

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

Call to Order

Offering of Prayer – Mayor Pat Moeller

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 - July 2020 Monthly Financial Report](#)
- [Informational Report – July 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 August 26, 2020


1. [Recommendation Relative to a Conditional Use Certificate for 535 Maple Avenue, to allow the reoccupation of an existing two story mixed use structure as a Single-Family Residence, with a variance from the two required off street parking spots as required in Section 1137.27 of the Hamilton Zoning Ordinance, on property located in the I-1 \(Limited Industrial\) zoning district. \(Midwest Developers LLC, Property Owner Applicant\).](#)
2. [Recommendation Relative to a Request to vacate a portion of North D Street Alley “A” and Alley “B”, alleys located between Park Avenue Alley and Main Street, situated in the First Ward, North Side, City of Hamilton, Ohio. \(City of Hamilton, Applicant\).](#)
3. [Recommendation Relative to a Request to vacate a portion of South Martin Luther King Jr. Boulevard Alley “B” located between Charles Street Alley & Pershing Avenue, abutting 524 South 4th Street, in the block between South 4th Street, South Martin Luther King Jr. Boulevard, Pershing Avenue, and Charles Street, Hamilton, Ohio 45011. \(City of Hamilton, Applicant\).](#)
4. [Recommendation Relative to a request for a replat of Hamilton Enterprise Park, Phase 3; a Replat of part of Lot #30305, All of Lot #32175, and All of Lot #32166 – into New Lots #32326 and #32327, situated in the Sixth Ward, North Side, Hamilton, Ohio. \(City of Hamilton, Applicant\).](#)
5. [Recommendation Relative to an Enterprise Zone Application for Origin Venture LLC \(dba Saica Group\).](#)
6. [Recommendation Relative to Saica Group – Local Job Creation Tax Credit.](#)

These icons illustrate which strategic goals Council Actions align to

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

Council Actions Pertaining to Legislative Items:

Pending Legislation:

2. [An ordinance approving a request for a conditional use approval to expand an existing self-storage facility at 1010 Cleveland Avenue located in an I-1 Limited Industrial Zoning District, situated in the First Ward, City of Hamilton, Ohio. \(Second Reading\).](#) 





3. [An ordinance approving a request for a conditional use certificate to operate an automotive service and minor repair business at 3000 Dixie Highway, property zoned I-1 Limited Industrial Zoning District, situated in the Sixth Ward, City of Hamilton, Ohio. \(Second Reading\).](#) **I P R**
4. [An ordinance vacating a portion of Arch Street Alley “A”, located between South C Street and South D Street, situated in the First Ward, South Side, City of Hamilton, Ohio. \(City of Hamilton, Applicant\). \(Second Reading\).](#) **I P O**
5. [An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a sidelot. \(122 Progress Avenue\). \(Second Reading\).](#) **P**
6. [An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a sidelot. \(Parcel Number P6421011000082 located adjacent to 242 Walnut Street\). \(Second Reading\).](#) **P**
7. [An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a sidelot. \(246 Walnut Street\). \(Second Reading\).](#) **P**
8. [An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a sidelot. \(420 Chestnut Street\). \(Second Reading\).](#) **P**
9. [An ordinance approving the conveyance of certain real property located within the City of Hamilton, Ohio’s Urban Renewal Area to an adjoining property owner as a sidelot. \(463 S. Fourth Street\). \(Second Reading\).](#) **P**
10. [An ordinance approving the conveyance of certain real property acquired through the Land Bank to an adjoining property owner as a sidelot. \(600 S. McKinley Avenue\). \(Second Reading\).](#) **P**
11. [An ordinance amending and supplementing Part Three – Traffic Code, repealing Section 301.20 Motor Vehicle, adding Section 301.301 Recreational Vehicle, and amending Section 301.51 Vehicle of Chapter 301 Definitions, of the Codified Ordinances of the City of Hamilton, Ohio. \(Second Reading\).](#) **O**
12. [An ordinance amending and supplementing Part Three – Traffic Code, Chapter 351 Parking Generally, Section 351.03 and Subsection \(A\) Prohibited Standing or Parking Places, Section 351.03.1 Prohibited Standing and Parking of Certain Trucks and Buses and all Semi Trailers and Semi Tractors in a Residence District; Exceptions, Section 351.17 No Parking of Vehicles in Yards, and Section 351.99\(a\)\(3\) Penalty, of the Codified Ordinances of the City of Hamilton, Ohio. \(Second Reading\).](#) **O**



13. [An ordinance amending and supplementing Part Three – Traffic Code, Chapter 355 Junk and Abandoned Vehicles, Sections 355.01 – 355.05, of the Codified Ordinances of the City of Hamilton, Ohio. \(Second Reading\).](#) 0
14. [An ordinance amending and supplementing Part Seventeen – Health Code, Chapter 1735 Littering, Sections 1735.18 Maintaining Private Property Free of Litter, Section 1735.20 Effect of Noncompliance; City May Remove Violation, and Section 1735.22 Junk Motor Vehicles on Private Property with Permission of Owner; Notice of Removal and Impounding, of the Codified Ordinances of the City of Hamilton, Ohio. \(Second Reading\).](#) 0
15. [An ordinance amending and supplementing Section 753.03 of Chapter 753 of the Codified Ordinances of the City of Hamilton, Ohio regarding License Application Requirements. \(Second Reading\).](#) 0
16. [An ordinance amending the Codified Ordinances of the City of Hamilton, Ohio, Part 15, Fire Prevention Code, relative to adding Section 1505.03 General Prohibition on Outdoor Burning and Refuse Burning. \(Second Reading\).](#) 0
17. [An ordinance authorizing and directing the City Manager to execute a sale and development agreement, property conveyances, and related actions with Main Street Hamilton Apartments, LLC relating to 320 Main Street, Hamilton, Ohio. \(Second Reading\).](#) 1 P 0
18. [An Emergency Ordinance authorizing the issuance of Taxable Economic Development Refunding Revenue Bonds, Series 2020, of the City of Hamilton, Ohio in the maximum principal amount \\$31,900,000 to provide funds for the purpose of refinancing costs of various capital improvements to the Champion Mill Site Project and financing grants to acquire, rehabilitate, improve and develop other real property within the City; providing for the pledge of revenues for the payment of such bonds; authorizing a Certificate of Award, a Bond Purchase Agreement, an Escrow Agreement, an Official Statement, a Continuing Disclosure Agreement; and authorizing other actions in connection with the issuance of such bonds; and declaring an emergency. \(Second Reading\).](#) 1 P R E 0

