SETBACKS SUMMARY:

ZONING REQUIRES 25' FRONT YARD, 10' REAR YARD, AND 12' SIDE YARDS FOR A BUILDING ≤ 40 FEET HIGH AND A LOT WIDTH ≥ 100 FEET. SEE PLAN FOR ACTUAL DISTANCES AND FOR ADDITIONAL REQUIREMENTS.

PARKING SUMMARY:

ZONING REQUIRES 1 PARKING PER EVERY 6 SEATS IN ASSEMBLY ARENA (MIN 19) PLUS 1 FOR EVERY 500 SF IN OFFICE BUILDING (MIN 2)
 ACTUAL: 128 TOTAL
 (123 STANDARD PARKING STALLS AND 5 ACCESSIBLE PARKING STALLS)

750'-0" PROPERTY LENGTH

10'-0" MINIMUM SETBACK FROM PROPERTY LINE TO PARKING STALL (TYPICAL)

5'-0" SETBACK FROM PROPERTY LINE TO NEW MONUMENT SIGN.

167'± TO PROPERTY LINE (P.L.)

79'-4"

111' ± TO P.L.

TYPICAL PARKING BLOCK AND TYPICAL MINIMUM STALL DIMENSIONS

9'-0"

5'-0"

3'-0"

Preliminary Dimensioned Plot Plan for
 Freeman Auto Auction
 8340 N. Gilmore Rd. Hamilton, Ohio

Drawing No. 2.2

Issue Date 01-31-20

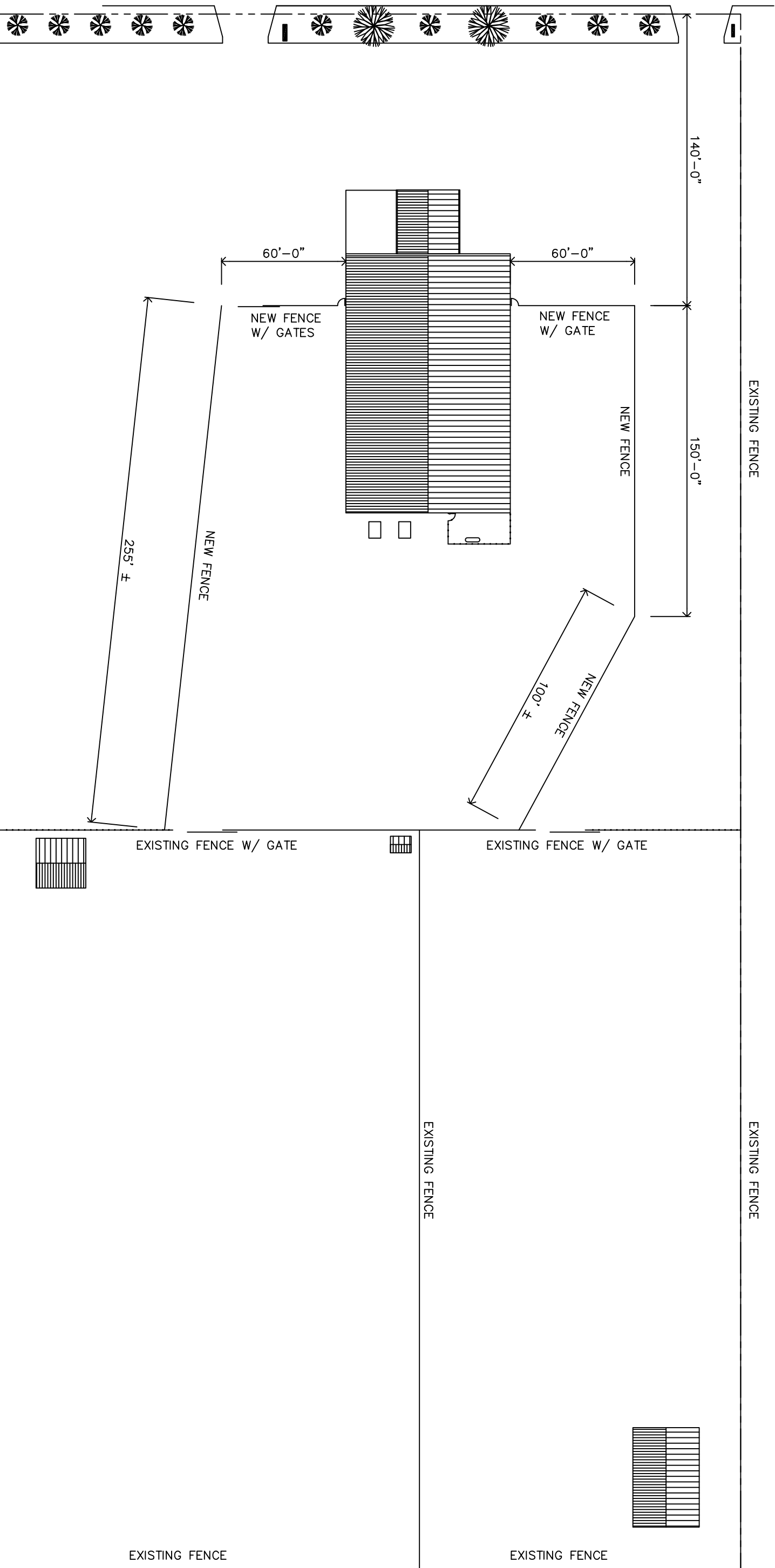
Project No. 1187-001

SCALE
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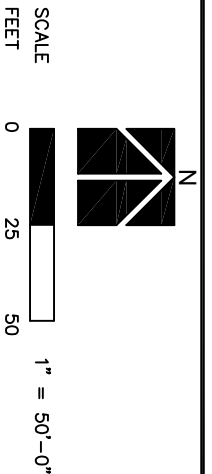


**Kiessling
 Architecture**

9435 Waterstone Blvd., Suite 140, Cincinnati, Ohio 45249
 kai@kiesslingarchitecture.com (513) 444-2027

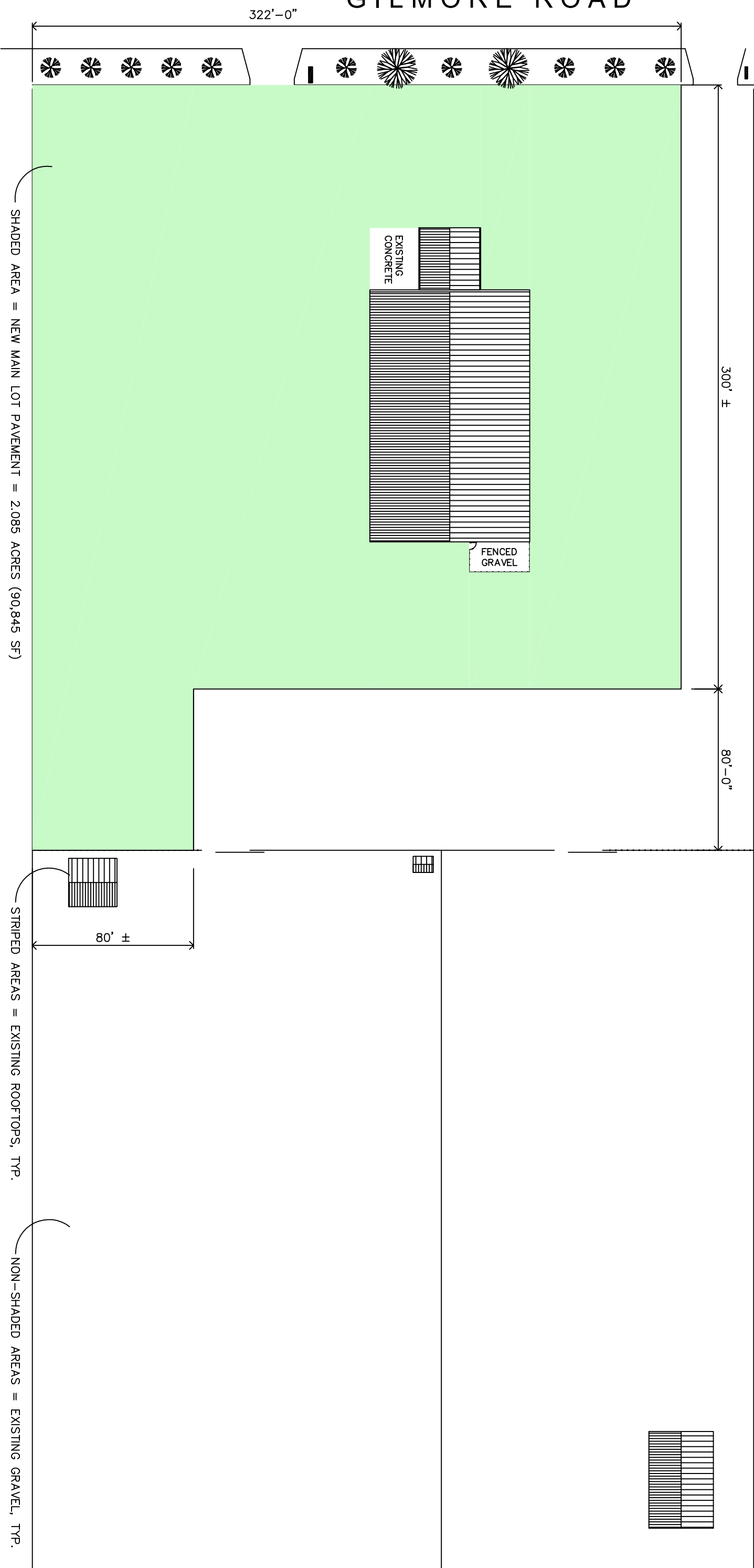


Preliminary Dimensioned Fence Plan for
 Freeman Auto Auction
 8340 N. Gilmore Rd. Hamilton, Ohio
 Drawing No. 2.3
 Issue Date 01-31-20
 Project No. 1187-001



**Kiessling
 Architecture**
 9435 Waterstone Blvd., Suite 140, Cincinnati, Ohio 45249
 kai@kiesslingarchitecture.com (513) 444-2027

GILMORE ROAD

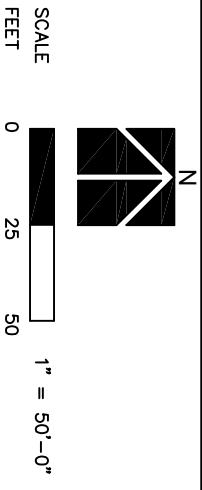


EXISTING FENCE (AT PROPERTY LINE, TYPICAL)

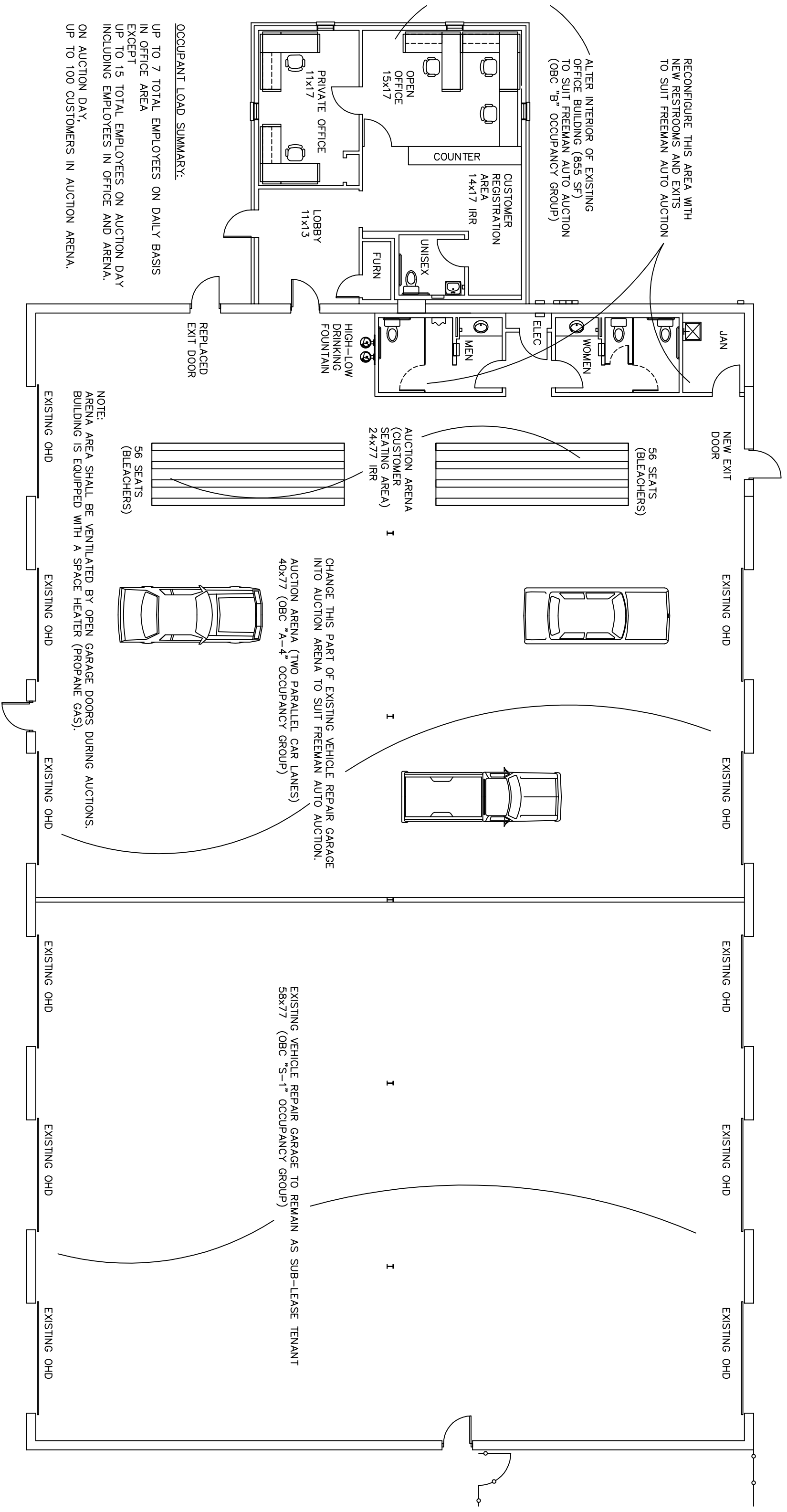
NOTE: NEW FENCING NOT SHOWN FOR DRAWING CLARITY. SEE DRAWING 2.3 FOR FENCE LOCATIONS

EXISTING FENCE (AT PROPERTY LINE, TYPICAL)

Preliminary Dimensioned Paving Plan for
Freeman Auto Auction
8340 N. Gilmore Rd. Hamilton, Ohio
Drawing No. 2.4
Issue Date 01-31-20
Project No. 1187-001



**Kiessling
Architecture**
9435 Waterstone Blvd., Suite 140, Cincinnati, Ohio 45249
kai@kiesslingarchitecture.com (513) 444-2027



RECONFIGURE THIS AREA WITH NEW RESTROOMS AND EXITS TO SUIT FREEMAN AUTO AUCTION

ALTER INTERIOR OF EXISTING OFFICE BUILDING (855 SF) TO SUIT FREEMAN AUTO AUCTION (OBC "B" OCCUPANCY GROUP)

OCCUPANT LOAD SUMMARY:

UP TO 7 TOTAL EMPLOYEES ON DAILY BASIS IN OFFICE AREA EXCEPT UP TO 15 TOTAL EMPLOYEES ON AUCTION DAY INCLUDING EMPLOYEES IN OFFICE AND ARENA. ON AUCTION DAY, UP TO 100 CUSTOMERS IN AUCTION ARENA.

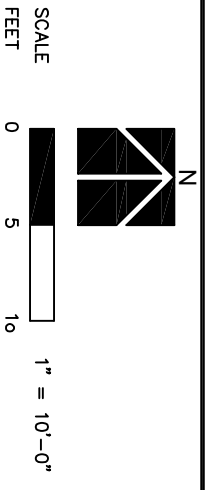
NOTE: ARENA AREA SHALL BE VENTILATED BY OPEN GARAGE DOORS DURING AUCTIONS. BUILDING IS EQUIPPED WITH A SPACE HEATER (PROPANE GAS).

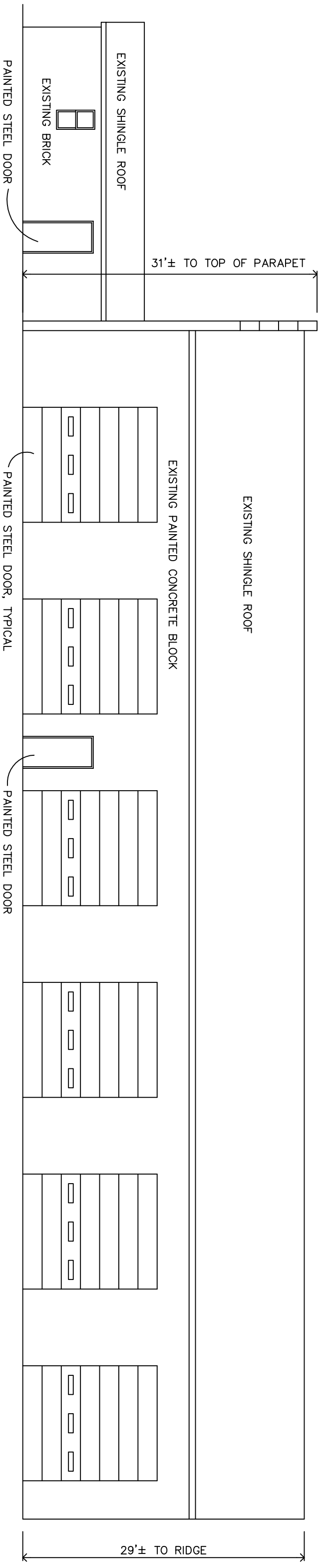
CHANGE THIS PART OF EXISTING VEHICLE REPAIR GARAGE INTO AUCTION ARENA TO SUIT FREEMAN AUTO AUCTION.