New Legislation:


19. [An ordinance approving a Major Amendment to Plan Hamilton, the City's Comprehensive Plan, adding the North End Corridor Revitalization Plan to the Plan. \(City of Hamilton, Applicant\). \(First Reading\).](#) 1 J P R E 0
20. [An Emergency Ordinance authorizing and directing the City Manager to execute a Purchase and Sale Agreement and related actions related to certain real property located at 335 and 339 Main Street, Hamilton, Ohio 45013. \(Ritzi Body Shop, Inc. and Ritzi Holdings, LTD, Owner\). \(Two Readings\).](#) 1 0





21. [A resolution authorizing and directing the execution of a Community Reinvestment Area Agreement with Hamilton High Holdings LLC.](#) **I P**
22. [A resolution approving the conveyance of certain real property acquired through the Land Bank to adjoining property owners as sidelots \(1325 Allstatter Avenue; 141, 143, & 147 Chestnut Street; 422 Pershing Avenue; 1115 Ross Avenue; 1126 Ross Avenue & P6412013000011 located adjacent to 1126 Ross Avenue; 512 S. Fourth Street; 123 Wilson Street\).](#) **P**
23. [A resolution approving the conveyance of certain real property located within the City of Hamilton, Ohio's Urban Renewal Area to adjoining property owners as sidelots. \(417 Charles Street; 750 Millikin Street, 906 S. Front Street\).](#) **P**
24. [A resolution approving the lease of certain real property acquired through the Land Bank to adjoining property owners as sidelots \(3 Booth Avenue; 1224 Greenwood Avenue; 424 N. Seventh Street and P6431017000039 & P643101700049 located adjacent to 424 N. Seventh Street; 1114 Reservoir Street; 621 vine Street\).](#) **P**
25. [A resolution approving the lease of certain real property acquired through the Land Bank to adjoining property owners as sidelots \(1215 Long Street; 1228 Long Street; 636 S. Eleventh Street; 704 S. Ninth Street; 427 S. Thirteenth Street\).](#) **P**
26. [A resolution approving the lease of certain real property acquired through the Land Bank to adjoining property owners as sidelots \(864 Central Avenue; 1215 Grand Boulevard; 1225 Grand Boulevard & P6451034000035 located adjacent to 1225 Grand Boulevard\).](#) **P**
27. [A resolution approving the lease of certain real property located within the City of Hamilton, Ohio's Urban Renewal Area to an adjoining property owner as a sidelot. \(530 N. Fifth Street\).](#) **P**
28. [A resolution authorizing and directing the filing of a grant application with the Ohio Department of Transportation \(ODOT\) Municipal Bridge Program for Bilstein Bridge Rehabilitation Project.](#) **I 0**
29. [A resolution amending Resolution No. R2018-1-1; a resolution ordering the resurfacing and repair of streets and concrete where necessary and appropriate on various streets and avenues in the City of Hamilton, Ohio. \(2017 Concrete Repair and Resurfacing Program – Assessment Roll\).](#) **P 0**
30. [A resolution amending Resolution No. R2019-2-8; a resolution ordering the resurfacing and repair of streets and concrete where necessary and appropriate on various streets and avenues in the City of Hamilton, Ohio. \(2018 Concrete Repair and Resurfacing Program – Assessment Roll\).](#) **P 0**



- [31. A resolution declaring certain City property no longer needed for municipal purposes as surplus and obsolete and authorizing disposal of said surplus and obsolete property, and authorizing the City Manager to formalize a consulting arrangement between the City of Hamilton, Ohio and James Logan.](#) 

Audience of the City Manager

Audience of City Council

Executive Session

Adjournment





Informational Report
August 26, 2020

City Council Meeting Informational Report

TO: The Honorable Mayor and Members of the City Council

FROM: Dave Jones, Finance Director

RE: JULY, 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

JULY 31, 2020

INCOME STATEMENT GENERAL FUND
MONTH ENDING July 31, 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	\$2,741,976.60	\$16,413,100.28	\$19,030,723.45	\$30,766,343.00	53.35%
Public Works	50.00	2,086.15	5,107.50	4,200.00	49.67%
Police	71,594.32	481,179.46	381,318.42	1,006,621.00	47.80%
Fire	170,660.34	1,100,969.80	1,140,643.51	1,908,000.00	57.70%
Public Health	25,078.00	385,488.73	369,097.69	443,200.00	86.98%
Parks & Recreation	23,104.04	55,528.32	45,598.34	100,000.00	55.53%
Municipal Court	55,642.70	352,452.42	511,993.40	905,175.00	38.94%
Construction Services	74,632.70	925,413.79	535,118.59	722,320.00	128.12%
Planning	2,355.00	21,520.00	24,545.00	46,500.00	46.28%
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	810,062.83	6,867,330.47	6,734,115.04	12,230,505.00	56.15%
TOTAL REVENUES	\$3,975,156.53	\$26,605,069.42	\$28,778,260.94	\$48,132,864.00	55.27%

Comparative Expenditures

Description	Expenditures This Month Current Year	Expenditures & Encumbrances Year To Date	Expenditures & Encumbrances Prior Year To Date	Budget This Year	Budget Used %
City Council	\$5,458.04	\$46,456.26	\$41,920.71	\$80,856.00	57.46%
City Clerk	5,744.90	46,313.68	51,834.82	99,161.00	46.71%
Municipal Court	151,534.78	1,211,507.99	1,120,547.80	2,138,220.00	56.66%
City Manager	35,968.67	308,560.72	256,261.99	404,507.00	76.28%
Department of Neighborhoods	27,943.48	188,452.74	0.00	393,947.00	47.84%
Construction Services	39,587.82	337,661.96	364,922.37	566,270.00	59.63%
Planning	32,924.17	360,575.69	340,457.30	642,618.00	56.11%
Law	47,021.02	481,026.27	515,012.48	849,050.00	56.65%
Human Resources	0.00	0.00	71.09	0.00	
Civil Service	37,239.82	275,014.72	251,584.55	504,648.00	54.50%
Finance - Administration	79,378.66	611,130.69	624,526.49	1,159,653.00	52.70%
Finance - Purchasing	15,723.76	137,665.36	155,063.81	291,874.00	47.17%
Finance - Building Services	11,723.44	142,660.25	251,996.63	326,173.00	43.74%
Finance - Taxation	518.32	220,595.84	411,265.98	609,500.00	36.19%
Finance - Utility Cashiers	8,955.53	72,193.91	84,234.80	136,873.00	52.75%
PW - Administration	12,954.84	127,808.44	137,759.27	184,798.00	69.16%
PW - Engineering	40,819.36	311,761.46	324,375.52	567,464.00	54.94%
PW - Traffic Engineering	16,525.21	122,413.51	120,362.13	218,487.00	56.03%
PW - Signal	36,060.02	273,570.39	222,261.22	414,019.00	66.08%
Police	1,184,537.77	9,123,125.31	8,799,597.92	16,488,105.00	55.33%
Bldg Maint - Criminal Justice	9,573.15	114,748.32	130,098.64	161,447.00	71.07%
Corrections	0.00	0.00	289,202.16	0.00	
Fire	780,860.77	6,084,073.57	5,845,792.53	11,115,716.00	54.73%
Fire Building Maintenance	13,073.65	222,138.33	240,833.39	269,170.00	82.53%
EMT/Paramedic Levy Expenditures	230,597.33	2,022,729.70	1,904,541.01	2,523,830.00	80.15%
Health - Administration	89,841.31	476,554.20	335,263.86	662,731.00	71.91%
Environmental Health	35,618.06	295,166.16	349,050.66	530,553.00	55.63%
Nursing	756.00	16,192.60	47,115.39	145,480.00	11.13%
Special Approp - General	213,850.71	3,195,769.09	4,458,206.91	4,068,453.00	78.55%
Special Appropriations	245,516.66	896,165.83	956,994.50	1,721,521.00	52.06%
Income Tax Refunds	14,777.04	127,656.67	245,021.05	419,618.00	30.42%
Transfers Out	161,635.01	815,334.81	430,348.19	1,747,906.00	46.65%
CDBG Expense	11,072.01	69,357.12	26,781.90	110,000.00	63.05%
TOTAL EXPENDITURES	\$3,597,791.31	\$28,734,381.59	\$29,333,307.07	\$49,552,648.00	57.99%
FUND NET GAIN / LOSS	\$377,365.22	(\$2,129,312.17)	(\$555,046.13)	(\$1,419,784.00)	