EXISTING VEHICLE REPAIR GARAGE TO REMAIN AS SUB-LEASE TENANT 58x77 (OBC "S-1" OCCUPANCY GROUP)

Preliminary Floor Plan for
 Freeman Auto Auction
 8340 N. Gilmore Rd. Hamilton, Ohio

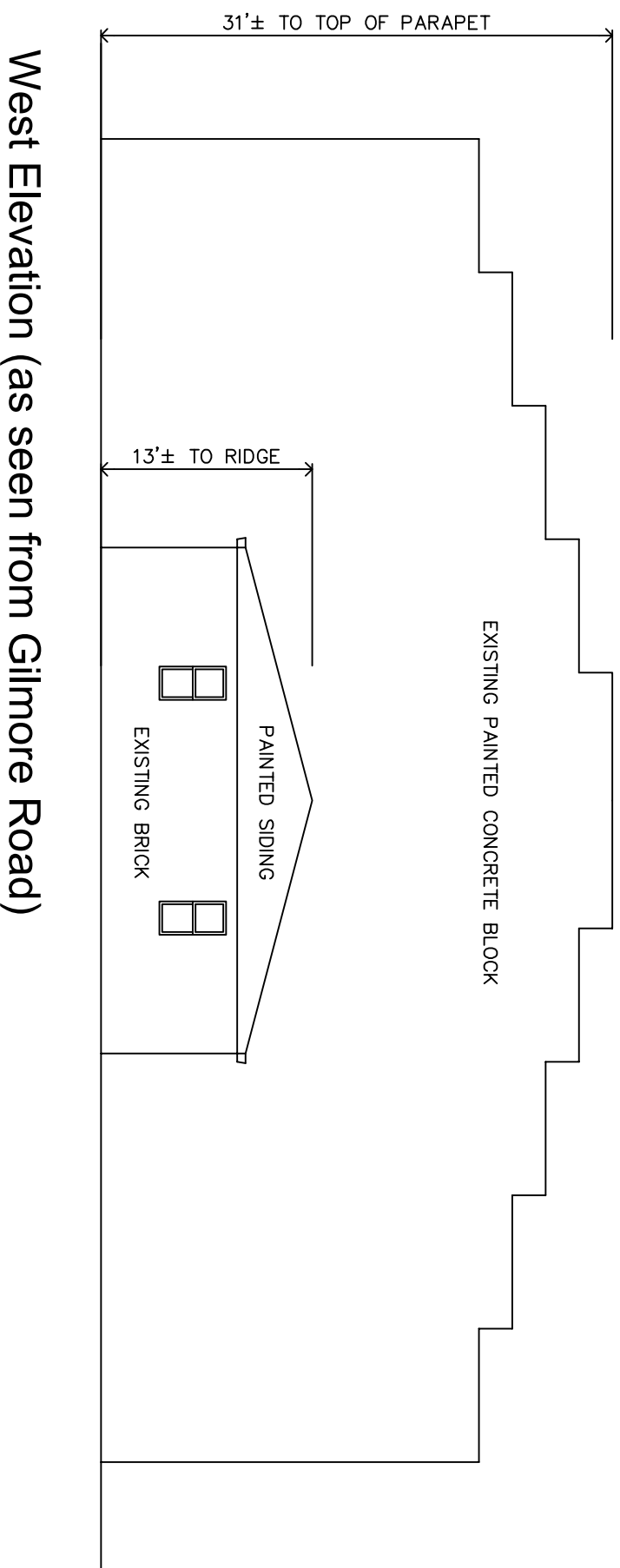
Drawing No. 2.5
 Issue Date 01-31-20
 Project No. 1187-001





South Elevation

NOTE:
 CONCRETE BLOCK, PAINTED SIDING, AND
 STEEL DOORS TO BE REPAINTED.
 COLOR(S) TO BE DETERMINED.



West Elevation (as seen from Gilmore Road)

Existing Building Elevations for
 Freeman Auto Auction
 8340 N. Gilmore Rd. Hamilton, Ohio
 Drawing No. 2.6
 Issue Date 01-31-20
 Project No. 1187-001

SCALE
 FEET 0 5 10 1" = 10'-0"



**8340 N Gilmore Rd - Conditional Use, Auto Auction
Exhibit C - Recommended Conditions of Approval**

Revised Conditions of Approval for 8340 N. Gilmore Road

1. That a variance to waive the 10-ft landscaped setback requirement on the north, east and south sides of the property is not approved.
2. In reference to Condition of Approval #1: the applicant, property owner, City Staff and MetroParks shall work to identify the specifics of the buffer to address stormwater, aesthetics, and cost. Grass shall be along the south side (southern property line) and along the northwest property line that is not adjacent to MetroParks property, with a condition that the width shall be subject to stormwater and drainage requirements.
3. A revised landscape plan shall be submitted indicating compliance with the 10-ft landscape setback along the north, east, and south property lines.
4. That a variance to the paving requirement for the rear portion of the existing gravel lot as shown on the plans is approved.
5. The existing exterior fence is straightened and repaired where damaged.
6. The storm water management shall be subject to City of Hamilton, Interdepartmental Review and shall not increase or concentrate flow onto adjacent properties. Measures to prevent the discharge of gasoline, oil, antifreeze, or other chemicals shall be identified on the storm water management plan.
7. All required permits and inspections shall be obtained prior to the business commencing operation.
8. All site improvements as proposed and all conditions shall be in compliance prior to the business commencing operation.
9. All signs shall conform to the requirements of Section 1138.00 – Signs of the Hamilton Zoning Ordinance.
10. The portion of the new chain-link fence enclosing the auction vehicles will have vinyl slats installed to screen the graveled parking area and the vehicles parked there.
11. No auction vehicles shall remain on the property for more than 30 days.
12. There shall be no automobile repair on the site as part of the auto auction business.
13. No auto parts or tires shall be stored on the property.
14. All conditions shall be maintained while the business is located at his location. If at any time the property does not comply with this approval a Notice of Violation will be sent to the applicant allowing thirty days to achieve compliance.

8340 N Gilmore Rd - Conditional Use, Auto Auction
Exhibit D - Location Map



Areas

Override 1



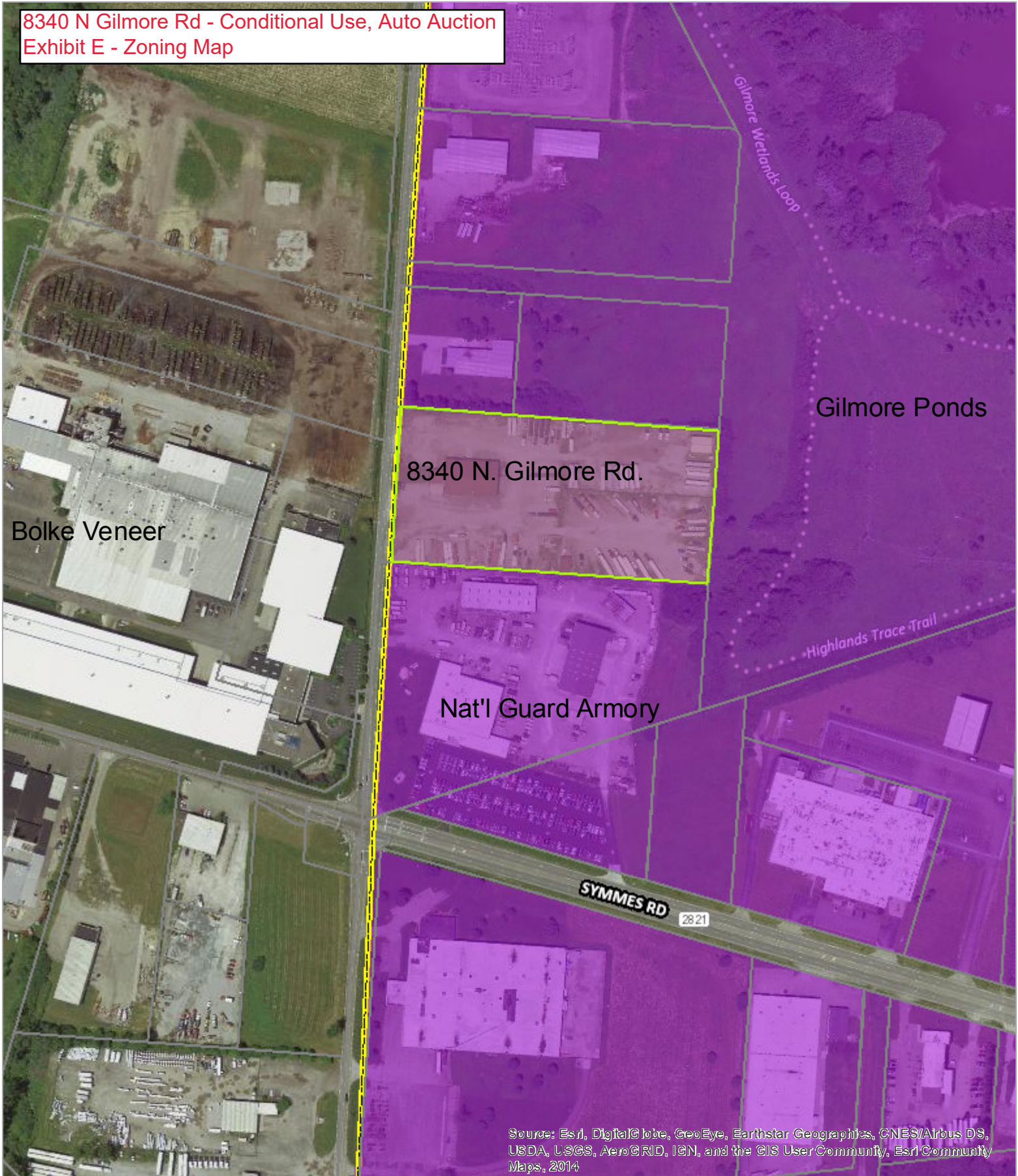
Owner Parcels

8340 N. Gilmore Rd.

City of Hamilton
BUTLER COUNTY OHIO





8340 N Gilmore Rd - Conditional Use, Auto Auction
Exhibit E - Zoning Map



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri Community Maps, 2014



Areas

-  Override 1
-  Owner Parcels

8340 N. Gilmore Rd.





Planning Department
345 High Street, 3rd floor
Hamilton, Ohio 45011

February 19, 2020

NOTICE OF PUBLIC HEARING

LOCATION: 8340 N. Gilmore Road
APPLICANT: Freeman Auto Auction LLC - Evan Connor
REQUEST: The applicant is requesting a Conditional Use Approval to operate a dealer-to-dealer Automobile Action /Sales Business at 8340 N. Gilmore Road. The site is located within an I-2, Industrial Zoning District.

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday, March 5, 2020 at 1:30 P.M.** in the Council Chambers of the City Building located at 345 High Street.

You are a property owner within 500 feet of the subject property and as such are required by statute to be notified of this public hearing.

An application for this project as well as the Commission Bylaws are on file in our office and available for your review. These materials, in addition to future updates and reports completed by staff during the review process, can be found online at:

<https://www.hamilton-city.org/266/Planning-Commission>.

If you have any comments concerning this matter, you may appear at the public hearing or you may forward your comments to the Planning Department in writing for presentation at the meeting.

If you or anyone planning to attend this hearing have a disability for which we need to provide accommodations, please notify staff of your requirements at least three (3) days prior to the public hearing.

If you have any questions, please visit the Planning Department located at 345 High Street, Hamilton, Ohio, or contact **Larry Bagford**, of the City of Hamilton Planning Department at **785-7350**.

Sincerely,

Larry Bagford, CFM
Planning & Zoning Specialist



Planning Department
 345 High Street, 3rd floor
 Hamilton, Ohio 45011

For the Planning Commission Meeting of March 5, 2020

To: Planning Commission
From: Larry Bagford, Planning & Zoning Specialist

Date: March 5, 2020

Subject: AGENDA ITEM # 1–New Business

APPLICANT: Freeman Auto Auction LLC - Evan Connor S.A.

LOCATION: 8340 N. Gilmore Rd, Hamilton, Ohio –
 Parcel # P6461058000028

REQUEST: Request for a Conditional Use to Operate an Automotive Auction/Sales Business; and variances to the ten (10) foot rear and side yard setback requirements along with a variance to the required paving of the area where the auction vehicles will be stored.

BASIC INFORMATION		
Applicant/Property Owner	Freeman Auto Auction LLC - Evan Connor S.A.- Applicant 8340 Gilmore Investments LLC- Property Owners	
Architect/Engineer/Consultant	Keissling Architecture Inc.	
Size of Property	4.81 Acres	
Current Zoning	I-2 Industrial District	
Requests	Request for a Conditional Use to Operate an Automotive Auction/Sales Business	
Size of Revision	N/A - Existing Building	
ADJACENT LAND USE/ZONING INFORMATION		
<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Industrial and Park Land	I-2 Industrial Zoning District
South	National Guard Armory	I-2 Industrial Zoning District
East	Gilmore Ponds Park	I-2 Industrial Zoning District
West	Bolke Veneer/Industrial Use	Not In City of Hamilton

Report continued on the next page





Section A: Introduction and Background

Section A.1: Project Overview

Freeman Auto Auction LLC, represented by Mr. Evan Connor, is requesting a Conditional Use Approval to operate a dealer-to-dealer Automobile Auction /Sales Business at 8340 N. Gilmore Road. This property is located in an I-2 (Industrial) Zoning District. Per Section 1124.39.4 of the Hamilton Zoning Ordinance (HZO), Automobile Sales require a Conditional Use Approval in the I-2, (Industrial) Zoning District.

Overview of Auto Auction:

- Freeman Auto Auction will be a weekly dealer only auction held during regular business hours on a weekday. The preliminary time and day is 2pm every Wednesday. Each auction will last 2-4 hours.
- Plans propose five to seven (5-7) full time employees. In addition, there will be 6-8 temporary workers for a four-hour period on auction day only. Total workers on auction day may be up to twenty (20).
- This dealer-to-dealer auction allows only licensed auto dealers to sell their inventory through the auction to other licensed dealers who intend to resell them at their dealership.
- Freeman Auto Auction does not own the inventory, which it is selling; the cars are all consigned from dealers. The vehicles will primarily be from new car dealers intending to sell their unwanted trade-in vehicles. The buyers will be used car dealers looking to purchase inventory for their businesses.
- Transactions are rarely done with cash to in order to reduce security concerns.
- Vehicles will not to be stored at the auction. All vehicles that are on the premises are there in preparation for the next auction or have already been sold and are awaiting pickup by the purchasing dealer. Some vehicles may be kept on site for the next week's auction because they did not sell at the previous week's sale.
- Vehicles generally arrive at the auction driven by employees of Freeman Auto Auction There may be times when vehicles arrive by truck or trailer, but generally vehicles are driven individually to the auction. Purchasing dealers may also use Freeman Auction employees to transport the purchased vehicles to their business.

Report continued on the next page





Section A.2: Existing Site Conditions

The property is a 6.16 acre lot, of which Freeman Auto Auction will utilize approximately 4.88 acres, 79% of the overall property. The site features three (3) curb cuts for vehicular access

The property has an existing 10,772-sq.ft. building with an 855-sq.ft. brick office area on the west /front of the building and with a 9,916-sq.ft. concrete block portion of the building attached to the west /rear of the office area. The block portion of the building has six (6) large overhead doors on both the north and south sides of the building.

There are three (3) other buildings on the property. The largest is a 1,280-sq.ft metal building located at the northwest corner of the property; a second building is near the southern property line approximately 390 feet behind the Gilmore Road right of way line and there is a small shed located approximately 140-ft north of the second building.

The rest of the property is a gravel lot. An existing six-foot high (6') chain-link fence with three strands of barbwire on top encloses the lot on the north, east, and south sides of the property.

Section A.3: History

Three (3) different trucking companies are currently using the property for parking of semi-tractors and trailers. Staff has worked with the applicant regarding the conditional use application requirements, site operations, and general site design proposals. This included a pre-application meeting and subsequent reviews and refinement of the applicant's proposal. Staff also worked with the applicant concerning the paving of the site as part of the conditional use proposal.

The plans indicate that one trucking operation will continue to use approximately 1.28 acres located at the northeast corner of the property. A second trucking company will use the eastern portion of the main building (4,466-sq ft.), including three (3) of the overhead doors on each side of the building, to maintain and service their vehicles.

Report continued on the next page





Section B: Petition Review

Section B.1: Development Plan Overview (Exhibit B)

The submitted development plan proposes exterior, interior, and site alterations to accommodate a proposed auto auction use on the property.

The development plan proposes:

1. To accommodate the proposed business, the office portion of the building will be renovated and ADA compliant restrooms will be included. The first three bays of the concrete block portion of the building will be used for the auto auction and the easterly three bays will be separated for the existing trucking business. The building will be repainted in a color matching as closely as possible to the existing color.

The proposed landscaping:

1. The applicant proposes to install a 10feet landscape bed along the Gilmore Road right of way.
2. The landscape will contain 20 trees of three different evergreen species.
3. The corresponding three shrubs per tree (60 shrubs), will be a mix of Boxwood, Yews, Taxus, and Euonymus Shrubs.

The proposed paving of site:

1. Partial paving of the site with asphalt and
2. Provide 128 striped parking spaces for employees and auction attendees in the paved area.
3. Customer parking will be separated from auction vehicles by a 6-ft high chain-link fencing with barbwire on top
4. Most of the auction car parking area will be left as existing gravel.

Report continued on the next page





Section B.1.1: Conditional Use with Variances Requests (Exhibit B)

The submitted application for the Planning Commission's consideration is for the following:

- 1) Freeman Auto Auction LLC is requesting two variances to the conditional use requirements listed in Section 1124.39.4 HZO and a conditional use.

Request #1

Freeman Auto Auction LLC is requesting a variance to the required ten (10) feet setback and landscaping requirement along the north, east and south sides of the property.

Request #2

Freeman Auto Auction LLC is requesting a variance to the paving requirement. They propose paving 90,845 sq.ft of the lot for customer parking. The remainder of the property; used for parking of auction vehicles and the northeast section of the property used by the trucking business will remain gravel surfaced.

Request #3

Freeman Auto Auction LLC is requesting conditional use approval in order to operate an automobile auction/sales business at 8340 N. Gilmore Road.

Section B.2: Review of Applicant Submittal Materials

To accommodate the proposed business, the office portion of the building will be renovated and ADA compliant restrooms will be included. The first three bays of the concrete block portion of the building will be used for the auto auction and the easterly three bays will be separated for the existing trucking business. The building will be repainted in a color matching as closely as possible to the existing color.

Report continued on the next page





Section B.2.1 Proposal Overview

The submitted Development Plans indicate the following:

1. Auto auction to occupy approximately 4.88 acres of the property.
2. Auto auctions will be Wednesday at 2pm
 - a. Approximately five to seven (5 to 7) employees on a daily basis in the office area
 - b. Up to 20 employees on auction day
 - c. Up to 100 customers in the auction arena on auction day.
3. Renovation of the office portion of the building for auto auction operation.
4. Renovation of the existing vehicle garage area into an auction arena open area.
 - a. The first three (3) bays of the concrete block portion of the building will be used for the auto auction.
 - b. Easterly three (3) bays will be used by the existing trucking business.
5. Building façade to be repainted to match existing.
6. Paving of the front portion of the lot as asphalt (90,845 square feet).
 - a. 128 parking spaces proposed
 - b. Remainder of the site will remain unpaved gravel.
7. Proposed chain-link fence with barbwire to enclose the rear of the building, and for storing auction vehicles.
8. Landscaping proposed along the frontage of the site, along North Gilmore Road.

Report continued on the next page





Section B.2.2 Exterior Façade and Site Improvements

The submitted Site Plans indicate the following:

1. Existing Office Renovation
 - a. Alter the interior of the existing 855 square feet of office space to suit the auto auction tenant.
 - b. Includes two (2) offices, lobby, restroom, and customer registration.

2. Existing vehicle garage area into an auction arena open area.
 - a. 4,937 square foot proposed auto auction area
 - i. (This is half of the existing 9,875 square foot garage).
 - b. The western half (front half) will be used for the auto auction arena. Accessed by the first three (3) bays.
 - c. The eastern half (rear half) will remain as a sub-lease tenant. Accessed by the eastern three (3) bays.
 - d. Two (2) bleachers will be provided for auto auction customer seating. Each bleacher seats approximately 56. (112 seats total).
 - e. New exit door will be provided at the auto auction, northern façade, replacing the existing overhead door (northwestern corner).
 - f. Reconfiguration of a portion of the auto auction area with two (2) new restrooms

3. Painting of the structure:
 - a. Concrete Block, Painted Siding, and Steel Doors to be repainted.
 - b. Repaint in a color matching to match the existing color scheme.
 - i. The concrete building is currently a tan/beige color.
 - ii. The brick building is dark red brick with dark red siding at the gable.

Report continued on the next page





Section B.2.3 Landscaping

The submitted Landscaping Plans indicate the following:

1. Landscape Bed: The applicant proposes to install a 10 feet landscape bed along the Gilmore Road right of way, the frontage of the site.
2. Trees: The landscape will contain Twenty (20) trees of three (3) different evergreen species:
 - a. Seven (7) “Emerald Green Arborvitae”,
Approximately 5’ height, 8’ mature height,
 - b. Seven (7) “Centennial Girl Holly Tree”,
Approximately 5’ height, 8-9’ mature height,
 - c. Six (6) “Hetzi Juniper”,
Approximately 5’ height, 8-9’ mature height
 - d. These varieties are all on the City Arborist’s approved list of trees for planting under utility lines.
3. Shrubs: The corresponding three shrubs per tree (60 shrubs):
 - a. This will be a mix of Boxwood, Yews, Taxus, and Euonymus Shrubs.

Per the Hamilton Zoning Ordinance (HZO), one (1) tree is required per 5,000 square feet of development. The site is 4.81 acres (212,572 square feet).

- A total of 40 trees or proportional number of tree equivalents (three (3) shrubs or six (6) perennials per required tree) are required for the site.
- The application proposes 20 trees and 60 shrubs = (equal to 40 trees)
- The application meets the landscaping requirements for zoning.

Report continued on the next page





Section B.2.4 Off-Street Parking & Access Controls

The submitted plans indicate the following:

1. Pave 90,845 square feet of the site. with asphalt (the western portion of the property, front of the property)
2. Provide 128 striped parking spaces
 - a. Spaces for employees and auction attendees in the paved area.
 - b. Includes five (5) ADA/Handicap Parking Spaces
3. Customer parking will be separated from auction vehicles by a 6 feet high chain-link fencing with barbwire on top for a total height of approximately 7 feet, matching the existing fence.
 - a. Access to this area will be provided by a four feet (4') door/gate and a twenty feet wide (20') vehicle gate
4. The majority of the area for auction car parking area will remain as existing gravel.
5. Proposed directional sign to identify access for existing trucking tenant.
 - a. Located at the northwest corner of the lot.

Per the Hamilton Zoning Ordinance (HZO),

- 1) Auto Auction: one (1) parking space is required per six (6) seats
- 2) Office/Industrial: one (1) parking space for every three (3) employees on the maximum shift

The application proposes 128 striped parking spaces. This exceeds the minimal requirements of both proposed uses.

Section B.2.5 Signage

The submitted plans indicate the following:

1. One (1) proposed Monument Sign
 - a. Maximum of eight (8') feet high
 - b. Maximum of 150 square feet in size.

Report continued on the next page





Section B.2.6 Refuse Storage

The submitted plans indicate the following:

1. Two proposed dumpsters located at the rear of the building, behind proposed fence area.
2. No other designated refuse storage area or screening proposed for the dumpsters.

Section B.2.7 Lighting

The submitted plans indicate the following:

1. The auto auction will only use existing lighting on the site.
2. All existing lighting is located on the façade of the existing concrete structure and brick structure, typically as one (1) over each overhead door.
 - a. Concrete Block structure: at least nine (9) overhead lights on the façade
 - i. Three (3) on the north façade
 - ii. Four (4) on the south façade
 - iii. Two (2) on the front façade
 - b. Brick structure: six (6) façade lights
 - i. Three (3) overhead lamps
 - ii. Three (3) lights at the south façade entrance.

Section C: Interdepartmental Review

The plans were circulated for Interdepartmental Review and there were no objections to the proposal.

Because Gilmore Road is in the City of Fairfield, the plans were shared with them for approval of the entrance/exit aprons onto Gilmore Road.

Fairfield requires that a permit is obtained for the two aprons, that the paving used for the aprons is a minimum of 9-inches thick and the aprons/entrances are no wider than 26-feet each.

Report continued on the next page





Section D: Submitted Request

In order to accomplish the project as proposed in Section B, the applicant, Freeman Auto Auction LLC, is requesting two variances to the conditional use requirements listed in Section 1124.39.4 HZO and a request for a conditional use approval.

Request #1

Request for a variance to the required ten (10) feet setback and landscaping requirement along the north, east and south sides of the property.

Request #2

Request for a variance to the paving requirement. The applicant proposes paving 90,845 sq.ft of the lot for customer parking. The remainder of the property; used for parking of auction vehicles and the northeast section of the property used by the trucking business will remain gravel surfaced (118,701 square feet).

Request #3

Request conditional use approval in order to operate an automobile auction/sales business at 8340 N. Gilmore Road, property zoned I-2 (Industrial).

Section E: Statutes

Section E.1: Conditional Use

Per Section 1124.39.4 HZO; automotive sales requires a Conditional Use Approval from the Planning Commission and City Council. Section 1155.30 (Conditional Uses – Application and Review, General Standards) contains specific findings outlined within the zoning ordinance for review and approval of a Conditional Use by the Planning Commission.

Report continued on the next page





Conditional Uses:

In reviewing an application for a Conditional Use, the Planning Commission shall consider whether there is adequate evidence that the proposed Conditional Use is consistent with the following nine (9) criteria, general standards for a conditional use:

- (1) The proposed Conditional Use is to be located in a district wherein such use may be permitted, subject to the requirements of this Section and the Zoning Ordinance.
- (2) The proposed Conditional Use will not substantially or permanently injure the appropriate use of neighboring property and will serve the public convenience and welfare.
- (3) The proposed Conditional Use will be harmonious with the existing or intended character of the general vicinity, and that such use will not change the essential character of the same area.
- (4) The proposed Conditional Use shall be adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, storm water facilities, water, sanitary sewer, refuse, and schools. If not, the applicant shall be responsible for the extension or establishment of any public facilities and services to effectively service the proposed Conditional Use.
- (5) The proposed Conditional Use will have vehicular approaches to the property, which shall be so designed as not to create an interference with traffic on surrounding streets.
- (6) The proposed Conditional Use will comply with all applicable development standards, except as specifically altered in the approved Conditional Use.
- (7) The proposed Conditional Use will not be hazardous to or have a negative impact on existing or future neighboring uses.
- (8) The proposed Conditional Use will not involve uses, activities, processes, materials, equipment and conditions of operations, including, but not limited to, hours of operation, that will be detrimental to any persons, property, or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare, odor or other characteristic not comparable to the uses permitted in the base zoning district.
- (9) The proposed Conditional Use will not impede the normal and orderly development.

Report continued on the next page





Section E.2: Variances

Section 1155.30 item D - Conditional Use Review Criteria – Use Specific Standards and Variances states:

In reviewing an application for a Conditional Use, the PC may also consider any variance applicable or corresponding to a conditional use request, and determine whether there is adequate evidence that the proposed Conditional Use is consistent with the applicable use-specific standards. Any waiver, variance, or deviation from zoning regulations and standards will become part of the PC recommendation. (REVISED OR2019-6-44)

1. Variance-Findings of the Commission and Council: No variance to which this Ordinance is applicable shall be recommended for approval by the Planning Commission, or authorized by the City Council, unless the Commission and Council find, by a preponderance of the evidence, that all of the following facts and conditions exist.
 - A. *Exceptional Circumstances***: That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same Zoning District.
 - B. *Preservation of Property Rights***: That such variance is necessary for the preservation and enjoyment of substantial property rights possessed by other properties in the same Zoning District and in the same vicinity.
 - C. *Absence of Detriment***: That the authorizing of such variance will not be of substantial detriment to adjacent property, and will not materially impair the purposes of this Ordinance or the public interest.
 - D. *Not of General Nature***: No grant of a variance shall be authorized unless the Planning Commission or City Council finds that the condition or situation of the specific piece of property for which the variance is sought is not of so general or regulation for such conditions or situation.

Section E.3: Plan Hamilton

Plan Hamilton is the updated Comprehensive Plan for the city; a living document meant to guide zoning and land use decisions for the present and the future. Conditional Uses should be compared with the recommendations of Plan Hamilton.

Plan Hamilton's land use map shows the N. Gilmore Road area as Commerce Mixed Use. The proposed auto auction and the two existing trucking businesses on this site comply with this land use.

Report continued on the next page





Section F: Notification

Notices were sent to ten (10) property owners within 500 feet of the subject property. As of the printing of this report, Staff received no responses.

Section G: Recommendations

Staff recommendations to the Planning Commission are listed below in the document. Additionally, Staff Recommended Conditions are also listed in the Exhibit Attachments for this staff report (Please see Exhibit E):

Request #1 - Variance to waive the 10-ft landscaped setback along the north, east, and west sides of the property.

Staff concurs with the applicant and recommends that Planning Commission approve the requested variances to waive the rear and side yard setback landscaping requirements for the following reasons:

- A. *Exceptional Circumstances:*** The property is bordered on the north side by another industrial property with a natural buffer of semi dense forest type natural growth already in place. The property is bordered on the east side by natural wetlands, which make a landscaping border/buffer. The property is bordered on the south side by another industrial property, (military depot/storage/recruiting), which is separated by a typical 6' tall chain link fence with barbed wire on top. Placing a landscape buffer along a bordering industrial property of similar appearance would be highly redundant as their respective property uses do not conflict.
- B. *Preservation of Property Rights:*** Neighboring properties enjoy the same or similar variation from code whether directly granted or grandfathered. There are no other properties in the same area with similar surroundings as we have that have been required to place substantial landscape buffers where we are requesting a variance from.
- C. *Absence of Detriment:*** The requested variance to leave out a landscaping buffer on three sides of the property will not in any way, any neighboring property. The occupancy of Freeman Auto Auction will actually improve the property and immediate area from an aesthetic standpoint because of the paving, painting, and landscaping.
- D. *Not of General Nature:*** The special characteristics of the property are such that these variances are sensible in nature but are not common enough to necessitate a change in regulation.

Report continued on the next page





Recommendation #2 - A variance to the paving requirement for the rear portion of the existing gravel lot.

Staff concurs with the applicant and recommends that Planning Commission approve the requested variance to allow the applicant to pave 90,845 sq.ft of the lot for customer parking and keep the remainder of the lot used for storage of auction vehicles and the northeast section of the property used by the trucking business gravel surfaced

- A. *Exceptional Circumstances:*** Using the existing gravel to park auction cars on is will not adversely affect the property. The gravel area will not be used for customer parking. It would be impractical from a logistical standpoint to require the entire property to be paved, given the trucking businesses that are going to remain at this location.
- B. *Preservation of Property Rights:*** Neighboring properties have a similar appearance with large gravel covered areas on which they park and store equipment including tanks, while the only paved areas are their designated customer parking areas.
- C. *Absence of Detriment:*** There is no harm to neighboring properties by leaving the rear area of this property with the existing gravel surface, which will used for auction vehicle parking. The plans will pave approximately half of lot has been used as a graveled for years.
- D. *Not of General Nature:*** The variance sought to allow the subject areas with their existing gravel does not necessitate a change to and existing regulations.

Recommendation #3 - A conditional use approval to operate an auto auction/sales business at 8340 N. Gilmore Road

Staff recommends that Planning Commission provide a recommendation to City Council to approve the Conditional Use and the requested two (2) variances to allow for the operation of an auto auction/sales business on the site in question, subject to the following conditions:

Report continued on the next page





Conditions of Approval:

1. That a variance to waive the 10-ft landscaped setback requirement on the north, east and south sides of the property is approved.
2. That a variance to the paving requirement for the rear portion of the existing gravel lot as shown on the plans is approved.
3. All storm water drainage shall be directed to the east in a manner that will prevent standing water and will not be directed toward any foundations or cause a problem for adjacent properties.
4. All required permits and inspections shall be obtained prior to the business commencing operation.
5. All site improvements as proposed and all conditions shall be in compliance prior to the business commencing operation.
6. All signs shall conform to the requirements of Section 1138.00 –Signs of the Hamilton Zoning Ordinance.
7. The portion of the new chain-link fence enclosing the auction vehicles shall have vinyl slats installed to screen the graveled parking area and the vehicles parked there.
8. No auction vehicles shall remain on the property for more than 30 days.
9. There shall be no automobile repair on the site as part of the auto auction business.
10. No auto parts or tires shall be stored on the property.
11. All conditions shall be maintained while the business is located at his location. If at any time the property is not in compliance with this approval a Notice of Violation will be sent to the applicant allowing thirty days to achieve compliance.

Report continued on the next page





Section F: Staff Basis / Comments

1. The proposed Conditional Use will be harmonious with the existing character of the general vicinity, and such use will not change the essential character of the same area.
2. The aesthetic and safety improvements proposed and recommended in the conditions are consistent with our auto use regulations. Furthermore, the conditions are also comparable to the conditions recommended for other recent auto use projects.
3. The proposed use is adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, storm water facilities, water, sanitary sewer, refuse, and schools.
4. The proposed use is not hazardous to nor will it have a negative impact on existing or future neighboring uses.
5. The proposed use does not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
6. The proposed site improvements, including aesthetic building enhancements, added landscaping, and reduced curb cuts, are an important improvement according to Plan Hamilton because this area is predominantly residential.

Section G: Attachments

The following attachments are listed in chronological order as they appear in the report.

- 1) Exhibit A – Proposal Plans
- 2) Exhibit B - Location Map
- 3) Exhibit C – Zoning Map
- 4) Exhibit D – Notice of Public Hearing Letter
- 5) Exhibit E – Recommended Conditions of Approval

Report continued on the next page



ORDINANCE NO. _____

AN ORDINANCE APPROVING A REQUEST FOR A CONDITIONAL USE CERTIFICATE TO OPERATE A DEALER-TO-DEALER AUTOMOBILE AUCTION /SALES BUSINESS AT 8340 NORTH GILMORE ROAD: AND A VARIANCE TO THE PAVING REQUIREMENT ALLOWING THE REAR PORTION OF THE PROPERTY TO REMAIN A GRAVELED LOT, PROPERTY ZONED "I-2" (INDUSTRIAL) ZONING DISTRICT, SITUATED IN THE SIXTH WARD, CITY OF HAMILTON, OHIO.

WHEREAS, the Administration of the City of Hamilton, Ohio received an application for a Conditional Use request on behalf of Freeman Auto Auction LLC to operate a dealer-to-dealer Automobile Auction /Sales Business at 8340 North Gilmore Road, parcel# P6461058000028, as referenced in Exhibit No. 1; and

WHEREAS, Section 1124.39.4 of the Hamilton Zoning Ordinance (HZO), classifies an Automobile Sales Business as a Conditional Use Approval in the "I-2", (Industrial) Zoning District; and

WHEREAS, Section 1155.00 of the Hamilton Zoning Ordinance requires that Conditional Uses to be reviewed by the Planning Commission and a recommendation forwarded to City Council; and

WHEREAS, the Planning Department notified all of the owners of property located within five hundred (500) feet of the area in question of a public hearing request for a conditional use for an automobile sales business at 8340 N. Gilmore Road (Parcel ID: P6461058000028), property situated in the "I-2" (Industrial) zoning district, held at the Hamilton Planning Commission meeting of March 5, 2020; and

WHEREAS, the City Planning Commission held a public meeting, considered the conditional use request, site plan, written information provided by the applicant, findings, and the Conditional Use Review Criteria – General Standards, the Planning Commission; and

WHEREAS, Planning Commission recommended that City Council approve the request to allow Freeman Auto Auction LLC, to operate a dealer-to-dealer Automobile Auction /Sales Business at 8340 North Gilmore Road zoned "I-2" (Industrial) District as referenced in Exhibit No. 1 as proposed and with the conditions as listed in Exhibit No.2, situated in The City of Hamilton, Butler County, Ohio, Sixth Ward, North Side.

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

SECTION I: That this Council accepts the recommendation of the Planning Commission and hereby approves the request to establish a Conditional Use to operate a dealer-to-dealer Automobile Auction /Sales Business, at 8340 N. Gilmore Road. (Parcel ID: P6461058000028), property zoned "I-2", (Industrial) zoning district, situated in the Sixth Ward, City of Hamilton, Butler County, Ohio as indicated in Exhibit No.1, subject to the conditions of approval outlined in Exhibit No. 2, for the following rationale:

1. The proposed Conditional Use will be harmonious with the existing character of the general vicinity, and such use will not change the essential character of the same area.
2. The aesthetic and safety improvements proposed and recommended in the conditions are consistent with our auto use regulations. Furthermore, the conditions are also comparable to the conditions recommended for other recent auto use projects.
3. The proposed use is adequately served by essential public facilities and services such as, but not limited to, roads, public safety forces, storm water facilities, water, sanitary sewer, refuse, and schools.
4. The proposed use is not hazardous to nor will it have a negative impact on existing or future neighboring uses.
5. The proposed use does not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.

Ordinance No. _____ (Cont'd)

- 6. The proposed site improvements, including aesthetic building enhancements, added landscaping, and reduced curb cuts, are an important improvement according to Plan Hamilton because this area is predominantly residential.

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: _____

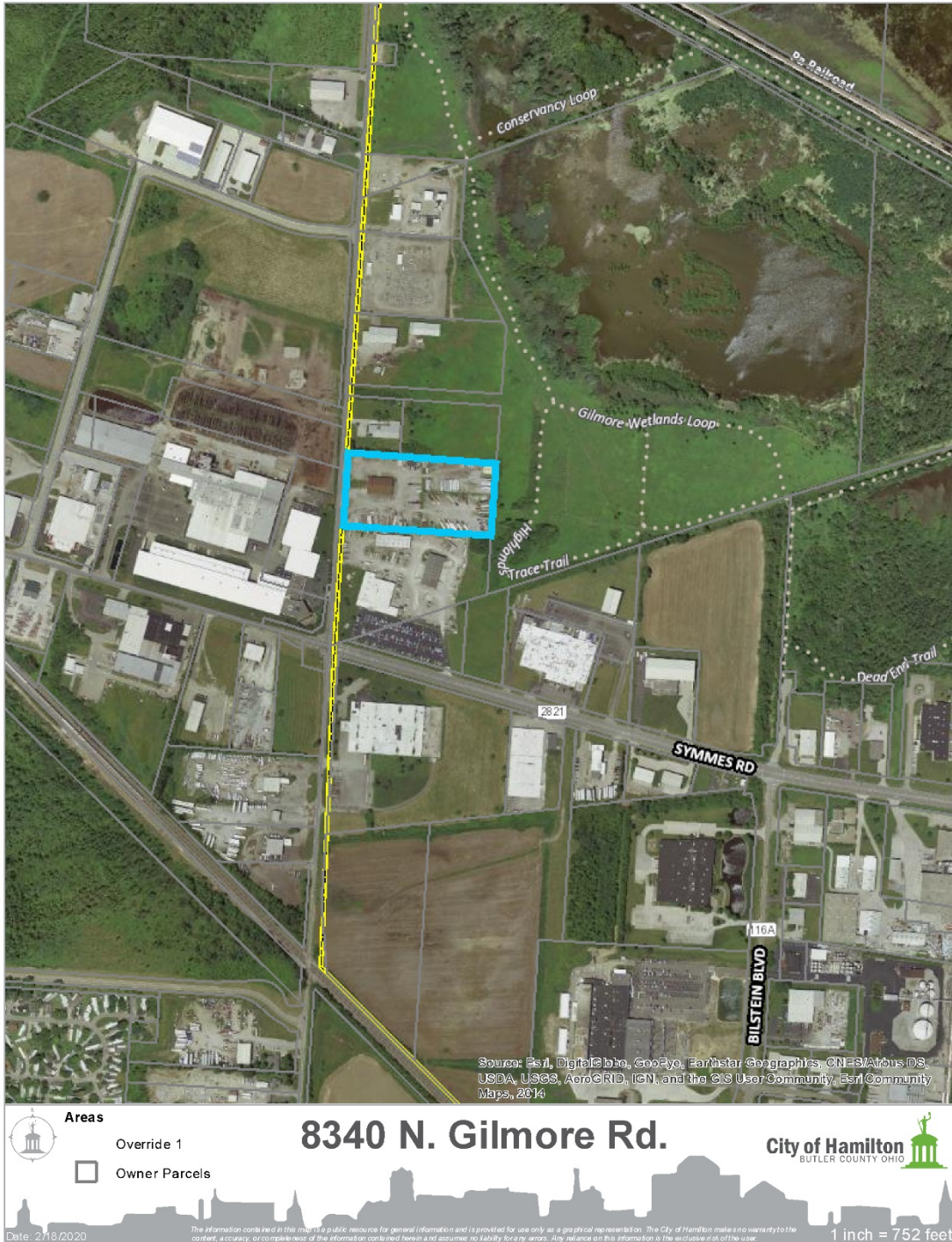
ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas 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 the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO.1



Ordinance No. _____ (Cont'd)

EXHIBIT NO.2

1. That a variance to waive the 10-ft landscaped setback requirement on the north, east and south sides of the property is not approved.
2. In reference to Condition of Approval #1: the applicant, property owner, City Staff and MetroParks shall work to identify the specifics of the buffer to address stormwater, aesthetics, and cost. Grass shall be along the south side (southern property line) and along the northwest property line that is not adjacent to MetroParks property, with a condition that the width shall be subject to stormwater and drainage requirements.
3. A revised landscape plan shall be submitted indicating compliance with the 10-ft landscape setback along the north, east, and south property lines.
4. That a variance to the paving requirement for the rear portion of the existing gravel lot as shown on the plans is approved.
5. The existing exterior fence is straightened and repaired where damaged.
6. The storm water management shall be subject to City of Hamilton, Interdepartmental Review and shall not increase or concentrate flow onto adjacent properties. Measures to prevent the discharge of gasoline, oil, antifreeze, or other chemicals shall be identified on the storm water management plan.
7. All required permits and inspections shall be obtained prior to the business commencing operation.
8. All site improvements as proposed and all conditions shall be in compliance prior to the business commencing operation.
9. All signs shall conform to the requirements of Section 1138.00 – Signs of the Hamilton Zoning Ordinance.
10. The portion of the new chain-link fence enclosing the auction vehicles will have vinyl slats installed to screen the graveled parking area and the vehicles parked there.
11. No auction vehicles shall remain on the property for more than thirty (30) days.
12. There shall be no automobile repair on the site as part of the auto auction business.
13. No auto parts or tires shall be stored on the property.
14. All conditions shall be maintained while the business is located at his location. If at any time the property does not comply with this approval a Notice of Violation will be sent to the applicant allowing thirty days to achieve compliance.