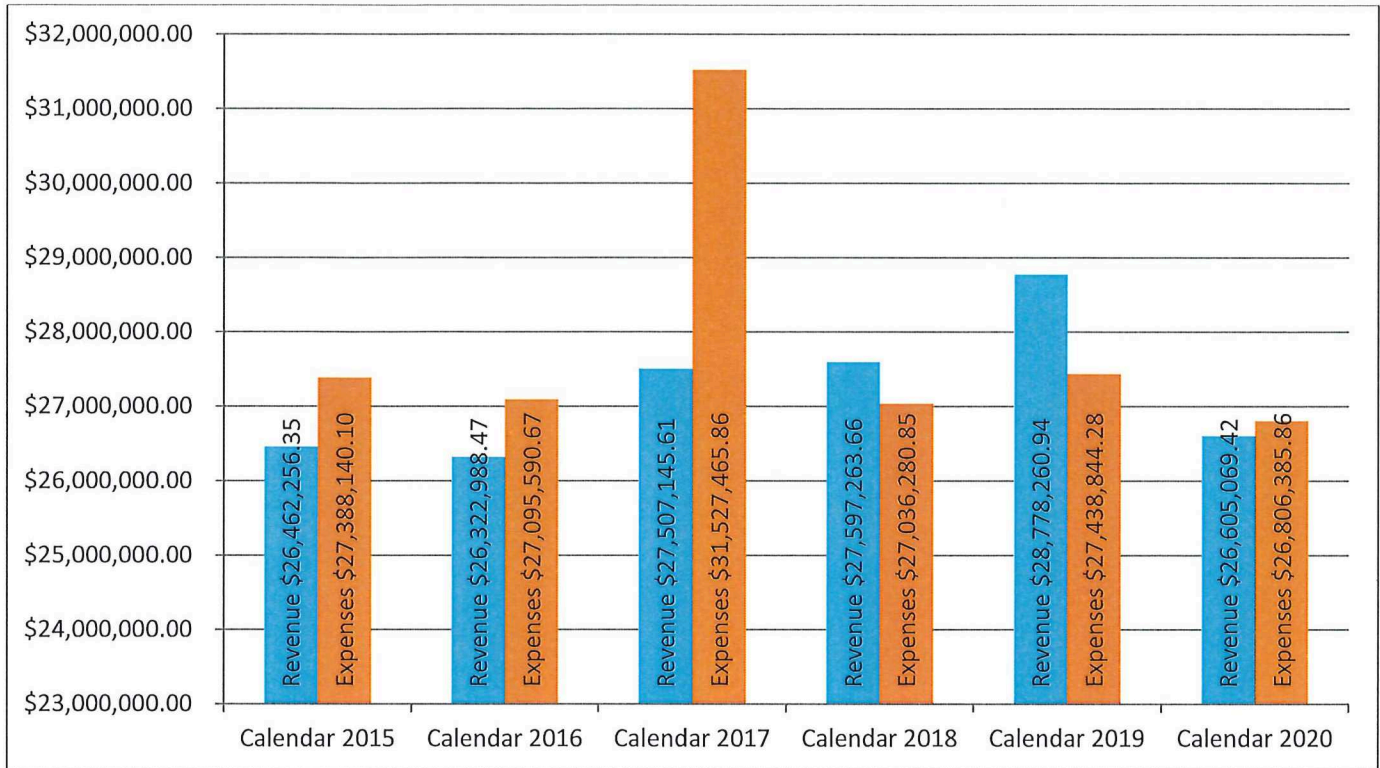
INCOME STATEMENT - GENERAL FUND
SUPPORTING SCHEDULE - GENERAL REVENUE
MONTH ENDING July 31, 2020
(BUDGETARY BASIS)

	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	\$ -	\$ 1,217,134.56	\$ 1,426,781.65	-14.69%	\$ 2,300,000.00	52.92%
Personal Property Taxes	-	-	-	-	-	-
Income Tax - General Fund	2,204,184.86	11,622,168.13	13,771,564.38	-15.61%	22,000,000.00	52.83%
Income Tax - JEDD 1	4,766.00	218,734.67	392,089.32	-44.21%	430,000.00	50.87%
Income Tax - JEDD 2	191.00	44,768.33	70,215.61	-36.24%	135,000.00	33.16%
Income Tax - JEDD 3	1,181.00	5,922.65	2,482.82	138.55%	10,000.00	59.23%
Motel Tax	4,927.40	47,666.85	72,156.65	-33.94%	150,000.00	31.78%
2/3rd KWH Tax Revenue	163,272.47	819,882.78	860,709.28	-4.74%	1,550,000.00	52.90%
1/3rd KWH Tax Revenue	81,635.01	409,919.81	430,348.19	-4.75%	775,000.00	52.89%
SUB-TOTAL-TAXES	\$ 2,460,157.74	\$ 14,386,197.78	\$ 17,026,347.90	-15.51%	\$ 27,350,000.00	52.60%
LICENSES & PERMITS:						
Cable TV Franchise Fees	\$ -	\$ 378,746.73	\$ 383,676.56	-1.28%	\$ 650,000.00	58.27%
Other Licenses, Permits	810.00	10,945.00	2,415.00	353.21%	6,450.00	169.69%
SUB-TOTAL LICENSES & PERMITS	\$ 810.00	\$ 389,691.73	\$ 386,091.56	0.93%	\$ 656,450.00	59.36%
INTERGOVERNMENTAL						
ULGF - County	\$ 96,844.85	\$ 556,398.15	\$ 599,135.71	-7.13%	\$ 975,000.00	57.07%
ULGF - Direct	19,340.41	101,000.37	13,382.70	654.71%	196,000.00	51.53%
Inheritance Taxes	-	-	-	-	-	-
Other Intergovernmental	-	166,563.83	166,525.92	0.02%	398,500.00	41.80%
SUB-TOTAL INTERGOVERNMENTAL	\$ 116,185.26	\$ 823,962.35	\$ 779,044.33	5.77%	\$ 1,569,500.00	52.50%
CHARGES FOR SERVICES	\$ 83,875.97	\$ 299,847.43	\$ 342,890.81	-12.55%	\$ 690,100.00	43.45%
INVESTMENT INCOME	\$ 33,732.01	\$ 344,427.95	\$ 277,073.27	24.31%	\$ 175,000.00	196.82%
MISCELLANEOUS	\$ 47,215.62	\$ 168,973.04	\$ 219,275.58	22.94%	\$ 325,293.00	51.94%
TOTAL	\$ 2,741,976.60	\$ 16,413,100.28	\$ 19,030,723.45	-13.75%	\$ 30,766,343.00	53.35%