City Council Meeting Staff Report

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

Report From: Jim Logan, Executive Director of Infrastructure
Nate Perry, Director of Business Services

Agenda Item: An ordinance amending subparagraph 947.12(b) of Chapter 947 – Gas Service, of the Codified Ordinances of the City of Hamilton, Ohio, relative to the Gas Cost Recovery Rate, as it pertains to the definition of Base Gas Cost only, and repealing said portion of subparagraph 947.12(b)

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 Realize new investments <input type="checkbox"/> J Increase gross wages <input type="checkbox"/> P Increase property values <input type="checkbox"/> R 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: 3-25-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 4-8-2020 <input type="checkbox"/> Resolution 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): Caucus Report 3-11-20 City Council Meeting	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$ Expenditure: \$ Source Funds: Natural Gas 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 only the definition of Base Gas Cost in Subparagraph 947.12(b), the Gas Cost Recovery Rate, and repeal the existing version?

Policy Alternative(s)

Council may choose not to adopt such legislation amending only the definition of Base Gas Cost in Subparagraph 947.12(b) and repealing the existing version. If Council chooses this option, the current Gas Cost Recovery Rate will remain in effect.



Staff Recommendation

Staff recommends that Council receive this report and adopt legislation to amend the definition of Base Gas Cost only of Subparagraph 947.12(b) and repeal the existing version. By adopting the proposed legislation, the natural gas Base Gas Cost (BGC) included in rates would decrease from \$0.3500/Ccf-sold to \$0.3383/Ccf-sold. Staff further recommends making the proposed change in the Gas Cost Recovery Rate retroactive to March 1, 2020.

Statutory/Policy Authority

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

Fiscal Impact Summary

The proposed change in the Base Gas Cost (BGC) included in rates is projected to prevent over-recovery of approximately \$730,000.00 in natural gas supply costs.

Background Information

On March 11, 2020, City Council adopted legislation that extended the current natural gas supply contract (3) years and reduced the fixed price rate for natural gas charged to the City. This amended contract is projected to save the City approximately \$730,000.00 and will further reduce the impact of future gas market price increases on Hamilton's natural gas rates.

The City Administration is proposing to use this savings to fund the recent Park/Main natural gas outage (approximately \$500,000.00). Additional savings are proposed to support ongoing capital needs by replacing aging infrastructure to increase service reliability. Administration recommends reducing the base gas cost (BGC) included in rates, allowing the savings to be used as proposed. The proposed change will not impact (i.e., not increase) customer bills.

Attached Information

N/A

Copies Provided to:

N/A



ORDINANCE NO. _____

AN ORDINANCE AMENDING SUBPARAGRAPH 947.12(b) OF CHAPTER 947 – GAS SERVICE, OF THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO, RELATIVE TO THE GAS COST RECOVERY RATE, AS IT PERTAINS TO THE DEFINITION OF BASE GAS COST ONLY, AND REPEALING SAID PORTION OF SUBPARAGRAPH 947.12(b) AS IT CURRENTLY EXISTS.

WHEREAS, on March 26, 2003, Hamilton City Council adopted Ordinance No.2003-3-23, establishing the Base Gas Cost (BGC) included in natural gas rates, as set forth in Subparagraph 947.12(b) Gas Cost Recovery Rate, of the Codified Ordinances of the City of Hamilton, Ohio; and

WHEREAS, on March 11, 2020, City Council adopted legislation that extended the current natural gas supply contract three (3) years and reduced the fixed price rate for natural gas saving approximately \$730,000.00 over the life of the contract; and

WHEREAS, the proposed modifications to the Base Power Cost are designed to allow the contract savings of \$730,000.00 to be used to fund the recent Park/Main natural gas outage (approximately \$500,000.00) and support ongoing capital needs by replacing aging infrastructure to increase service reliability; and

WHEREAS, the proposed changed will not impact or increase customer bills; and

WHEREAS, in order to achieve the foregoing, it is necessary to amend, effective retroactively to March 1, 2020, Subparagraph 947.12(b) of the Codified Ordinances of the City of Hamilton, Ohio, relative to the Gas Cost Recovery Rate, as it pertains to the definition of Base Gas Cost (BGC) only and to repeal said portion Subparagraph 947.12(b) as it currently exists;

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

SECTION I: That, effective retroactively to March 1, 2020, Subparagraph 947.12(b) of Chapter 947 – Gas Service, of the Codified Ordinances of the City of Hamilton, Ohio, relative to Gas Cost Recovery Rate, as it pertains to the definition of BGC only is hereby amended to be and read as follows:

947.12 GAS COST RECOVERY RATE.

(b) Gas Cost Component:

(2)

BGC = Amount of gas costs included in volumetric charges of \$0.3383 per Ccf effective March 1, 2020 and thereafter.

SECTION II: That the existing portion Subparagraph 947.12(b)(2) of the Codified Ordinances of the City of Hamilton, Ohio, pertaining to the definition of BGC only as it existed prior to the enactment of this Ordinance is **hereby repealed, effective retroactively to March 1, 2020**, all other portions of Subparagraph 947.12(b) remain in effect.

PASSED: _____

Effective Date: _____

Mayor

ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas 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 the lobby of City Hall for a period of ten days. POSTED: _____.

Ordinance No. _____

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: Lauren Nelson, Business Development Specialist

Agenda Item: An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a side lot. (531 Central Avenue).

<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"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-25-20 <input checked="" type="checkbox"/> 2 nd Reading Date: 4-8-20 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> 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): Caucus Report 3-11-20 City Council Meeting</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: \$</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	<p>Expenditure: \$</p>	
	<p>Source Funds:</p>	

Policy Issue

Does City Council wish to adopt legislation to convey the vacant lot at 531 Central Avenue to Mary Wright who owns property contiguous to this lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 531 Central Avenue to Mary Wright keep the property and maintain the lot.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to convey the vacant lot at 531 Central Avenue to Mary Wright because it would help lessen density in the urban core, encourage home ownership, and increase property values. Said transfer would be consistent with previously adopted Policies and Procedures for the Land Bank Programming and HMO Section 175.10 for disposition of property in an Urban Renewal Area.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton
- Section 175.10, Disposition of Property, Hamilton Codified Ordinances and Land Bank Policies and Procedures
- Land Reutilization Policies and Procedures, R2012-10-49

Fiscal Impact Summary

The City will reduce future financial responsibilities for maintenance of this property.

Background Information

The property at 531 Central Avenue was acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) in January 2013. The property is eligible for the side lot program and is in an urban renewal area. Mary Wright is the homeowner occupant of the property at 535 Central Avenue and seeks to expand the yard by purchasing said property for One Hundred and 00/100 Dollars (\$100.00) through the City’s Side Lot Program.

Address	Parcel Identification
531 Central Avenue, Hamilton, OH	P6421007000069

Attached Information

N/A

Copies Provided to:

N/A



ORDINANCE NO. _____

AN ORDINANCE APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY ACQUIRED THROUGH THE LAND BANK TO AN ADJOINING PROPERTY OWNER AS A SIDELOT. (531 Central Avenue).

WHEREAS, the City of Hamilton, Ohio has received a request from Mary Wright to acquire a property acquired through the Butler County Land Reutilization Corporation (Land Bank) and located in the City's Urban Renewal Area for the purposes as set forth in detail below; and

WHEREAS, City Administration has determined that this property, acquired through the Land Bank, is not needed for a public purpose, is located in an Urban Renewal Area and is contiguous to the residential property owned by Mary Wright; and

WHEREAS, no other contiguous property owner qualified to acquire this Property pursuant to the Land Reutilization Policies and Procedures set forth in Resolution No. R2012-10-49, adopted October 24, 2012 ("Land Reutilization Policies") has requested said property; and

WHEREAS, pursuant to Section 175.10 of the Codified Ordinances, City owned property in an Urban Renewal Area which is not to be retained by the City in accordance with the Urban Renewal Plan may be disposed of with Council's approval, by sale under certain circumstances as are determined to be necessary and appropriate to carrying out the purpose of the Urban Renewal Plan; and

WHEREAS, City Administration has determined that acquisition costs should be waived and that the property should be sold to the applicant for One Hundred and 00/100 Dollars (\$100.00); and

WHEREAS, pursuant to the Land Reutilization Policies, it is also necessary to authorize the City Manager to execute a Land Bank Property Transfer Agreement with each purchaser to ensure that the purchaser maintain the property according to Land Bank standards and requirements; and

WHEREAS, Council determines that the conveyance of this property will meet the City goals of lessening density, encouraging home ownership, eliminating blight within the City, and increasing property values; and

WHEREAS, Council desires to authorize the conveyance of the ownership of this City-owned property to Mary Wright and to authorize and direct the City Manager to take all actions necessary to effect such conveyance;

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

SECTION I: That this Council hereby declares its intent to sell the following City-owned property acquired through the Land Bank, which is more fully described below, also as seen as Exhibit No. 1, to the applicant for One Hundred 00/100 Dollars (\$100.00), subject to the terms of a Land Bank Transfer Agreement, and waives any additional acquisition costs pursuant to the Land Reutilization Policies.

Purchaser	Address	Parcel Identification
Mary Wright	531 Central Avenue	P6421007000069

SECTION II: That this Council hereby finds that the conveyance of said property is in the public interest, comports with the City's Urban Renewal Plan and is made pursuant to the Land Reutilization Policies.

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

SECTION III: That the City Manager is authorized and directed to execute any and all documents necessary to effect this conveyance, including but not limited to a Land Bank Property Transfer Agreement, with the purchaser to ensure that the purchaser maintains the property according to Land Bank standards and requirements, subject to the conditions set forth herein.

SECTION IV: That this conveyance shall be subject to any easements currently of record and any easement determined necessary by the City for any utility purposes.

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

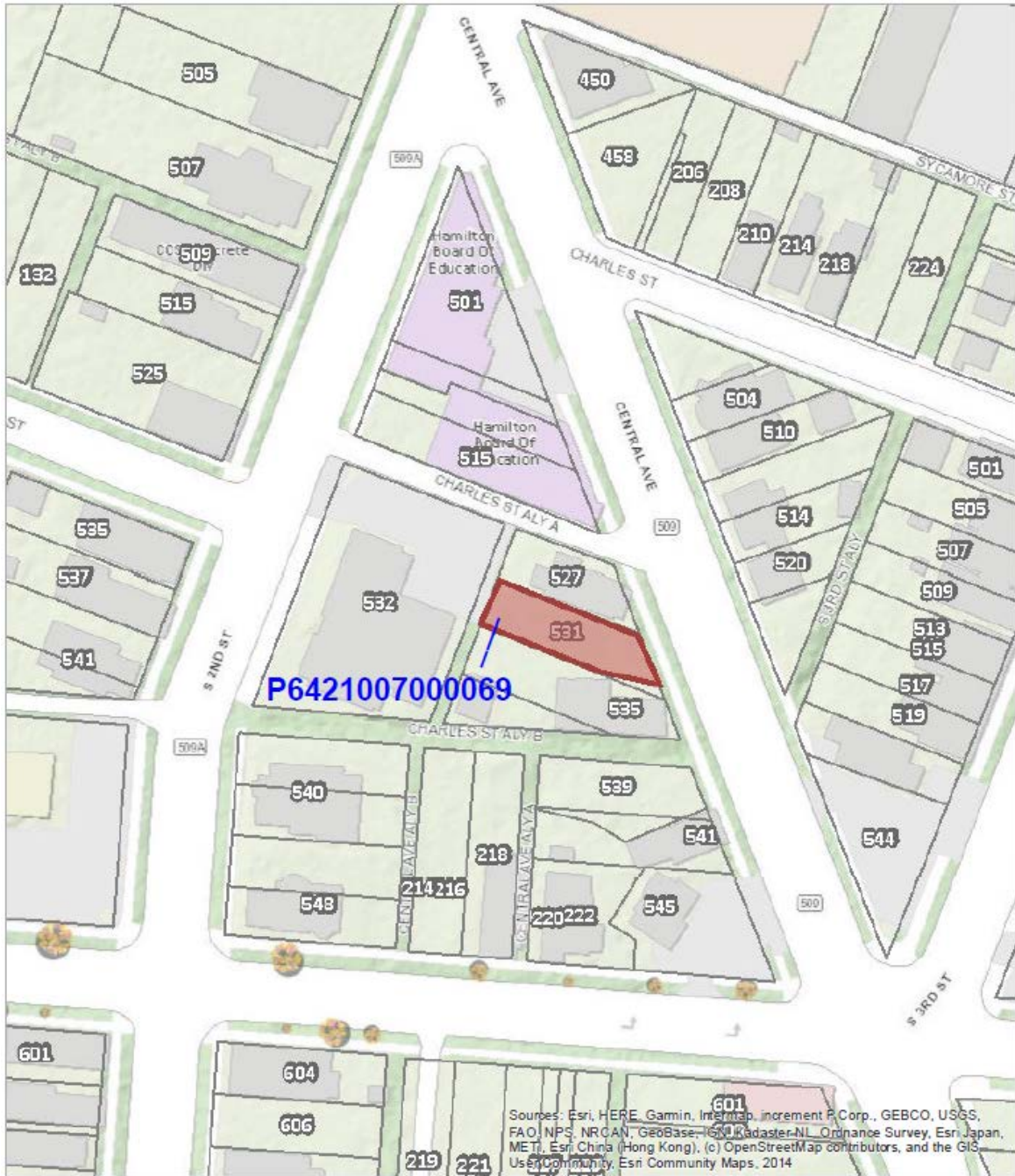
City Clerk

CERTIFICATE

I, Nicholas 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 the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1



Areas

 531 Central Avenue

ArcGIS Web Map



Ordinance No. _____ (cont'd)

City Council Meeting Staff Report

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

Report From: Lauren Nelson, Business Development Specialist

Agenda Item: An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a sidelot. (1141 Lane Street).

<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"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-25-20 <input checked="" type="checkbox"/> 2 nd Reading Date: 4-8-20 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> 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): Caucus Report 3-11-20 City Council Meeting</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: \$</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	<p>Expenditure: \$</p>	
	<p>Source Funds:</p>	

Policy Issue

Does City Council wish to adopt legislation to convey the vacant lot at 1141 Lane Street to Tara Day who owns property contiguous to this lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 1141 Lane Street to Tara Day, keep the property and maintain the lot.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to convey the vacant lot at 1141 Lane Street to Tara Day because it would help lessen density in the urban core, encourage home ownership, and increase property values. Said transfer would be consistent with previously adopted Policies and Procedures for the Land Bank Programming and HMO Section 175.10 for disposition of property in an Urban Renewal Area.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 175.10, Disposition of Property, Hamilton Codified Ordinance and Land Bank Policies and Procedures
- Land Reutilization Policies and Procedures, R2012-10-49

Fiscal Impact Summary

The City will reduce future financial responsibilities for maintenance of this property.

Background Information

The property at 1141 Lane Street was acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) in June 2018. The property is eligible for the side lot program and is in an urban renewal area. Tara Day is the homeowner occupant of the property at 1145 Lane Street and seeks to expand the yard by purchasing said property for One Hundred and 00/100 Dollars (\$100.00) through the City’s Side Lot Program.

Address	Parcel Identification
1141 Lane Street, Hamilton, OH	P6421021000071

Attached Information

N/A

Copies Provided to:

N/A



ORDINANCE NO. _____

AN ORDINANCE APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY ACQUIRED THROUGH THE LAND BANK TO AN ADJOINING PROPERTY OWNER AS A SIDELOT. (1141 Lane Street).

WHEREAS, the City of Hamilton, Ohio has received a request from Tara Day to acquire a property acquired through the Butler County Land Reutilization Corporation (Land Bank) and located in the City's Urban Renewal Area for the purposes as set forth in detail below; and

WHEREAS, City Administration has determined that this property, acquired through the Land Bank, is not needed for a public purpose, is located in an Urban Renewal Area and is contiguous to the residential property owned by Tara Day; and

WHEREAS, no other contiguous property owner qualified to acquire this Property pursuant to the Land Reutilization Policies and Procedures set forth in Resolution No. R2012-10-49, adopted October 24, 2012 ("Land Reutilization Policies") has requested said property; and

WHEREAS, pursuant to Section 175.10 of the Codified Ordinances, City owned property in an Urban Renewal Area which is not to be retained by the City in accordance with the Urban Renewal Plan may be disposed of with Council's approval, by sale under certain circumstances as are determined to be necessary and appropriate to carrying out the purpose of the Urban Renewal Plan; and

WHEREAS, City Administration has determined that acquisition costs should be waived and that the property should be sold to the applicant for One Hundred and 00/100 Dollars (\$100.00); and

WHEREAS, pursuant to the Land Reutilization Policies, it is also necessary to authorize the City Manager to execute a Land Bank Property Transfer Agreement with each purchaser to ensure that the purchaser maintain the property according to Land Bank standards and requirements; and

WHEREAS, Council determines that the conveyance of this property will meet the City goals of lessening density, encouraging home ownership, eliminating blight within the City, and increasing property values; and

WHEREAS, Council desires to authorize the conveyance of the ownership of this City-owned property to Tara Day and to authorize and direct the City Manager to take all actions necessary to effect such conveyance;

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

SECTION I: That this Council hereby declares its intent to sell the following City-owned property acquired through the Land Bank, which is more fully described below, also seen as Exhibit No. 1, to the applicant for One Hundred and 00/100 Dollars (\$100.00), subject to the terms of a Land Bank Transfer Agreement, and waives any additional acquisition costs pursuant to the Land Reutilization Policies.

Purchaser	Address	Parcel Identification
Tara Day	1141 Lane Street	P6421021000071

SECTION II: That this Council hereby finds that the conveyance of said property is in the public interest, comports with the City's Urban Renewal Plan and is made pursuant to the Land Reutilization Policies.

SECTION III: That the City Manager is authorized and directed to execute any and all documents necessary to effect this conveyance, including but not limited to a Land Bank Property Transfer Agreement, with the purchaser to ensure that the purchaser maintains the property according to Land Bank standards and requirements, subject to the conditions set forth herein.

Ordinance No. _____ (cont'd)

SECTION IV: That this conveyance shall be subject to any easements currently of record and any easement determined necessary by the City for any utility purposes.

SECTION V: This ordinance 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, Nicholas 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 the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Ordinance No. _____ (cont'd)

EXHIBIT NO. 1



City Council Meeting Staff Report

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

Report From: Dave Jones, Finance Director

Agenda Item: An ordinance making supplemental appropriations for current expenses and other expenditures of the City of Hamilton, during Fiscal Year ending December 31, 2020.

<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"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input type="checkbox"/> P Increase property values <input type="checkbox"/> R 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>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-25-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 3-25-2020 <input type="checkbox"/> Resolution Date: <input type="checkbox"/> 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	<input type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Total Appropriations: \$300,000 net increase to overall appropriations</p> <hr/> <p>All Other Funds Impact: \$300,000 net increase in appropriations—</p> <ul style="list-style-type: none"> • \$300,000 increase budget for Econ Budget Stab Fund 	<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 approve this supplemental appropriation ordinance?

Policy Alternative(s)

Council may choose not to adopt this Supplemental Appropriation Ordinance. If Council does not adopt legislation, the City will not have enough funds appropriated to cover costs associated with the items addressed in the Fiscal Impact Summary.



Staff Recommendation

Staff recommends that Council receive this report, concur in the recommendation and adopt the necessary legislation. The ordinance will balance accounts and provide the authority to make expenditures.

Statutory/Policy Authority

- Section 5705.38 Annual appropriation measures; classification, Ohio Revised Code
- Section 5705.40 Amending or supplementing appropriation; transfer unencumbered balance; appropriation for contingencies, Ohio Revised Code
- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.

Fiscal Impact Summary

Increase appropriations \$300,000.00 in the Economic Budget Stabilization Fund for economic development initiatives.

Background Information

The City of Hamilton and its business community are facing unprecedented challenges in the wake of the coronavirus (COVID-19) pandemic. The Governor of Ohio and the Director of the Ohio Department of Health have declared a state of emergency and have ordered the closure of all bars and restaurants, excluding carry out services. Currently, legislation is being proposed at the March 25, 2020 City Council meeting to promote general economic development and community welfare within the City of Hamilton, Ohio by authorizing a grant in the amount of \$300,000.00 to be made to the Hamilton Economic Development Corporation (HDEC). It is proposed that this \$300,000.00 expenditure be made from the Budget Stabilization Fund.

Attached Information

N/A

Copies Provided to:

N/A



ORDINANCE NO. _____

AN ORDINANCE MAKING SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF HAMILTON, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2020.

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

SECTION I: That the following unappropriated or unencumbered balances of funds be and the same are hereby re-appropriated as follows:

<u>NUMBER</u>	<u>FUND NAME</u>	<u>AMOUNT</u>
100	From the General Fund	<u>48,767,315</u>
	Personnel Subtotal:	35,740,404
	Non-Personnel Subtotal:	13,026,911
200	From the One Renaissance Fund	2,623,220
207	From thre Hamilton Court Sec. Proj	70,000
208	From the Hamilton Court Sp Proj Fd	29,250
210	From the Public Safety Health Inc Tax	3,405,000
211	From the Rounding Up Util Acct	7,500
212	From the Hamilton Muni Ct Cap Imp	201,000
213	From the MIT Aggregatn/Verifctn Fd	0
215	From the Ham Cap Imp Debt Serv	34,522,367
221	From the Dispute Resolution Proc Fd	<u>5,799</u>
	Personnel Subtotal:	4,799
	Non-Personnel Subtotal:	1,000
225	From the Justice Assistance Grant	18,572
227	From the Land Reutilization Fund	<u>79,007</u>
	Personnel Subtotal:	59,007
	Non-Personnel Subtotal:	20,000
231	From the Law Enforcement Trust	23,600
233	From the Safety Seat Belt Grant	0
235	From the Public Safety Spec Proj	<u>66,800</u>
	Personnel Subtotal:	40,800
	Non-Personnel Subtotal:	26,000
<u>NUMBER</u>	<u>FUND NAME</u>	<u>AMOUNT</u>
238	From the Probation Services	<u>258,826</u>
	Personnel Subtotal:	244,571
	Non-Personnel Subtotal:	14,255
240	From the Drug Law Enforcement Trust	40,000
241	From the DUI Enforcement & Eductn Trst	4,500
242	From the Indignt Drivers Alcohol Trt	11,480

246	From the Police Pension Fund		240,000
249	From the Police Levy Fund		725,000
250	From the Firemen's Pension Fund		240,000
251	From the Emergency Medical Serv Grant		0
252	From the Charter Fire Force Fund		800,000
253	From the Fire EMS Levy Fund		725,000
260	From the Immunization Action Plan Grant		0
		Personnel Subtotal:	0
		Non-Personnel Subtotal:	0
261	From the Kathryn Weiland Trust		510
		Personnel Subtotal:	0
		Non-Personnel Subtotal:	510
270	From the Street & Parks Beautification		0
278	From the Motor Vehicle License Tax Fund		300,000
279	From the Stormwater Mgmt Fund		5,851,719
		Personnel Subtotal:	874,842
		Non-Personnel Subtotal:	4,976,877
280	From the Refuse Fund		5,086,242
		Personnel Subtotal:	869,295
		Non-Personnel Subtotal:	4,216,947
281	From the Street Maintenance Fund		4,349,307
		Personnel Subtotal:	1,464,661
		Non-Personnel Subtotal:	2,884,646
283	From the Convention & Visitors Bur Fd		100,000
301	From the Special Assessments		1,467,000
303	From the Lowes MITIE Talawanda Fund		100,000
304	From the Walmart MITIE Hamilton Fund		180,000
307	From the Issue II Project Fund		1,100,000
308	From the Matandy Steel MPITIE Fund		50,000
309	From the Robinson Schwenn MPITIE Fund		4,600
310	From the Clean Ohio Grants Program		0
311	From the Infrastructure Renewal Program		7,196,500
348	From the RIDs - MPITIE Citywide District		410,000
NUMBER	FUND NAME		AMOUNT
349	From the RIDs - MPITIE North District		70,000
350	From the RIDs - MPITIE South District		42,000
351	From the Quality Publishing MPITIE Fd		10,700
352	From the Shoppes @ Hamilton MPITIE Fd		150,000
353	From the Historic Developers - Mercantile		43,000
354	From the Tippman Properties MPITIE Fd		3,900

355	From the Neturen Manufacturing TIF		60,000
356	From the Champion Mill Sports Complex TIF		0
357	From the Mixed Use Development SODA TIF		77,500
360	From the Government Building Sale Proceeds Fund		12,322,968
501	From the Gas Utility		<u>21,292,700</u>
		Personnel Subtotal:	2,568,808
		Non-Personnel Subtotal:	18,723,892
502	From the Electric Utility		<u>91,862,700</u>
		Personnel Subtotal:	10,431,863
		Non-Personnel Subtotal:	81,430,837
503	From the Water Utility		<u>14,526,607</u>
		Personnel Subtotal:	3,872,077
		Non-Personnel Subtotal:	10,654,530
504	From the Wastewater Utility		<u>13,498,900</u>
		Personnel Subtotal:	3,024,019
		Non-Personnel Subtotal:	10,474,881
512	From the Gas Construction		150,000
515	From the Gas Capital Improvement Fund		1,740,000
516	From the Gas Rate Stabilization Fd		0
517	From the Gas System Reserve		0
518	From the Gas Bond Service Fund		805,000
522	From the Electric Construction		15,500,000
524	From the Hydroelectric operations Fd		<u>2,196,564</u>
		Personnel Subtotal:	1,941,836
		Non-Personnel Subtotal:	254,728
525	From the Electric Cap Improvement Fd		7,533,300
526	From the Electric Rate Stabilization Fd		10,000,000
527	From the Electric System Reserve		10,000,000
528	From the Electric Bond Service Fd		2,693,000
531	From the Water Construction Fd		948,000
NUMBER	FUND NAME		AMOUNT
535	From the Water Cap Improvement Fd		1,312,000
536	Water Rate Stabilization Fund		0
538	From the Water Bond service Fund		1,830,000
541	From the Wastewater Construction Fd		<u>550,330</u>
		Personnel Subtotal:	0
		Non-Personnel Subtotal:	550,330
545	From the Wastewater Cap Imp Fd		2,913,170
548	From the Wastewater Bond Service Fd		3,583,000
550	From the Parking Fund		<u>527,676</u>
		Personnel Subtotal:	150,250
		Non-Personnel Subtotal:	377,426

551	From the Parking Cap Improvement Fund		0
560	From the Golf Fund		1,162,620
		Personnel Subtotal:	513,123
		Non-Personnel Subtotal:	649,497
610	From the Fleet Mtce Fund		3,121,366
		Personnel Subtotal:	1,015,648
		Non-Personnel Subtotal:	2,105,718
620	From the Central Services Fund		8,666,406
		Personnel Subtotal:	4,877,813
		Non-Personnel Subtotal:	3,788,593
640	Central Benefits Fund		990,000
650	Economic Budget Stabilization Fund	0	300,000
715	From the Unclaimed Monies Fund		20,000
730	From the Benninghofen Trust Fd		1,000
775	From the Sinking Fund		7,509,500

The Fund appropriations include these transfer limits:

The Fund appropriations include these advance limits:

The Fund appropriations include these return of advance limits:

SECTION II: This ordinance 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, Nicholas Garuckas, City Clerk of the City of Hamilton, 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 the lobby of City Hall 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: Aaron Hufford, Chief of Staff

Agenda Item: An Emergency Ordinance authorizing and directing the sale of property to C Moye Realty Holdings, LLC relative to certain property known as 632 High Street and Butler County Auditor's Parcel Numbers: P644101100056 - P644101100061.

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 Realize new investments <input type="checkbox"/> J Increase gross wages <input type="checkbox"/> P Increase property values <input type="checkbox"/> R Generate recreational investments <input type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
Ordinance or Resolution <i>Emergency Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-25-20 <input checked="" type="checkbox"/> 2 nd Reading Date: 3-25-20 <input type="checkbox"/> Resolution 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 checked="" type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$ Expenditure: \$ Source Funds: General 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 adopt legislation to authorize and direct the sale of property to C Moye Realty Holdings, LLC for the use of a car wash?

Policy Alternative(s)

Council may choose not to adopt such legislation to authorize and direct the sale of property to C Moye Realty Holdings, LLC. This would halt the sale agreement of the City-owned property on High Street. Council could choose to keep the property listed for sale and find a different buyer.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation authorize and direct the sale of property to C Moye Realty Holdings, LLC for the use of a car wash because the land has been for sale for some time and this proposed land use is consistent with that of the area.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 175.10, Disposition of Property, Codified Ordinances of the City of Hamilton, Ohio

Fiscal Impact Summary

C Moye Realty Holdings, LLC will purchase the property located at 531 High St for \$350,000. All proceeds will be deposited in the Cap & Debt Fund (215).

Background Information

These parcels were previously owned by John Smith, who operated a used car lot. The lots were purchased by the City in December of 2014, as the East High Corridor was being revitalized. The purchase price was \$358,636.75. The City has been responsible for the ongoing maintenance of these lots since the parcels were purchased. The property has been marketed for sale since the purchase date.

C Moye Realty Holdings, LLC approached the City in January 2020, asking to purchase the lot to construct a high-quality car wash. The purchase price agreed to is \$350,000.00 and the buyer has agreed to pay for all infrastructure improvements associated with the project.

Attached Information

N/A

Copies Provided to:

N/A



EMERGENCY ORDINANCE NO. _____

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE SALE OF PROPERTY TO C MOYE REALTY HOLDINGS, LLC RELATIVE TO CERTAIN PROPERTY KNOWN AS 632 HIGH STREET AND BUTLER COUNTY AUDITOR'S PARCEL NUMBERS: P644101100056 - P644101100061.

WHEREAS, Section 173.07 of the Codified Ordinances of the City of Hamilton, Ohio (the "City"), sets forth the provisions for the sale, lease or trade of real property by the City; and

WHEREAS, C Moye Realty, LLC. (the "Purchaser") desires to purchase the Property to construct a carwash with related infrastructure and site work improvement (the "Project"); and

WHEREAS, City Council has determined that the completion of the Project will enhance the economic development of the City, further the health, safety and welfare of its residents, create jobs and enhance tax revenues for the City; and

WHEREAS, a copy of the Sale and Development Agreement is attached hereto as Exhibit No. 1 and a map of the land sale is attached hereto as Exhibit No. 2; and

WHEREAS, the subject matter herein constitutes an emergency measure in that it provides for the immediate preservation of the public peace, property, health, and safety of the community by encouraging economic development within the City and it permits the City to comply with contractual obligations of the closing agreement;

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

SECTION I: That Council determines that the Property is no longer needed for municipal purposes and that the criteria for the sale of City-owned property for economic development purposes as contemplated by Section 173.07(d) of the Codified Ordinances of the City of Hamilton, Ohio, have been met by the construction of the Project on the Property and the workers to be employed on the Project.

SECTION II: That Council authorizes the City Manager to enter into the Sale and Development Agreement and authorizes and directs the City Manager to execute and deliver any and all documents to complete the sale of the Property to C Moye Realty, LLC for the construction of the Project thereon as required by the Sale and Development Agreement which is attached hereto as Exhibit No. 1 and incorporated herein by reference and made a part hereof, subject to any amendments to the Development Agreement as are recommended to the City Manager or by the Law Director.

SECTION III: That any and all prior actions taken by or on behalf of the City in connection with this sale are hereby ratified.

SECTION IV: This 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

Emergency Ordinance No. _____ (Cont'd)

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 the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1

SALE AND DEVELOPMENT AGREEMENT

THIS SALE AND DEVELOPMENT AGREEMENT ("Agreement") is made and entered this ___ day of _____, 2020 ("Effective Date"), by and between the City of Hamilton, Ohio, an Ohio municipal corporation ("Seller" or the "City"), and C Moye Realty Holdings, LLC a _____ limited liability company ("Purchaser").

Recitals:

A. Purchaser desires to construct a _____ square foot carwash with the related infrastructure and site work improvements (collectively the "Project") on real estate owned by the City.

B. City Council has determined that completion of the Project will enhance the economic development of the City, further the health, safety and welfare of its residents, create jobs and enhance tax revenues for the City.

C. Purchaser and Seller are sometimes hereinafter collectively referred to as the "Parties" and individually as a "Party".

D. Purchaser is willing to acquire title to the "Property" (defined below) and to develop, construct and operate the Project pursuant and subject to the terms and conditions contained in this Agreement.

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

1. Agreement of Purchase and Sale. Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and convey to Purchaser, and Purchaser agrees to purchase from Seller, the real estate which is more particularly described on Exhibit A attached hereto, together with all improvements located thereon and all easements and rights, if any, appurtenant thereto (collectively the "Property"). The Property is known as Butler County Auditor's parcel numbers P6441.011.00.056, P6441.011.000.057, P6441.011.000.058, P6441.011.000.059, P6441.011.000.060, P6441.011.000.061, P6441.011.00.070 and P6441.011.000.071. Purchaser will construct the Project on the Property.

2. Earnest Money. On or before the fifth (5th) day following the Effective Date, Purchaser shall deposit with First American Title Insurance Company, (the "Escrow Agent") whose address is _____, the sum of Twenty Thousand and 00/100 (\$20,000.00) Dollars as the initial earnest money deposit (the "Initial Deposit") under this Agreement, which sum shall be held and disbursed as provided for in this Agreement. The failure of Purchaser to timely deliver the Initial Deposit as provided in this Section shall be a material default, and shall entitle Seller, at Seller's sole option, to terminate this Agreement effective on the date set forth in a written notice of termination sent from Seller to Purchaser. The Initial Deposit, the Second Deposit (defined below), if any, and the Third Deposit (defined below), if any, are collectively hereinafter referred to as the "Earnest Money".

The Earnest Money shall be a credit against the Purchase Price (defined below) at Closing (defined below). In all other respects, the Earnest Money shall be returned to Purchaser or paid to Seller as provided for in this Agreement. Purchaser shall cause the Escrow Agent to deliver a written notice to Seller on the date that the Escrow Agent receives each of the Earnest Money deposits. For purposes of this Agreement, the date that the Escrow Agent receives the Initial Deposit is referred to as the "Confirmation Date".

Emergency Ordinance No. _____ (Cont'd)

3. Purchase Price. The purchase price ("Purchase Price") for the Property shall be Three Hundred Fifty Thousand and 00/100 (\$350,000.00) Dollars. The Purchase Price shall be paid by Purchaser to Seller at Closing by wire transfer of immediately available federal funds. The Purchase Price payable to Seller at the Closing shall be adjusted pursuant to Section 12 of this Agreement and reduced by the amount of the Earnest Money.

4. Seller Documents. Within five (5) days after the Effective Date, Seller, at no cost to Purchaser, shall deliver to Purchaser copies of the materials set forth on Exhibit B attached hereto.

5. The Project. The Project: (a) will be constructed in accordance with the Approved Plans (defined below) and all applicable laws, rules and regulations; and (b) will be completed on or before the 18th month following the Closing (the "Project Completion Date"). Promptly following the completion of the Project, but in no event later than the Project Completion Date, Purchaser shall provide Seller with a certificate confirming the date that the Project was completed.

6. Conditions. The obligations of the Parties 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 on or before the dates set forth in each of the following subsections:

(a) Title Commitment. At least thirty (30) days before the expiration of the Initial Due Diligence Period (defined below), Purchaser, at its sole cost and expense, shall obtain a title commitment ("Title Commitment") for an Owner's Policy of Title Insurance (the "Title Policy") for the Property, issued by a title insurance company (the "Title Company") acceptable to Purchaser.

(b) Survey. If Purchaser wants an ALTA/NSPS Survey (the "ALTA Survey") of the Property, Purchaser, at Purchaser's sole cost and expense, may obtain one at least 30 days prior to the expiration of the Initial Due Diligence Period.

(c) Title Objections. Purchaser shall deliver a copy of the Title Commitment to Seller promptly after Purchaser receives the Title Commitment from the Title Company and a copy of the ALTA Survey (if any) promptly after Purchaser receives it. If the Title Commitment, the ALTA Survey (if any) shows that the Property is unmarketable or subject to a defect, lien, encumbrance, easement or restriction which is unacceptable to Purchaser (each, a "Title Objection"), Purchaser shall give written notice of such Title Objection ("Title Objection Notice") to Seller on or before the date which is twenty (20) days prior to expiration of the Initial Due Diligence Period. If Seller has not received a Title Objection Notice on or before said date, Purchaser shall be deemed to have approved of title to the Property and to have waived its ability to terminate this Agreement for the failure of this Condition.