INCOME STATEMENT - GENERAL FUND
SUPPORTING SCHEDULE - REIMBURSEMENT OF EXPENSE
MONTH ENDING July 31, 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	\$ 4,387.33	\$ 36,031.83	\$ 46,757.97	-22.94%	\$ 85,600.00	42.09%
FEMA Reimbursement Fund 205	-	-	-	-	-	-
Stormwater Fund 279	9,543.92	79,095.87	82,483.77	-4.11%	135,950.00	58.18%
Refuse Fund 280	3,419.54	33,354.07	36,090.15	-7.58%	49,200.00	67.79%
Street Maintenance Fund 281	40,895.61	273,355.47	254,742.49	7.31%	455,890.00	59.96%
Gas Fund 501	115,684.49	728,756.59	699,407.56	4.20%	1,333,070.00	54.67%
Electric Fund 502	135,618.38	836,185.15	785,093.59	6.51%	1,502,210.00	55.66%
Water Fund 503	115,684.49	728,756.59	699,407.56	4.20%	1,333,070.00	54.67%
Wastewater Fund 504	107,442.03	642,562.97	619,376.96	3.74%	1,116,920.00	57.53%
Parking Fund 550	3,303.71	24,099.90	23,607.83	2.08%	42,595.00	56.58%
Golf Fund 560	-	-	-	-	-	-
CDBG Reimbursement	-	98,548.72	100,563.85	-2.00%	50,000.00	197.10%
Public Safety & Health Inc Tax Fund 210	46,583.33	326,083.31	326,083.31	0.00%	566,000.00	57.61%
SUB-TOTAL GENERAL	\$ 582,562.83	\$ 3,806,830.47	\$ 3,673,615.04	3.63%	\$ 6,670,505.00	57.07%
Law Enforcement Funds:						
Safety Helmet Grant Fund 232	-	-	-	-	-	-
DARE Grant Fund 239	\$ -	\$ -	\$ -	-	\$ -	-
Police Pension Fund 246	-	130,000.00	130,000.00	0.00%	240,000.00	54.17%
Law Enforcement Block Grant 225	-	-	-	-	-	-
2002 Police Levy Fund 249	-	390,000.00	390,000.00	0.00%	725,000.00	53.79%
Court Special Project Fund 207	-	-	-	-	70,000.00	0.00%
Public Safety & Health Inc Tax Fund 210	113,750.00	796,250.00	796,250.00	0.00%	1,380,000.00	57.70%
CDBG Reimbursement	-	-	-	-	-	-
SUB-TOTAL POLICE	\$ 113,750.00	\$ 1,316,250.00	\$ 1,316,250.00	0.00%	\$ 2,415,000.00	54.50%
Fire Funds:						
Fire Pension Fund 250	\$ -	\$ 128,000.00	\$ 128,000.00	0.00%	\$ 240,000.00	53.33%
Charter Fire Force Fund 252	-	430,000.00	430,000.00	0.00%	800,000.00	53.75%
2002 Fire Levy Fund 253	-	390,000.00	390,000.00	0.00%	725,000.00	53.79%
Public Safety & Health Inc Tax Fund 210	113,750.00	796,250.00	796,250.00	0.00%	1,380,000.00	57.70%
CDBG Reimbursement	-	-	-	-	-	-
SUB-TOTAL FIRE	\$ 113,750.00	\$ 1,744,250.00	\$ 1,744,250.00	0.00%	\$ 3,145,000.00	55.46%
TOTAL	\$ 810,062.83	\$ 6,867,330.47	\$ 6,734,115.04	1.98%	\$ 12,230,505.00	56.15%