(d) Seller's Notice. If Seller is unable or unwilling to cure a Title Objection, Seller shall give Purchaser written notice ("Seller's Notice") of that fact within five (5) business days following Seller's receipt of the Title Objection Notice. On or before expiration of the Initial Due Diligence Period, Purchaser shall elect to either: (i) waive such Title Objection(s) which Seller is unable or unwilling to cure and accept such title to the Property as Seller is able to convey without any reduction in the Purchase Price and without any liability on the part of Seller (such waiver of liability by Purchaser being deemed to survive the Closing or termination of this Agreement); or (ii) terminate this Agreement by giving written notice of termination to Seller. If Purchaser gives a timely notice of termination to Seller as provided for in the preceding sentence, the Initial Deposit shall be repaid to Purchaser by the Escrow Agent. After termination, neither Purchaser nor Seller shall have any further rights or obligations under this Agreement or liability to the other, except for those obligations which survive the termination of this Agreement. Each Party shall bear its own costs incurred under this Agreement. If Seller has not received a timely notice of termination from Purchaser, Purchaser shall be deemed to have: (i) waived its ability to terminate this Agreement pursuant to the provisions of this paragraph; (ii) waived those Title Objection(s) which Seller is unable and/or

Emergency Ordinance No. _____ (Cont'd)

unwilling to cure; and (iii) elected to accept the title to the Property that Seller is willing and/or able to deliver as provided for in this Section.

(e) Permitted Encumbrances. All matters: (i) of record; (ii) contained in the Title Commitment; or (iii) disclosed in the A.L.T.A. Survey (if any) which are not objected to by Purchaser shall be deemed to have been approved by Purchaser. 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) building setback lines and other requirements provided for in the applicable zoning ordinances; (iii) all Title Objections subsequently waived, deemed waived, or deemed approved by Purchaser; and (iv) any restrictions contained in the Deed (defined below).

(f) Mortgage Liens. The foregoing notwithstanding, any mortgage and other monetary lien (other than real estate taxes and general and special assessments which are covered in Section 12 of the Agreement) on the Property are hereby objected to and shall be discharged by Seller prior to or at the Closing.

(g) Due Diligence Inspection. Commencing on the Confirmation Date and continuing until 5:00 P.M. (Ohio time) on the one hundred twentieth (120th) day following the Effective Date (such 20 day period of time being hereinafter referred to as the "Initial Due Diligence Period"), Purchaser, at Purchaser's sole cost and expense, shall have the right, subject to the terms and conditions of this Agreement, to enter upon the Property to examine, inspect and investigate the Property and determine whether the Property is suitable to Purchaser for Purchaser's intended use. Due diligence to be conducted on the Property by Purchaser during the Due Diligence Period (defined below) may include, but not be limited to (i) conducting such investigations of the physical condition, the soil condition and environmental condition of the Property as Purchaser deems appropriate; (ii) obtaining such permits and approvals as may be deemed necessary by Purchaser in connection with the Project (collectively, the "Approvals"); (iii) City Council adopting an ordinance (the "Ordinance") authorizing the execution of this Agreement, the Deed and the other documents to be delivered by Seller at the Closing; and (v) Seller and Purchaser agreeing in writing upon the site plan and exterior plans for the Project (such approved site plan and approved exterior plans for the Project are hereinafter collectively referred to as the "Approved Plans"); and (vi) Seller and Purchaser negotiating the terms of a mutually agreeable agreement (the "Access Agreement") which will, among other things: (v) grant Purchaser a non-exclusive easement over the south 10 feet of Seller's property located east of the Property (said 10 foot area being referred to as the "Easement Area") for pedestrian and vehicular ingress and egress to and from the Property and Seventh Street; (w) obligate Purchaser to design and construct the access improvements (collectively, the "Access Improvements") in the Easement Area at Purchaser's sole cost and expense; (x) provide that the Access Improvements will be maintained and replaced at no cost or expense to Seller; (y) obligate Purchaser to complete the construction of the Access Improvements on or before the Project Completion Date and (z) provided that the Access Agreement shall terminate if the construction of the Project is not completed by the 180th day following the Project Completion Date, unless Seller and Purchaser agree otherwise in writing. Notwithstanding the foregoing, under no circumstances shall any such Approvals impose any burden or be binding upon the Property prior to Closing or after the termination of this Agreement, nor shall the same impose any cost or liability on Seller or the Property, except to the extent Seller may provide its written consent to the same, which consents shall not be unreasonably withheld.

Provided that Purchaser is diligently and in good faith pursuing its due diligence investigation of the Property but has been unable to complete it prior to the expiration of the Initial Due Diligence Period, Purchaser may extend the Initial Due Diligence Period for a successive period of thirty (30) days (the "First Extended Due Diligence Period") for the sole purpose of completing its due diligence, if, before, the expiration of the Initial Due Diligence Period, Purchaser: (i) gives Seller written notice of its intent to extend the Initial Due Diligence Period by such additional 30-day period; and (ii) deposits with Escrow Agent the sum of Five Thousand and 00/100 Dollars (\$5,000.00) (the "Second Deposit") to be held in escrow pursuant to the terms of this Agreement. Upon the extension of the Initial Due Diligence Period as set forth in the preceding sentence, the Second Deposit shall be non-refundable but shall become a part of the Earnest Money and applicable to the Purchase Price.

Emergency Ordinance No. _____ (Cont'd)

Provided that Purchaser is diligently and in good faith pursuing its due diligence investigation of the Property but has been unable to complete it prior to the expiration of the First Extended Due Diligence Period, Purchaser may extend the First Extended Due Diligence Period for a successive period of thirty (30) days (the "Second Extended Due Diligence Period") for the sole purpose of completing its due diligence, if, before, the expiration of the First Extended Due Diligence Period, Purchaser: (i) gives Seller written notice of its intent to extend the First Extended Due Diligence Period by such additional 30-day period; and (ii) deposits with Escrow Agent the sum of Five Thousand and 00/100 Dollars (\$5,000.00) (the "Third Deposit") to be held in escrow pursuant to the terms of this Agreement. Upon the extension of the First Extended Due Diligence Period as set forth in the preceding sentence, the Third Deposit shall be non-refundable but shall become a part of the Earnest Money and applicable to the Purchase Price.

For purposes of this Agreement, the Initial Due Diligence Period, as the same may be extended by the First Extended Due Diligence period (if any) or the Second extended Due Diligence Period (if any), is herein called the "Due Diligence Period".

If Purchaser determines that any of the due diligence matters set out above has not been met to Purchaser's satisfaction, as determined by Purchaser in its sole judgment, or has not been met or waived by Purchaser, in its sole discretion, Purchaser shall have the right to terminate this Agreement by giving written notice of termination to Seller prior to the expiration of the Due Diligence Period. If Purchaser gives a timely written notice of termination to Seller prior to the expiration of the Due Diligence Period, this Agreement shall terminate. If this Agreement were terminated pursuant to the foregoing provisions, 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). If Purchaser terminates this Agreement as provided for above, the Escrow Agent shall pay the Initial Deposit to Purchaser and pay the Second Deposit (if any) and Third Deposit (if any) to Seller. Each Party shall bear its own costs incurred hereunder. If Seller has not been given a written notice of termination from Purchaser prior to the expiration of the Due Diligence Period, Purchaser shall be deemed to have waived its ability to terminate this Agreement pursuant to the terms of this Section and any unmet Condition shall be deemed to have been waived by Purchaser.

If Seller determines that any of the due diligence matters set out above has not been met to Seller's satisfaction, as determined by Seller in its sole judgment, or has not been waived by Seller, in its sole discretion, Seller shall have the right to terminate this Agreement by giving written notice of termination to Purchaser prior to the expiration of the Due Diligence Period. If Seller gives a timely written notice of termination to Purchaser prior to the expiration of the Due Diligence Period, this Agreement shall terminate. If this Agreement were terminated pursuant to the foregoing provisions, 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). If Seller terminates this Agreement as provided for above, the Escrow Agent shall pay the Initial Deposit to Purchaser and pay the Second Deposit (if any) and Third Deposit (if any) to Seller. Each Party shall bear its own costs incurred hereunder. If Purchaser has not been given a written notice of termination from Seller prior to the expiration of the Due Diligence Period, Seller shall be deemed to have waived its ability to terminate this Agreement pursuant to the terms of this Section and any unmet Condition shall be deemed to have been waived by Seller.

(i) Waiver. If a Party fails to terminate this Agreement because of the failure of a Condition, then each unmet Condition shall be deemed to have been waived by that Party. If any Condition is waived by Purchaser or is deemed to have been waived by Purchaser as provided for in the preceding sentence or otherwise provided or in this Agreement, the Parties shall proceed to the Closing, without any adjustment in the Purchase Price, and Seller shall have no liability to Purchaser arising out of or related to any Condition that has been waived or deemed to have been waived by Purchaser. The provisions of this paragraph shall survive the Closing or any termination of this Agreement. Each Party shall have the right to waive any or all Conditions prior to the scheduled expiration of Due Diligence Period.

Emergency Ordinance No. _____ (Cont'd)

7. Closing. The closing ("Closing") for the delivery of the Deed for the Property, the payment 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 30th day following the expiration of the Due Diligence Period, or such earlier date as the Parties may agree in writing. The Closing shall be done through escrow, with both Parties delivering to the Title Company prior to the Closing all of that Party's closing deliverables and that Party's escrow closing instructions. Upon satisfaction or completion of all escrow closing conditions, the Parties shall direct the Title Company to record and deliver the closing documents to the appropriate Party and make disbursements according to a closing statement approved and executed by Seller and Purchaser (the "Closing Statement").

The Closing shall not occur unless and until all of the conditions precedent set forth in Sections 8 and 9 of this Agreement shall have been met or waived and the actions set forth in Sections 10 and 11 of this Agreement shall have been taken and none of such actions set forth in Section 10 and 11 of this Agreement shall be deemed to have been taken unless and until all of them have been taken.

8. Purchaser's Closing Conditions. The obligation of Purchaser to consummate the transaction hereunder is expressly subject to and contingent upon the occurrence of each and every one of the following:

(a) The Title Company will have issued the Title Policy, dated as of the date of the Closing and showing fee simple title to the Property is vested in Purchaser, subject only to the Permitted Encumbrances.

(b) Since the expiration of the Due Diligence Period, there will not have been any material adverse change in the physical condition or characteristics of the Property not caused by Purchaser, its employees, agents or contractors, including, without limitation, any material adverse change in the ability to use or develop the Property for the Project.

(c) Seller will have complied with all terms, provisions and conditions set forth in this Agreement.

(d) All of the matters which by the terms of this Agreement must be agreed upon by Purchaser and Seller prior to the Closing Date shall have been so agreed upon.

In the event any of the foregoing conditions has not been fulfilled to Purchaser's satisfaction or waived by Purchaser, in its sole discretion, then Purchaser may terminate this Agreement without liability by giving written notice to Seller on or before the Closing. After termination, neither Seller nor Purchaser shall have any further rights or obligations under this Agreement or liability to the other, except for those obligations which survive the termination of this Agreement and except to the extent that a failure of a condition is also a default by Seller hereunder. If Purchaser terminates this Agreement as provided for above, the Escrow Agent shall pay the Initial Deposit to Purchaser and pay the Second Deposit (if any) and Third Deposit (if any) to Seller. Each Party shall bear its own costs incurred hereunder. If Purchaser does not terminate this Agreement pursuant to the provisions of this Section and the Parties proceed to Closing hereunder, then all of Purchaser's Closing conditions which are not met shall be deemed to have been waived by Purchaser. If any of Purchaser's Closing conditions are waived by Purchaser or are deemed to have been waived by Purchaser pursuant to the provisions of this paragraph, the Parties shall proceed to the Closing without any adjustment to the Purchase Price, and neither Seller nor Purchaser shall have any liability to the other arising out of or related to the Closing conditions that have been waived or deemed to have been waived by Purchaser pursuant to this paragraph. The waiver of liability set forth in the immediately preceding sentence shall survive the Closing hereunder.

9. Seller's Closing Conditions. The obligation of Seller to consummate the transaction hereunder is expressly subject to and contingent upon the occurrence of each and every one of the following:

(a) All representations and warranties of Purchaser will be true and correct on the Closing Date.

Emergency Ordinance No. _____ (Cont'd)

(b) Purchaser will have complied with all terms, provisions and conditions of this Agreement (to the extent then required to be performed).

(c) All of the matters which by the terms of this Agreement must be agreed upon by Seller and Purchaser prior to the Closing shall have been so agreed upon.

In the event any of the foregoing conditions has not been fulfilled to Seller's satisfaction or expressly waived in writing by Seller in its sole discretion, then Seller may terminate this Agreement without liability by giving written notice to Purchaser on or before the Closing. After termination, neither Seller nor Purchaser shall have any further rights or obligations under this Agreement or liability to the other except for those obligations which survive the termination of this Agreement and except to the extent that a failure of a condition is also a default by Purchaser under this Agreement. If Seller terminates this Agreement as provided for above, the Escrow Agent shall pay the Initial Deposit to Purchaser and pay the Second Deposit (if any) and Third Deposit (if any) to Seller. Each Party shall bear its own costs incurred hereunder. If Seller does not terminate this Agreement pursuant to the provisions of this paragraph and the Parties proceed to Closing hereunder, then all of Seller's Closing conditions which are not met shall be deemed to have been waived by Seller. If any of Seller's Closing conditions are waived by Seller or are deemed to have been waived by Seller pursuant to the provisions of this paragraph, the Parties shall proceed to the Closing without any adjustment to the Purchase Price, and neither Seller nor Purchaser shall have any liability to the other arising out of or related to the Closing conditions that have been waived or deemed to have been waived by Seller pursuant to this paragraph, except for any default by Purchaser under this Agreement. The waiver of liability set forth in the immediately preceding sentence shall survive the Closing hereunder.

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

(a) Deliver a Quit-Claim Deed (the "Deed"), in the form of Exhibit C attached hereto, signed and acknowledged by Seller, conveying fee simple title to the Property to Purchaser, using the legal description for the Property set forth on Exhibit A, subject to the provisions of the Agreement and the Permitted Encumbrances;

(b) Deliver a copy of the Ordinance authorizing the City Manager to execute and deliver the Deed and the other closing documents on behalf of Seller;

(c) Deliver an Affidavit of Title and Non-Foreign Certificate, in the form of Exhibit D attached hereto, signed and acknowledged by Seller;

(d) Deliver the Access Agreement, signed and acknowledged by Seller;

(e) Deliver a Closing Statement acceptable to Seller; and

(f) Deliver possession of the Property to Purchaser, subject to Permitted Encumbrances.

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

(a) Deliver such evidence as the Title Company and Seller may reasonably require as to the authority of the person or persons executing documents on behalf of Purchaser;

(b) Deliver the Access Agreement, signed and acknowledged by Purchaser; and

(c) Deliver a Closing Statement acceptable to Purchaser.

12. Closing Costs; Adjustments and Prorations. Real estate taxes and assessments (general and special) on the Property shall be prorated between Seller and Purchaser to the date of Closing based upon the most recent tax bill for Property that is available from Butler County prior to Closing. All prorations

Emergency Ordinance No. _____ (Cont'd)

shall be final. Seller will pay the cost to prepare the Deed and ½ of the Closing fee charged by the title agent. Purchaser shall pay the cost of the title examination, the Title Commitment, the ALTA Survey (if any), the premium for the Title Policy, the cost of any endorsements Purchaser may require for the Title Policy, the cost of its due diligence, the cost to prepare the legal descriptions for the Easement Area, the cost to record the Access Agreement, the cost to record the Deed and ½ of the Closing fee charged by the title agent. Each Party shall be responsible for its own attorneys' fees. The obligations of Seller and Purchaser provided for in this Section shall survive the Closing and (as applicable) the termination of this Agreement.

13. Right of Entry. Purchaser, its employees, agents and contractors, shall have the nonexclusive right to enter upon the Property to conduct the ALTA Survey (if any) and to complete such due diligence investigations of the Property as Purchaser deems appropriate. All such activities by Purchaser shall be conducted at the sole cost and expense of Purchaser. This right of entry shall terminate on the earlier of: (a) the date this Agreement is terminated; or (b) the Closing.

Purchaser understands and agrees that all activities on the Property performed by or on behalf of Purchaser shall be done in compliance with the terms and conditions set forth in this Agreement and all applicable laws, rules and regulations. All such activities shall be conducted after reasonable prior notice to Seller and in such a manner that will not harm or damage the Property. Purchaser agrees to restore the Property to its condition prior to any such activities immediately after conducting the same. Seller reserves the right to have a representative present while Purchaser or its employees, agents or contractors are present at the Property. If Purchaser desires to do any invasive testing on the Property, Purchaser shall do so only after notifying Seller and obtaining Seller's prior written consent thereto, which consent may be withheld or be subject to such terms and conditions imposed by Seller in its sole discretion. Purchaser, if requested by Seller, will furnish to Seller (without cost or warranty) copies of any report received by Purchaser relating to any inspection of the Property.

Prior to entering upon the Property, Purchaser covenants and agrees that Purchaser shall have in effect the following insurance coverages:

(a) Workers' Compensation insurance as required by the Ohio Workers' Compensation Act; and

(b) Commercial General Liability coverage with limits of at least One Million and 00/100 (\$1,000,000.00) Dollars per occurrence and Two Million and 00/100 (\$2,000,000.00) Dollars in the aggregate. The policy shall be written to apply to all bodily injury, property damage, personal injury and other covered loss, however, occasioned, occurring on or about the Property. Such policy shall also insure Purchaser's indemnity obligation to Seller hereinafter set forth in this Section. Claims-made policies are not acceptable.

As a condition to any entry on the Property by Purchaser, its contractors, subcontractors or materialmen, Purchaser shall provide Seller with acceptable evidence that the required insurance coverage is in place for Purchaser. Seller shall be named as an additional insured on the Commercial General Liability policy specified above. Each policy shall provide that it may not be modified, cancelled or allowed to expire without thirty (30) days prior written notice to Seller.

Purchaser agrees to protect, indemnify, defend and hold Seller and its employees and council members harmless from and against any and all claims, liabilities, losses, costs, expenses (including but not limited to reasonable attorneys' fees), damages, injuries or death arising out of or resulting from: (a) any activity of Purchaser, its employees, agents or contractors on or about the Property; (b) any damage on or about the Property caused by or allegedly caused by Purchaser, its employees, agents or contractors; and/or (c) any mechanic's lien being filed against the Property as a result of the action or alleged action of Purchaser, its employees, agents or contractors.

The provisions of this Section shall survive the Closing or any termination of this Agreement.

Emergency Ordinance No. _____ (Cont'd)

14. Restrictions on Use. Purchaser agrees for itself, and its successors and assigns and every successor in interest to the Property or any part thereof, that the Deed (and any future deed by Purchaser conveying any part of the Property) shall contain a covenant on the part of Purchaser, its successors and assigns, that Purchaser and such successors and assigns shall:

(a) Not discriminate upon the basis of race, color, religion, sex or national origin in the sale, lease, or rental or in the use or occupancy of the Property and any improvements erected or to be erected thereon, or any part thereof.

It is intended and agreed that the Deed and any future deed by Purchaser conveying any part of the Property shall include the aforesaid covenant provided in this Section. The covenant shall be a covenant that runs with the land. To the fullest extent permitted by law and equity, the covenants shall: (a) be binding on Purchaser, its successors and assigns and any party in possession or occupancy of the Property or any part of it; and (b) be for the benefit and in favor of and enforceable by Seller against Purchaser, its successors and assigns and any party in possession or occupancy of the Property or any part thereof.