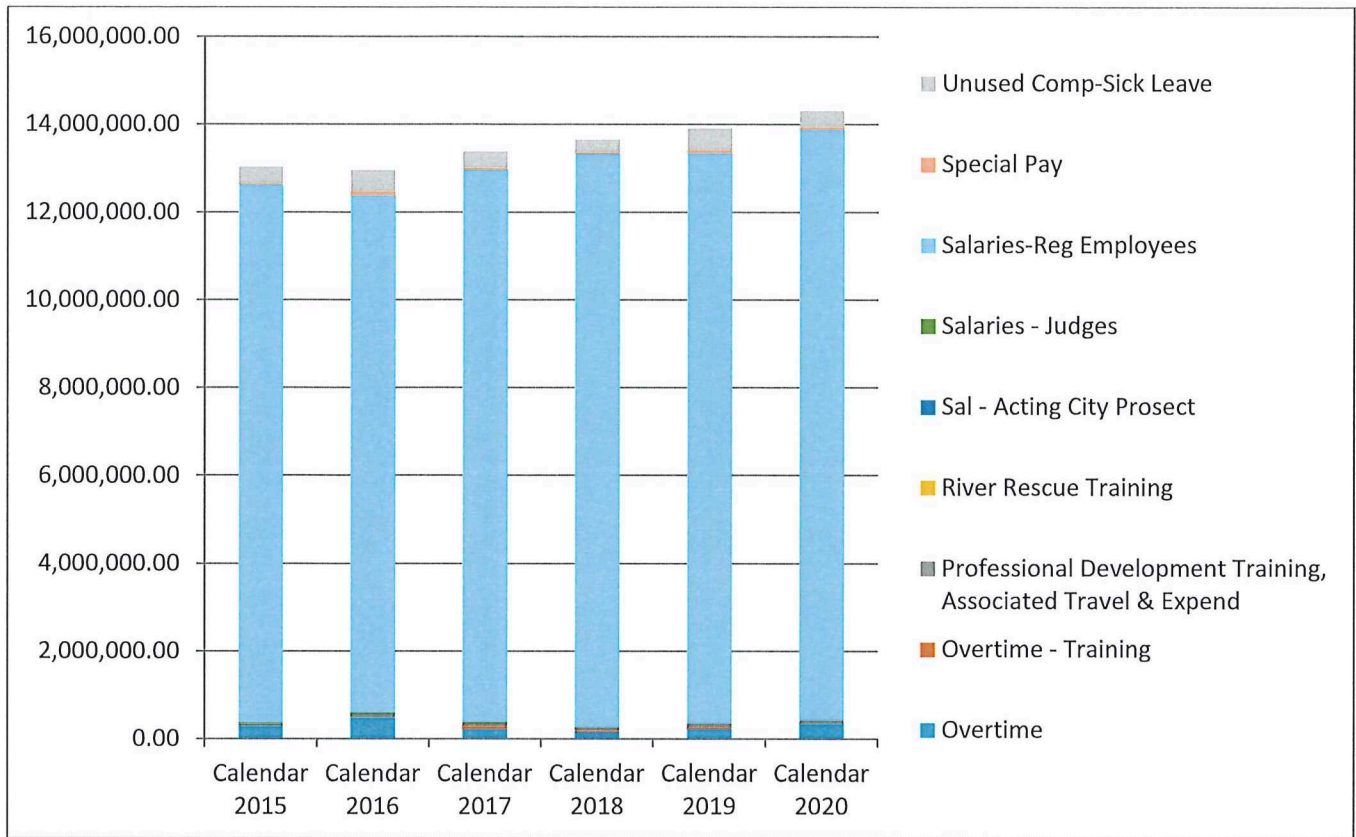
GENERAL FUND: 2020 STATEMENT OF ACTIVITIES YTD THROUGH JULY



Account Classification	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Revenue	26,462,256.35	26,322,988.47	27,507,145.61	27,597,263.66	28,778,260.94	26,605,069.42
Charges For Services	8,452,379.58	8,096,515.69	8,901,918.98	9,005,485.86	8,802,152.46	8,917,202.58
Enterprise Revenues			1,100.00			
Fines And Forfeits	446,386.41	539,260.75	491,917.27	461,936.77	461,651.24	307,009.84
Intergovernmental Revenue	983,680.63	883,768.33	829,933.41	912,311.81	843,905.35	1,088,911.11
Licenses & Permits	720,590.29	787,114.66	924,678.88	919,269.70	1,057,951.21	1,440,654.25
Miscellaneous Revenue	129,681.10	263,916.90	380,263.10	241,265.10	565,290.23	455,353.17
Other Financing Sources	0.00	50.00	6,316.28	8,853.55	10,658.50	9,740.69
Recreation Fees	57,928.38	26,945.25	27,372.14	13,432.00	10,304.05	0.00
Taxes	15,057,160.55	15,724,794.89	15,943,645.55	16,034,708.87	17,026,347.90	14,386,197.78
Transfers In	614,449.41	622.00				
Expenses	27,388,140.10	27,095,590.67	31,527,465.86	27,036,280.85	27,438,844.28	26,806,385.86
Capital Improvements						0.00
Plant, Property, & Equipment						0.00
Other Expenditures	9,129,981.28	8,820,275.84	12,247,516.97	7,589,155.56	7,657,616.72	6,595,305.08
Internal Services	644,513.82	679,057.98	791,070.63	872,119.93	903,682.11	858,993.10
Other Expenses	1,290,927.26	866,039.60	5,192,614.00	711,511.24	1,717,220.70	677,757.76
Other Purchased Services	1,532,677.93	1,907,260.21	1,939,311.40	1,644,478.32	1,674,577.34	1,737,981.68
Promotional Expenses	13,958.06	11,956.77	39,961.98	17,308.67	24,239.75	6,194.50
Purchased Professional & Technical Services	2,710,482.17	2,417,773.83	3,012,332.05	3,145,387.91	2,574,722.14	1,917,050.98
Supplies	318,116.06	366,764.05	493,164.29	403,001.73	332,826.49	581,992.25
Transfers	2,619,305.98	2,571,423.40	779,062.62	795,347.76	430,348.19	815,334.81
Personal Services & Benefits	18,258,158.82	18,275,314.83	19,279,948.89	19,447,125.29	19,781,227.56	20,211,080.78
Personal Services	13,027,867.48	12,947,892.89	13,375,509.85	13,646,684.40	13,900,171.56	14,307,717.74
Personal Services - Employee Benefits	5,230,291.34	5,327,421.94	5,904,439.04	5,800,440.89	5,881,056.00	5,903,363.04

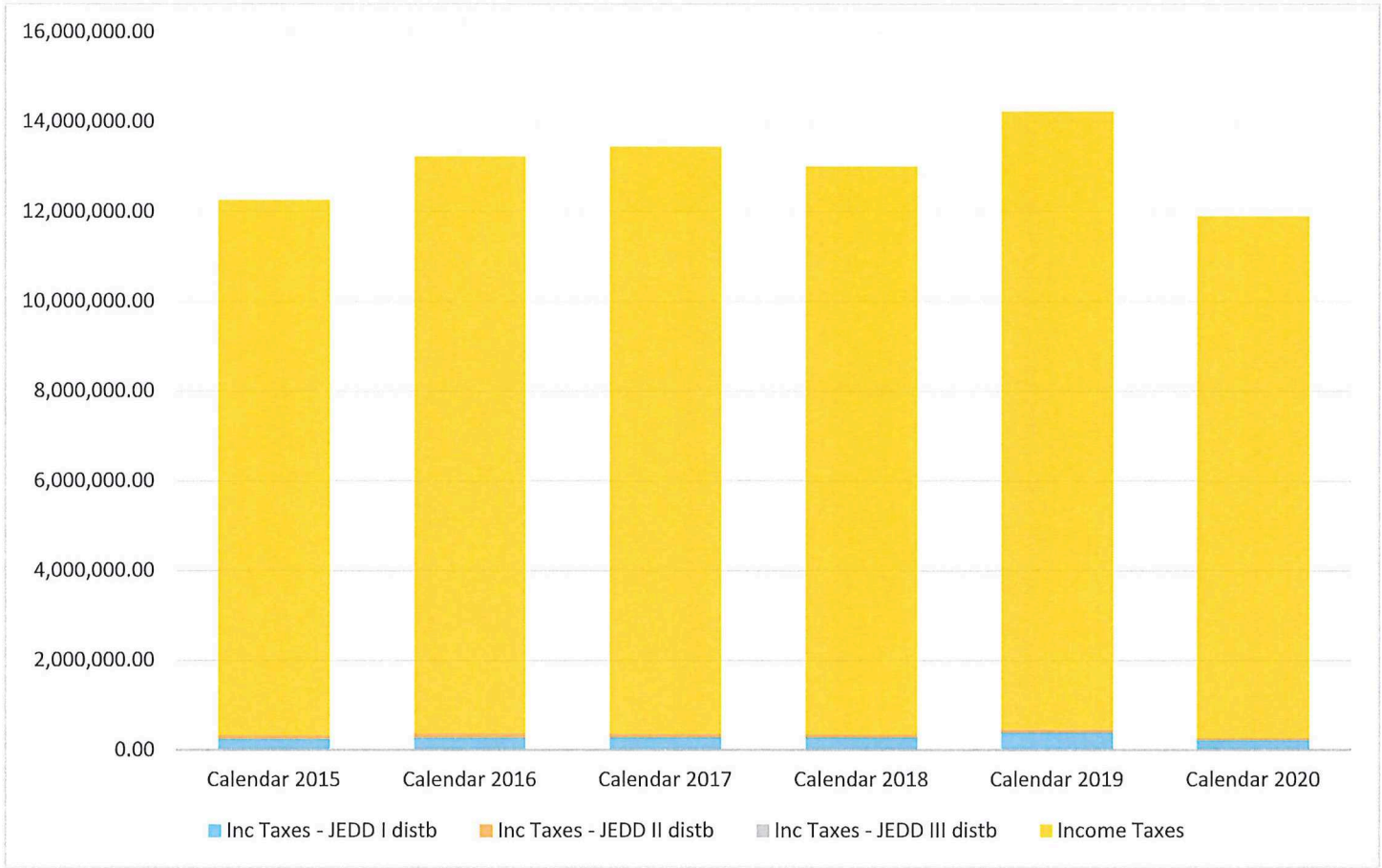
NOTE: 2017 includes a \$3.45MM grant to the CIC.

GENERAL FUND: 2020 WAGES PAID YTD THROUGH JULY



Pay Type	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Overtime	286,358.62	479,988.14	218,711.46	151,961.44	224,236.78	344,829.02
Overtime - Training			64,045.58	29,222.51	39,156.55	286.05
Professional Development Training, Associated Travel & Expend	53,291.43	81,634.22	68,972.97	66,490.12	73,780.40	67,308.03
River Rescue Training				0.00		
Sal - Acting City Prosect	186.32					
Salaries - Judges	27,952.82	27,456.50	29,252.80	11,104.00	6,743.70	2,886.18
Salaries-Reg Employees	12,262,020.24	11,788,669.98	12,585,855.82	13,071,734.79	12,998,589.20	13,463,860.88
Special Pay	22,689.30	95,067.86	34,803.37	32,905.06	71,361.58	58,300.16
Unused Comp-Sick Leave	375,368.75	475,076.19	373,867.85	283,266.48	486,303.35	370,247.42
Totals	\$13,027,867.48	\$12,947,892.89	\$13,375,509.85	\$13,646,684.40	\$13,900,171.56	\$14,307,717.74

GENERAL FUND: 2020 INCOME TAX COLLECTIONS YTD THROUGH JULY



Tax Type	Calendar 2015	Calendar 2016	Calendar 2017	Calendar 2018	Calendar 2019	Calendar 2020
Inc Taxes - JEDD I distb	244,130.55	275,558.79	278,593.73	281,166.16	392,089.32	218,734.67
Inc Taxes - JEDD II distb	89,750.00	104,508.03	85,479.61	63,890.05	70,215.61	44,768.33
Inc Taxes - JEDD III distb				1,828.46	2,482.82	5,922.65
Income Taxes	11,923,231.95	12,849,728.90	13,083,490.86	12,662,066.03	13,771,564.38	11,622,168.13
Totals	\$12,257,112.50	\$13,229,795.72	\$13,447,564.20	\$13,008,950.70	\$14,236,352.13	\$11,891,593.78

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

Summary of Cash Basis Activity
For the Seven Months Period Ending July 31, 2020

	Balance Jan. 1, 2020	Monthly Receipts	Monthly Disbursements	Non-Cash Items	Balance July 31, 2020	Purchase Orders Outstanding	Unencumbered Cash
353 Historic Developers (Mercantile)	0.00	13,820.09	13,820.09	0.00	0.00	0.00	\$0.00
354 Tippman Properties MPITIE Fund	0.00	1,862.08	1,862.08	0.00	0.00	0.00	\$0.00
355 Nuturen Manufacturing TIF	0.00	90,113.96	90,113.96	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	38,728.13	0.00	93,403.42	0.00	\$93,403.42
360 Governmental Bldg Sale Proceeds	4,648,399.71	9,998,209.17	13,993,840.20	0.00	652,768.68	494,412.02	\$158,356.66
Total Capital Projects	\$7,014,482.43	\$12,824,329.61	\$16,350,764.39	\$0.00	\$3,488,047.65	\$7,718,771.86	(\$4,230,724.21)
ENTERPRISE - GAS							
501 Gas Utility	2,211,860.41	12,552,812.43	11,548,617.28	931,991.61	4,148,047.17	271,156.99	\$3,876,890.18
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	1,170,721.56	30,900.00	428,761.28	0.00	772,860.28	915,646.67	(\$142,786.39)
516 Gas Rate Stabilization Fd	2,121,250.53	19,503.75	0.00	0.00	2,140,754.28	0.00	\$2,140,754.28
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	451,158.47	84,207.25	0.00	366,951.22	0.00	\$366,951.22
Sub-Total - Gas	\$7,738,379.68	\$13,054,374.65	\$12,061,585.81	\$931,991.61	\$9,663,160.13	\$1,188,251.90	\$8,474,908.23
ENTERPRISE - ELECTRIC							
502 Electric Utility	13,506,098.21	45,787,758.16	43,519,539.99	(1,567,327.28)	14,206,989.10	2,185,746.22	\$12,021,242.88
520 Elec Sys Spec Proj Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
522 Electric Construction Fd	15,242,282.82	0.00	1,023,565.50	9,672.00	14,228,369.32	7,551,757.98	\$6,676,611.34
523 Boiler No. 9 Scrubber Prj	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
524 Hydroelectric Optprts Fund	405,065.88	1,218,841.12	1,214,594.57	0.00	409,312.43	93,434.20	\$315,878.23
525 Electric Cap Imprmt Fund	7,151,911.18	693,557.14	3,069,123.53	1,616.59	4,777,961.38	5,598,653.38	(\$820,692.00)
526 Elec Rate Stablztn Fund	4,211,099.49	38,718.78	0.00	0.00	4,249,818.27	0.00	\$4,249,818.27
527 Elec System Reserve Fund	14,343,367.66	131,879.51	0.00	0.00	14,475,247.17	0.00	\$14,475,247.17
528 92 Electric Bd Service Fd	0.00	1,089,974.73	589,372.23	(500,602.50)	0.00	0.00	\$0.00
529 Electric Debt Rducltn Resv	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Sub-Total - Electric	\$54,859,805.24	\$48,960,729.44	\$49,416,195.82	(\$2,056,641.19)	\$52,347,697.67	\$15,429,591.78	\$36,918,105.89
ENTERPRISE - WATER							
503 Water Utility	4,621,240.70	8,301,741.34	9,982,261.90	(34,368.21)	2,906,351.93	605,532.06	\$2,300,819.87
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	2,824,174.40	953,403.90	0.00	4,419,923.43	4,190,913.35	\$229,010.08
535 Water Cap Imprmt Fund	1,569,299.82	6,190.00	438,982.41	0.00	1,136,507.41	221,021.93	\$915,485.48
536 Water Rate Stablztn Fund	1,660,786.23	15,270.02	0.00	0.00	1,676,056.25	0.00	\$1,676,056.25
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	\$11,147,375.76	\$11,374,648.21	(\$34,368.21)	\$12,609,122.96	\$5,017,467.34	\$7,591,655.62
ENTERPRISE - WASTEWATER							
504 Wastewater Utility	5,815,527.05	7,664,403.38	6,770,809.25	(18,006.23)	6,691,114.95	345,328.11	\$6,345,786.84
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	239.49	0.00	0.00	26,287.54	0.00	\$26,287.54
545 Wastewater Cap Imprvmt Fd	6,603,968.70	77,955.00	1,154,839.84	0.00	5,527,083.86	1,737,733.07	\$3,789,350.79
546 Wastewr Rate Stablztn Fd	2,134,463.88	19,625.24	0.00	0.00	2,154,089.12	0.00	\$2,154,089.12
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	2,086,369.26	746,783.32	(1,339,585.94)	0.00	0.00	\$0.00
Sub-Total - Wastewater	\$18,360,338.62	\$9,848,592.37	\$8,676,049.35	(\$1,357,592.17)	\$18,175,289.47	\$2,083,061.18	\$16,092,228.29
ENTERPRISE - OTHER							
550 Parking Fund	86,461.59	199,941.26	218,691.59	(2,053.80)	65,657.46	44,817.62	\$20,839.84
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	159,323.73	395,461.98	(0.00)	22,482.47	27,187.33	(\$4,704.86)
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	\$345,082.31	\$359,264.99	\$614,153.57	(\$2,053.80)	\$88,139.93	\$72,004.95	\$16,134.98
Total - Enterprise	\$94,174,369.47	\$83,370,337.21	\$82,142,632.76	(\$2,518,663.76)	\$92,883,410.16	23,790,377.15	\$69,093,033.01
INTERNAL SERVICES							
610 Fleet Maintenance Fund	174,323.46	1,110,449.25	1,533,598.13	0.00	(248,825.42)	235,812.00	(\$484,637.42)
620 Central Services	11,008.89	5,598,636.49	5,583,050.09	18,119.67	44,714.96	631,592.34	(\$586,877.38)
640 Central Benefits Fund	1,526,417.18	1,032,993.84	25,442.24	0.00	2,533,968.78	37,064.61	\$2,496,904.17
650 Economic Budget Stabilization	1,704,585.00	295,415.00	300,000.00	0.00	1,700,000.00	0.00	\$1,700,000.00
Total - Internal Services	\$3,416,334.53	\$8,037,494.58	\$7,442,090.46	\$18,119.67	\$4,029,858.32	\$904,468.95	\$3,125,389.37
TRUST AND AGENCY							
700 Travel Advance Fund	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
710 Employee Txs & Bnfsts Fund	2,400,353.00	0.00	0.00	(578,379.51