The covenant provided in clause (a) of this Section shall remain in effect without limitation as to time; provided, however, the covenant shall be binding on Purchaser, or any successor or assign, only for such period as it shall have title to, or an interest in, or possession or occupancy of, the Property. Further, the covenant set forth in this Section: (a) shall not be a personal covenant between Seller and Purchaser; (b) shall be a covenant that runs with the land and shall be binding on Purchaser, its successors and assigns, and any future owner or lessee of the Property or any part of it; (c) shall be a covenant that is enforceable by Seller, its successors and assigns; and (d) shall be memorialized in the Deed for the Property. The provisions of this Section shall survive the Closing.

15. Deliveries. Purchaser acknowledges and agrees that all documents, materials, data and information delivered by or on behalf of Seller to Purchaser in connection with the transaction contemplated by this Agreement are provided to Purchaser as a convenience only and that any reliance on or use of such documents, materials, data or information by Purchaser shall be at the sole risk of Purchaser. Seller does not represent or warrant the accuracy of and Seller shall have no liability to Purchaser for any inaccuracy in or omission from any such documents, materials, data or information. The provisions of this Section shall survive the Closing.

16. AS-IS Sale; Disclaimers. It is understood and agreed that Seller is not making and has not at any time made any warranties or representations of any kind or character, express or implied, with respect to the Property, including, but not limited to, any warranties or representations as to habitability, merchantability or fitness for a particular purpose.

Purchaser acknowledges and agrees that upon the Closing, Seller shall sell and convey to Purchaser and Purchaser shall accept the Property "AS IS, WHERE IS, WITH ALL FAULTS". Purchaser has not relied and will not rely on, and Seller is not liable for or bound by, any express or implied warranties, guaranties, statements, representations or information pertaining to the Property or relating thereto made or furnished by Seller, or any agent representing or purporting to represent Seller, to whomever made or given, directly or indirectly, orally or in writing.

Purchaser represents to Seller that Purchaser has conducted, or will conduct prior to the Closing, such investigations of the Property, including but not limited to, its environmental condition as Purchaser deems necessary or desirable to satisfy itself as to the condition of the Property and the existence or nonexistence or curative action to be taken with respect to the Property or any hazardous or toxic substance on or discharged from the Property. Purchaser will rely solely upon its investigations and not upon any information provided by or on behalf of Seller or any agent or employee of Seller with respect thereto. Upon the Closing, Purchaser shall assume the risk that adverse matters arising or existing on or before the Closing, including but not limited to, defects and adverse environmental conditions, may not have been revealed by Purchaser's investigations.

Emergency Ordinance No. _____ (Cont'd)

The provisions of this Section shall survive the Closing or any termination of this Agreement.

17. Post-Closing Construction and Operation. As an inducement for Seller to enter into this Agreement, Purchaser covenants and agrees that:

(a) the Project, including but not limited to, its engineering and design plans, and its plans and specifications and its construction shall be completed at Purchaser's sole cost and expense;

(b) the Project shall be completed: (i) in conformance with this Agreement and all applicable codes, ordinances, and laws; (ii) in a prompt, diligent, lien-free, good and workmanlike manner; and (iii) in accordance the Approved Plans;

(c) Purchaser shall complete the construction of the Project on the Property no later than the Project Completion Date or such later date as Purchaser and Seller agree to in writing;

(d) at all times following the Closing, Purchaser shall keep the Property neat, clean, mowed and free from accumulation of weeds and debris; and

(e) Purchaser shall promptly, diligently and completely perform all of the duties and obligations of Purchaser under this Agreement and the other agreements signed by Purchaser at the Closing, including but not limited to the Access Agreement (all of which are collectively hereinafter referred to as the "Development Agreements").

Purchaser, at its sole cost and expense, shall prepare and submit to appropriate government agencies all applications for such approvals as are required to develop and construct the Project in accordance with this Agreement and all applicable laws, rules, regulations, codes and ordinances.

Purchaser acknowledges and agrees that: (a) the development of the Property in accordance with the terms of this Agreement and the operation of a retail business on the Property in accordance with the terms of the Agreement are of utmost importance to Seller; (b) the post-Closing obligations of Purchaser set forth in this Agreement are a material consideration for Seller to sell the Property to Purchaser for the Purchase Price; and (c) absent Purchaser's covenant to perform its post-Closing obligations set forth in this Agreement, Seller would not have sold the Property to Purchaser for the Purchase Price.

The covenants set forth in this Section: (a) shall not be personal covenants between Seller and Purchaser; (b) shall be covenants that shall run with the land and shall be binding on Purchaser, its successors and assigns, and any future owner or lessee of the Property or any part of it; and (c) shall be covenants that are enforceable by Seller.

18. Indemnification. Notwithstanding anything in this Agreement to the contrary, as a material inducement to Seller to enter into this Agreement, Purchaser covenants and agrees that Purchaser shall defend, indemnify and hold Seller, its council members and employees (collectively, the "Indemnified Parties") harmless from and against any and all actions, suits, claims, losses, costs (including without limitation reasonable attorneys' fees), demands, judgments, liability and damages (collectively, "Claims") suffered or incurred by or asserted against the Indemnified Parties, or any of them, as a result of or arising from any act or omission of Purchaser, its agents, employees, contractors, subcontractors, licensees, invitees or anyone else acting at the request of Purchaser on or about the Property or in connection with the due diligence, development, construction and operation of the Project except for liabilities which arise solely as a result of the gross negligence or intentional acts of the Indemnified Parties. Notwithstanding anything set forth herein to the contrary, the indemnification obligations of Purchaser in this Section will survive the termination of this Agreement and Closing.

19. [This Section intentionally left blank.]

Emergency Ordinance No. _____ (Cont'd)

20. Purchaser's Default. In the event of a breach or a default by Purchaser under the terms of this Agreement (other than as provided for in Section 19 of this Agreement) or any other agreement signed in connection with it which Purchaser fails to cure within sixty (60) days after having been given a written notice of the breach or default from Seller, then, following the expiration of the sixty (60)-day cure period, in addition to Seller's other rights and remedies available in this Agreement or at law or in equity, including but not limited to specific performance or injunctive relief, Seller may elect, by giving Purchaser written notice of such election (the "Default Notice"), to declare Purchaser in default ("Default") of its obligations.

21. Representations, Warranties and Covenants of Purchaser. Purchaser makes the following representations, warranties and covenants, effective as of the date of this Agreement and also as of the Closing Date, to induce Seller to enter into this Agreement:

(a) Purchaser is a limited liability company duly organized and validly existing and in full force and effect under the laws of the State of _____. Purchaser is not in violation of any laws of the State of Ohio relevant to the transactions contemplated by this Agreement.

(b) Purchaser has full power and authority to execute and deliver this Agreement and to carry out the transactions provided for herein. This Agreement has, by proper action, been duly authorized, executed and delivered by Purchaser and all actions necessary have been taken to constitute this Agreement, when executed and delivered, a valid and binding obligation of Purchaser, enforceable against Purchaser in accordance with its terms.

(c) The execution, delivery and performance by Purchaser of this Agreement and the consummation of the transactions contemplated hereby will not violate the organizational documents of Purchaser, or any mortgage, indenture, contract, agreement or other undertaking to which Purchaser is a party or which purports to be binding upon Purchaser or upon any of its assets, nor is Purchaser in violation or default of any of the foregoing.

(d) There are no actions, suits, proceedings or governmental investigations pending, or to the knowledge of Purchaser, threatened against or affecting Purchaser, at law or in equity or before or by any governmental authority.

(e) Until the construction of the Project is completed, Purchaser shall give prompt notice in writing to Seller of the occurrence or existence of any litigation, labor dispute, governmental proceeding or investigation adversely or materially affecting Purchaser, the Project or the Property and of any notice of default to Purchaser from any lender for the Project.

The warranties, representations and covenants of Purchaser set forth in this Section shall survive the Closing.

22. Quarterly Reports. Beginning in the first quarter following the Closing and each quarter thereafter until the construction of the Project is complete, Purchaser shall give Seller quarterly written updates as to the result of the efforts undertaken by Purchaser pursuant to this Agreement.

23. Brokerage Commission. The Parties hereto represent to each other that they have not contacted, contracted with or entered into any agreement with any real estate broker, finder or agent in connection with the sale of the Property or the other transactions contemplated by this Agreement, and that they have not taken any action which might result in any real estate broker's, finder's or other fee or commission being due or payable in connection with the transactions contemplated by this Agreement, except for Purchaser's broker, Justin Rex of Colliers International (the "Broker"). Seller agrees that Seller shall pay Broker a commission (the "Commission") at Closing pursuant to a separate agreement between Seller and Broker. Each Party shall remain fully responsible for and shall pay all costs, claims, expenses or damages (including but not limited to reasonable attorneys' fees) resulting from or related to any brokerage commission, finder's fee or other commission due or alleged to be due arising from the acts or contacts of the paying Party. The provisions of this Section shall survive the Closing or any termination of this Agreement.

Emergency Ordinance No. _____ (Cont'd)

24. Amendments. This Agreement may be amended or supplemented only by a written instrument signed by Purchaser and Seller.

25. Notice. All notices and other communications under this Agreement shall be in writing and shall be deemed duly given and delivered if: (a) personally delivered, with signed receipt; (b) sent by reputable commercial overnight delivery service; or (c) mailed by certified mail, return receipt requested, first class, postage prepaid. Notices shall be addressed as follows (unless a Party provides written notice of a change of address to the other Party):

If to Purchaser: _____

With a copy to: _____

If to Seller: City of Hamilton, Ohio
345 High Street
Hamilton, OH 45011
Attention: City Manager

With a copy to: Letitia S. Block, Esq.
Law Director
345 High Street
Hamilton, OH 45011

Such notice, if delivered personally or by overnight courier service, shall be deemed given and delivered at the time of delivery or refusal of delivery; or, if sent by certified mail, shall be deemed given and delivered two (2) business days after the time of mailing with appropriate postage attached thereto. A person receiving a notice which does not comply with the technical requirements for notice under this Section may elect to waive any deficiencies and treat the notice as having been properly given

26. Force Majeure. Neither Party shall be liable for any failure to perform its obligations under this Agreement where such failure arises from or is the consequence of an act of God, natural disaster, war, civil disturbance, fire, explosion, any federal, state or local law or any rule, regulation or order of a court or other governmental agency, labor disputes, inability to secure materials or any other cause or causes, whether similar or dissimilar to the causes enumerated above, beyond the reasonable control and without the fault or negligence of the Party asserting force majeure. In no event shall a claim of force majeure excuse the timely payment of amounts due and owing under this Agreement. The Party asserting force majeure must give notice in writing to the other Party as soon as practical after the occurrence of the cause relied on, and such cause shall be remedied with all reasonable dispatch. It is the purpose and intent of this Section that in the event of the occurrence of any such force majeure delay, the time or times for performance of such non-monetary obligations shall be extended for the period of the force majeure delay; provided, however, that the Party seeking the benefit of the provisions of this Section shall, within five (5) days after the beginning of such force majeure delay, give the other Party written notice of the cause thereof and of the duration thereof or, if a continuing delay, the estimated duration thereof. Within thirty (30) days after the end of a delay, the Party seeking the benefit of the provisions of this Section shall notify the other Party in writing of the duration of the delay. In no event shall a force majeure delay exceed sixty (60) days. The provision of this section shall survive the Closing or earlier termination of this Agreement.

Emergency Ordinance No. _____ (Cont'd)

27. Miscellaneous Provisions.

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

(b) 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. The Parties agree that the jurisdiction for disputes that arise in connection with this Agreement that are not settled through negotiations or mediation shall be the Court of Common Pleas of Butler County, Ohio. The provisions of this Section shall survive the Closing or termination of this Agreement.

(c) Successors. This Agreement shall be binding upon the Parties hereto, and on their respective successors and permitted assigns. Purchaser may not assign its rights under this Agreement without Seller's prior written consent. If Seller consents to any assignment Purchaser shall remain jointly and severally liable with the assignee for the performance of all of the assignee's obligations under this Agreement. Consent to any assignment shall not obligate Seller to consent to any other assignment.

(d) 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.

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

(f) No Waiver or Rights. No failure of either Party to exercise any power or right given such Party in this Agreement or to insist upon strict compliance by the other Party of its obligations provided for in this Agreement, and no custom or practice of the Parties at variance with the terms of this Agreement, shall constitute a waiver of either Party's right to demand exact compliance with the terms hereof.

(g) Words of Gender. Words of any gender used in this Agreement shall be construed to include any other gender, words in the singular number shall be construed to include the plural, and words in the plural number shall be construed to include the singular when the context or sense of this Agreement requires.

(h) Captions; Recitals. Captions contained in this Agreement are inserted only as a matter of convenience, and in no way define or describe the scope of this Agreement nor the intent of any provision hereof. The Recitals set forth on the first page of this Agreement are hereby incorporated into this Agreement and made a part of this Agreement.

(i) Survival. All agreements, covenants or indemnities herein which must, by implication or necessity, survive the Closing or earlier termination of this Agreement, shall be deemed to so survive as the sense of this Agreement requires.

(j) 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 remains valid, binding and enforceable.

(k) Effective Date. For purposes of this Agreement, the term "Effective Date" shall be the date that Seller accepts this Agreement, which date shall be set forth on the first paragraph of this Agreement.

Emergency Ordinance No. _____ (Cont'd)

(l) “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 of the City of 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.

(m) Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument. This Agreement may be transmitted by electronic mail in portable document format (“pdf”) and signatures appearing on electronic mail instruments shall be treated as original signatures.

(n) Certain Definitions. The terms “herein”, “hereof”, “hereby”, “hereto”, “hereunder”, “hereinafter” and similar terms mean this Agreement and not solely the portion hereof in which any such word is used.

(o) No Agency/Partnership Relationship. Seller and Purchaser each acknowledge and agree that in fulfilling its obligations under this Agreement, Purchaser is not acting as an agent of Seller. This Agreement does not and may not be construed to create a partnership or joint venture between Seller and Purchaser.

(p) Time. Time is of the essence, subject to the provisions of Section 26 of this Agreement.

(q) 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 Purchaser and Seller have equally negotiated the provisions of this Agreement and contributed substantially and materially to the preparation of this Agreement. The Parties agree that any deletion of language from this Agreement prior to its mutual execution by Purchase and Seller shall not be construed to have any particular meaning or to raise any presumption, canon of construction or implication, including, without limitation, any implication that the Parties intended thereby to observe, state the converse of or state the opposite of deleted language.

(r) Entire Agreement. This Agreement and the Exhibits attached to it set forth all the covenants, promises, assurances, agreements, representations, conditions, warranties, statements and understandings (collectively, the “Representations”) between Purchaser and Seller concerning the sale of the Property and the construction of the Project, and there are no Representations, either oral or written, between them other than those in this Agreement. This Agreement supersedes and revokes all previous negotiations, letters of intention or the like, and other information conveyed, whether oral or in writing, between the Parties or their respective representatives, agents, brokers, salespersons or any other person purporting to represent Purchaser or Seller. Purchaser acknowledges that it has not been induced to enter this Agreement by any Representations not set forth in this Agreement and that Purchaser has not relied on any Representations which are not set forth in this Agreement in making its decision to sign this Agreement. No Representations not set forth in this Agreement shall be used in the interpretation or construction of this Agreement, and Seller shall have no liability for any consequences arising as a result of any Representations which are not set forth in this Agreement.

(s) Approval. Purchaser confirms to Seller that: (i) the Title Company has approved, without modification, the form of Affidavit of Title and Non-Foreign Certificate (the “Affidavit”) that is attached to this Agreement as Exhibit D; and (ii) in order to close, the Title Company shall not require Seller to execute any affidavit, indemnity, hold harmless or other document regarding the Property, except for the Affidavit.

(t) Official Capacity. All representations, warranties, covenants, agreements and obligations of Seller under this Agreement shall be effective to the extent authorized and permitted by

Emergency Ordinance No. _____ (Cont'd)

applicable law. None of those representations, warranties, covenants, agreements or obligations shall be deemed to be a representation, warranty, covenant, agreement or obligation of any present or future officer, council member, agent, employee or attorney of Seller in other than his or her official capacity.

The Parties hereto have executed this Agreement on the day and year written below.

Approved as to Form:

City Law Director

City of Hamilton, Ohio (Seller)

By: _____

C Moye Realty Holdings, LLC (Purchaser)

By: _____

Name: _____

- Exhibit A- The Property
- Exhibit B- Seller Documents
- Exhibit C - Deed
- Exhibit D - Title Affidavit

Emergency Ordinance No. _____ (Cont'd)

EXHIBIT B

SELLER DOCUMENTS

1. Retracement Survey prepared by Choice One Engineering and dated March 9, 2018.
- 2.

Emergency Ordinance No. _____ (Cont'd)

EXHIBIT C

QUIT-CLAIM DEED

The City of Hamilton, Ohio, an Ohio municipal corporation ("Grantor"), for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, grants to C Moye Realty Holdings, LLC, a _____ limited liability company ("Grantee"), whose tax mailing address is _____, all of the right, title and interest that Grantor has or may have in and to the following real property (the "Property"):

See attached Exhibit A for complete legal description made a part hereof.

TO HAVE AND TO HOLD all of Grantor's rights, title and interests in and to the Property unto Grantee, its legal representatives, successors and assigns forever, subject to: (a) public streets and highways; (b) zoning ordinances and governmental regulations; (c) conditions, restrictions, covenants, reservations and easements of record; and (d) the lien of real estate taxes and assessments not yet due and payable. The Property is purchased and accepted by Grantee on an "AS-IS" basis without covenants or warranties of any kind, whether express or implied, and all warranties that might arise by common law are excluded.

Pursuant to the terms of that certain Sale and Development Agreement ("Development Agreement") between Grantor and Grantee dated _____ 2020, Grantee agrees, for itself and its successors and assigns and every successor in interest to the Property or any part thereof, that Grantee and such successors and assigns shall:

(a) not discriminate upon the basis of race, color, religion, sex or national origin in the sale, lease or rental or in its use or occupancy of the Property and any improvements erected or to be erected thereon, or any part thereof.

It is intended and agreed that any future deed by the owner conveying any part of the Property shall include the aforesaid covenant (the "Covenant") provided for in the preceding paragraph. To the fullest extent permitted by law and equity, the Covenant shall be: (a) binding on Grantee, its successors and assigns and any party in possession or occupancy of the Property or any part of it; and (b) for the benefit and in favor of and enforceable by Grantor against Grantee, its successors and assigns and any party in possession or occupancy of the Property or any part thereof. The Covenant shall remain in effect without limitation as to time. The Covenant shall be binding on Grantee or any successor or assign only for such period as it shall have title to, or an interest in, or possession or occupancy of, the Property or any part thereof. Further, the Covenant shall: (a) not be a personal covenant between Grantor and Grantee; (b) be a covenant that run with the land and shall be binding on Grantee, its successors and assigns, and any future owner or lessee of the Property or any part of it; and (c) be a covenant that is enforceable by Grantor, its successors and assigns.

Grantee, for itself, its successors and assigned, covenants and agrees to construct the Project on the Property in accordance with the terms of the Development Agreement.

A capitalized term not otherwise defined in this deed shall have the same meaning as is ascribed to it in the Development Agreement.

Emergency Ordinance No. _____ (Cont'd)

Executed as of this ____ of _____, 2020.

City of Hamilton, Ohio

Approved as to Form:

City Law Director

By: _____

STATE OF OHIO, COUNTY OF BUTLER, SS:

The foregoing instrument was acknowledged before me this ____ day of _____, 2020, by _____, the _____ of the City of Hamilton, an Ohio municipal corporation, on behalf of the municipal corporation.

Notary Public

This instrument prepared by:

MILLIKIN & FITTON LAW FIRM
A Legal Professional Association
Hamilton, Ohio

EXHIBIT D

Affidavit of Title and Non-Foreign Certificate

STATE OF OHIO, COUNTY OF BUTLER, SS:

Joshua A. Smith ("Affiant"), City Manager of the City of Hamilton, Ohio ("Seller"), an Ohio municipal corporation, being first duly cautioned and sworn deposes and says:

1. That Seller is the owner of the real property ("Property") as described on Exhibit D-1 attached hereto and made a part hereof.

2. That there are no outstanding deeds, mortgage, leases, easements or contracts of sale affecting title to the Property to which Seller is a party which are not fully disclosed of record and there are no parties in possession or entitled to possession of the Property other than Seller.

3. That no work, labor or material has been furnished or performed on or to the Property pursuant to a contract with Seller which has not been or which will not timely be fully and completely paid for by Seller; nor has any repair, alteration or improvement been performed on or about the Property pursuant to a contract with Seller within the last ninety (90) days for which the right to file a mechanic's or materialman's lien exists; nor has any unsatisfied claim for lien or claim for payment been made upon Seller for labor or material furnished to the Property.

4. That Seller is involved in no court proceedings or disputes with any parties concerning the boundary lines of the Property. Affiant has no knowledge of: (a) any encroachments upon the Property from adjacent properties; nor (b) any encroachments of any improvements located on the Property upon adjoining land.

5. That except as revealed in the public records of Butler County, Ohio, Affiant has no other knowledge of any unsatisfied or unreleased judgments or liens against Seller of record nor bankruptcy or court proceedings of any kind against Seller which affect the title to the Property.

6. That there are no unpaid real estate taxes or assessments against the Property (except as shown on the current tax duplicate).

7. That the foregoing statements are made for the benefit and purpose of inducing the _____ Title Insurance City to issue its title insurance policy or policies upon the Property.

8. Section 1445 of the Internal Revenue Code of 1986, as amended (the "Code"), provides that a transferee (buyer) of a United States real property interest must withhold tax if the transferor (seller) is a foreign person. In order to inform the transferee (buyer) that withholding of tax is not required upon the disposition of a United States real property interest, the Affiant, as the President of and on behalf of Seller certifies the following:

a) Seller is an Ohio corporation, not a foreign corporation, a foreign partnership, a foreign trust, a foreign estate or a non-resident alien for purposes of United States income taxation or otherwise a foreign person (as those terms are defined in the Code and the regulations with respect thereto).

b) Seller's United States Employer Identification Number is _____; and

Emergency Ordinance No. _____ (Cont'd)

c) Seller's address is 345 High Street, Hamilton, Ohio 45011.

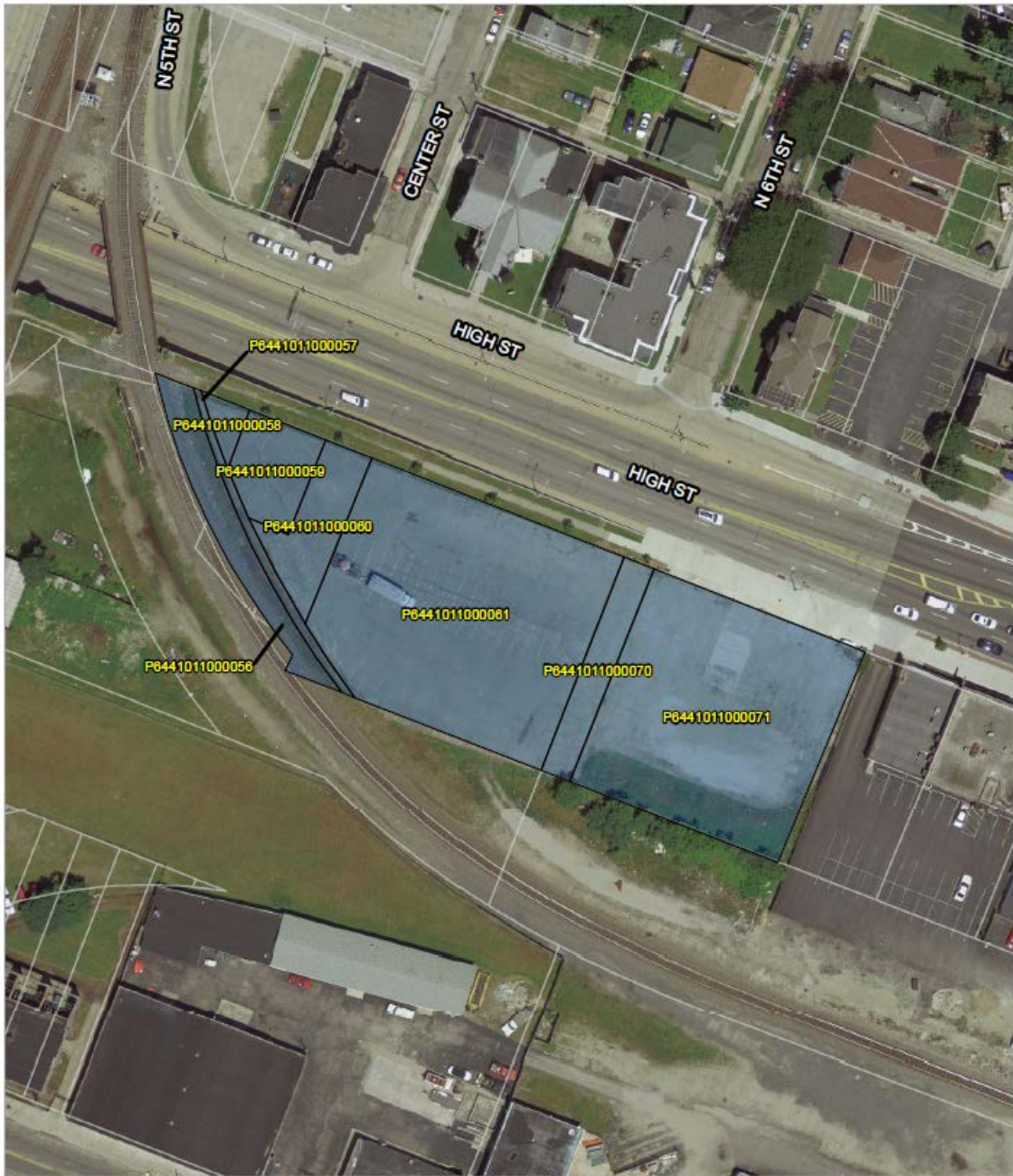
9. The Affiant understands that this certification may be disclosed to the Internal Revenue Service and that any false statement contained herein could be punished by fine, imprisonment or both.

10. Under penalties of perjury, the Affiant declares that the Affiant has examined this certification and to the best of his knowledge and belief it is true, correct and complete, and that the Affiant further declares that he has authority to sign this document on behalf of Seller.

Joshua A. Smith, City Manager

Sworn to before me and subscribed in my presence this ____ day of _____, 2020, by
Joshua A. Smith, City Manager.

EXHIBIT NO. 2



  **Exhibit #2** 

Data: 3/17/2020 The information contained in this map is a public resource for general information and is provided for use only as a graphical representation. The City of Hamilton makes no warranty as to the content, accuracy, or completeness of the information contained herein and assumes no liability for any errors. Any reliance on this information is the exclusive risk of the user. **1 Inch = 100 feet**

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: An Emergency Ordinance affirming the City’s ongoing relationship with the Hamilton Economic Development Corporation (HEDC), for the purposes of advancing, encouraging and promoting general economic development and community welfare within the City and authorizing a grant in the amount of \$300,000.00 to be made to the Hamilton Economic Development Corporation (HEDC), for public purposes, and declaring an emergency.

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 Realize new investments <input checked="" type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input checked="" type="checkbox"/> R Generate recreational investments <input checked="" type="checkbox"/> E Engage citizens in activities <input type="checkbox"/> O General operations
Ordinance or Resolution <i>Emergency Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 3-25-20 <input checked="" type="checkbox"/> 2 nd Reading Date: 3-25-20 <input type="checkbox"/> Resolution 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: Yes – Supplemental Appropriation Expenditure: \$300,000 Source Funds: 650 – Budget Stabilization	<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 affirming the ongoing relationship with the Hamilton Economic Development Corporation (HEDC) for the purposes of advancing, encouraging and promoting general economic development and community welfare within the City of Hamilton, Ohio, and authorizing a grant in the amount of \$300,000.00 to be made to the HEDC, for public purposes, and declaring an emergency?

Policy Alternative(s)

Council may choose not to adopt such legislation, in which case the funds that would otherwise be allocated to the HEDC will not be available to promote and sustain economic development during the current pandemic crisis.



Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation affirming the ongoing relationship with the Hamilton Economic Development Corporation (HEDC) for the purposes of advancing, encouraging and promoting general economic development and community welfare within the City of Hamilton, Ohio, and authorizing a grant in the amount of \$300,000.00 to be made to the HEDC, for public purposes, and declaring an emergency.

Statutory/Policy Authority

- Section 2.01, Powers Granted, of the Charter of the City of Hamilton.
- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 8.01, General, of the Charter of the City of Hamilton.
- Article XVIII, Section 3, Powers, Ohio Constitution.

Fiscal Impact Summary

The City of Hamilton will grant \$300,000.00 from the Budget Stabilization Fund (650) to the HEDC. The current balance in the Budget Stabilization Fund is \$2,000,000.00 and currently a Supplemental Appropriation Ordinance is being presented to Council proposing the \$300,000.00 expenditure from the Budget Stabilization Fund. A transfer in to the Budget Stabilization fund in the amount of \$295,415.00 was made in January 2020 in accordance with Council Resolution 2012-6-25.

Background Information

The City of Hamilton and its business community are facing unprecedented challenges in the wake of the coronavirus (COVID-19) pandemic. The Governor of Ohio and the Director of the Ohio Department of Health have declared a state of emergency and have ordered the closure of all bars and restaurants, excluding carry out services. A significant portion of the economic redevelopment of the City of Hamilton has been attributable to small businesses that have been significantly impacted by the current crisis. In order to assist the small business community, maintain the economic development gains the community has made and protect against a prolonged period of local economic recession, City administration is recommending that Council approve a grant to the HEDC so that they can assist small businesses in weathering the current economic storm. The HEDC is a non-profit whose mission is advancing, encouraging and promoting general economic development and community welfare within the City. The HEDC board includes both community leaders and City officials and staff.

Attached Information

N/A

Copies Provided to:

N/A



EMERGENCY ORDINANCE NO. _____

AN EMERGENCY ORDINANCE AFFIRMING THE CITY'S ONGOING RELATIONSHIP WITH THE HAMILTON ECONOMIC DEVELOPMENT CORPORATION (HEDC), FOR THE PURPOSES OF ADVANCING, ENCOURAGING AND PROMOTING GENERAL ECONOMIC DEVELOPMENT AND COMMUNITY WELFARE WITHIN THE CITY AND AUTHORIZING A GRANT IN THE AMOUNT OF \$300,000 TO BE MADE TO THE HAMILTON ECONOMIC DEVELOPMENT CORPORATION (HEDC), FOR MUNICIPAL PUBLIC PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, beginning in 1979 and continuing to the present, the Council of the City of Hamilton, Ohio ("City"), has authorized the City Manager to enter into an Agreement by and between the City and the Hamilton Economic Development Corporation ("HEDC"), for the purposes of advancing, encouraging and promoting general economic development and community welfare within the City; and

WHEREAS, this Council wishes to affirm the City's ongoing relationship with the HEDC for the purposes of advancing, encouraging and promoting general economic development and community welfare, having determined that it is the policy of the City to promote the health, safety, morals and general welfare of its inhabitants through the ongoing relationship with HEDC; and

WHEREAS, Section 8.01 of the Charter of the City (the "Charter") provides that laws of Ohio relating to, among other things, budgets, appropriations and other fiscal matters of the City shall be applicable to the City, except as modified by or necessarily inconsistent with provisions of the Charter or ordinances or resolutions of the City, or when provision therefor is made in the Constitution of Ohio; and

WHEREAS, Section 2.01 of the Charter provides that the City shall have all powers that may now or hereafter lawfully be possessed or exercised by municipal corporations under the Constitution and laws of Ohio; and

WHEREAS, Article XVIII, Section 3 of the Constitution of Ohio grants to a municipal corporation the authority to exercise all powers of local self-government, which powers include the power to spend money for municipal public purposes; and

WHEREAS, Article VIII, Section 13 of the Constitution of Ohio provides, in relevant part, that to create and preserve jobs and employment opportunities and to improve the economic welfare of the people of the state, it is in the public interest and a proper public purpose for the state or its political subdivisions, taxing districts, or public authorities, it's or their agencies or instrumentalities, or corporations not for profit designated by any of them as such agencies or instrumentalities, to acquire, construct, enlarge, improve, or equip, and to sell, lease, exchange or otherwise dispose of property, structures, equipment and facilities within the State of Ohio for industry, commerce, distribution and research; and

WHEREAS, this Council finds and determines that preserving, advancing, encouraging and promoting industrial, economic, commercial, and civil development and local small business concerns within the City, including, but without limitation, emergency economic relief programs aimed at local small businesses, constitute municipal public purposes, and that a grant of public moneys to nonprofit organizations such as the HEDC to be used for such municipal public purposes is in the best interest of the City; and

WHEREAS, this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the peace, property, health and safety of the City and for the further reason that this Ordinance is required to be immediately effective to permit the prompt grant of public money to the HEDC to enable the establishment of an emergency economic development relief program consistent with the stated municipal public purposes in a timely manner, thereby improving the property, health and safety of the residents of the City;

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

SECTION I: This Council affirms its ongoing relationship with the HEDC, an Ohio nonprofit corporation established pursuant to Chapter 1702 of the Revised Code, as the City's partner in advancing, encouraging and promoting general economic development and community welfare within the City.

Emergency Ordinance No. _____ (Cont'd)

SECTION II: It is necessary and in the best interest of the City to authorize a grant of three hundred thousand and 00/00 dollars (\$300,000.00) of public moneys to the HEDC to facilitate economic development within the City, which may include, but not be limited to, emergency economic relief programs aimed at local small businesses; provided that the source of funds granted to the HEDC shall not include any debt obligations the repayment of which is secured by the general property taxing power of the City, the State of Ohio or any political subdivision of the State of Ohio.

SECTION III: HEDC shall retain the first fifteen thousand and 00/00 dollars (\$15,000.00) of the above amount to cover their expenses, including administrative expenses, to service any program utilizing these funds consistent with the municipal public purposes above. All monies recovered after the first fifteen thousand and 00/00 dollars (\$15,000.00) is recouped shall be placed into a HEDC Revolving Loan Fund (RLF) program to be used to provide 0% interest loans not-to-exceed twenty-five thousand and 00/00 dollars (\$25,000.00) for small business lending purposes. HEDC shall prepare a loan application, rules and procedures for this RLF program.

SECTION IV: That the City Manager, the Director of Finance and the Law Director are each hereby separately authorized and directed to take any and all actions and to execute such documents, certificates and other instruments that may be necessary or appropriate in order to effect the intent of this Ordinance and the making of the grant to the HEDC hereby authorized.

SECTION V: This Council hereby finds and determines that all formal actions relative to the passage of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and of its committees, if any, which resulted in formal action, were in meetings open to the public, in full compliance with the law, including Section 121.22 of the Ohio Revised Code, except as otherwise permitted thereby.

SECTION VI: This Ordinance is hereby declared to be an emergency measure for the reasons set forth in the final preamble hereto and shall be in effect 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 the lobby of City Hall for a period of ten days. POSTED: _____.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

Emergency Ordinance No. _____ (Cont'd)

CERTIFICATE

I, Nicholas Garuckas, City Clerk of the City of Hamilton, Ohio do hereby certify that the foregoing is a true and exact reproduction of Emergency Ordinance No. EOR2020-3-____ adopted by the Council of the City of Hamilton, Ohio, at the Regular Meeting on the 25th day of March, 2020.

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: The Honorable Mayor Patrick Moeller
Letitia S. Block, Director of Law

Agenda Item: A Resolution Authorizing the City Manager or his Designee to Seek Funding and Enter into Contracts and/or Purchase Materials Related to COVID-19

<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"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input type="checkbox"/> P Increase property values <input type="checkbox"/> R 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>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 3-25-2020 <input type="checkbox"/> 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	<input type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	Budgeted: \$ Expenditure: \$ Source Funds:	<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 authorize the City Manager or his designee to seek funding and enter into contracts and/or purchase materials as necessary related to COVID-19?

Policy Alternative(s)

Council may choose not to adopt such legislation to authorize the City Manager or his designee to seek funding and enter into contracts and/or purchase materials as necessary related to COVID-19, and in that case, City staff will follow the normal procedures related to funding, contracting, and purchasing.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to authorize the City Manager or his designee to seek funding and enter into contracts and/or purchase materials as necessary related to COVID-19 in order to promptly meet the needs to the citizens of Hamilton related to the pandemic.



Statutory/Policy Authority

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

Fiscal Impact Summary

There is no determinable fiscal impact currently. If supplemental appropriations are needed moving forward, they will be submitted.

Background Information

COVID-19 is a respiratory disease that can result in serious illness or death and can easily spread from person to person. On March 9, 2020, Governor Mike DeWine, signed an Executive Order declaring a State of Emergency for the entire State of Ohio in relation to COVID-19.

On March 13, 2020, President Donald J. Trump declared a National Emergency, invoking the Stafford Act and allowing the Federal Emergency Management Agency to coordinate disaster response and aid state and local governments in addressing the COVID-19 pandemic. City of Hamilton employees recently have been engaged in emergency management related to COVID-19 to protect the lives and property of the citizens of the City of Hamilton and additional funds may be needed for these efforts.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SEEK FUNDING AND ENTER INTO CONTRACTS AND/OR PURCHASE MATERIALS RELATED TO COVID-19.

WHEREAS, COVID-19 is a respiratory disease that can result in serious illness or death, is caused by the SARS-CoV-2 virus, which is a new strain of coronavirus that had not been previously identified in humans, and can easily spread from person to person; and

WHEREAS, on March 9, 2020, Governor Mike DeWine, signed an Executive Order declaring a State of Emergency for the entire State of Ohio in relation to COVID-19 pursuant to the Governor's authority vested in him by the Constitution, the laws of the State of Ohio, and in accordance with Ohio Revised Code Section 5502.22; and

WHEREAS, on March 13, 2020, President Donald J. Trump declared a National Emergency, invoking the Stafford Act and allowing the Federal Emergency Management Agency to coordinate disaster response and aid state and local governments in addressing the COVID-19 pandemic; and

WHEREAS, City of Hamilton employees have been engaged in emergency management related to COVID-19 to protect the lives and property of the citizens of the City of Hamilton and additional funds may be needed for these efforts.

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

SECTION I: The City Manager and/or the City Manager's designee is hereby authorized to take any and all actions necessary to seek funding from all available sources related the City's COVID-19 response.

SECTION II: The City Manager, the Purchasing Agent, and/or their designees are hereby authorized to suspend the purchasing and contracting requirements under law, including but not limited to the requirements under Charter Sections 7.05 and 7.06 and Chapter 171 of the Hamilton Codified Ordinances, to allow for entering into contracts for the procurement of materials, supplies, equipment, construction or service in order to procure any necessary resources or supplies to protect the health, safety, and welfare of the citizens of the City of Hamilton.

SECTION III: This resolution shall take effect at the earliest period allowed by law and shall continue in full force and effect until terminated as prescribed by law or action by the Mayor or by City Council by ordinance or resolution.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, Nicholas 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 the lobby of City Hall for a period of ten days. POSTED: _____.

**Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO**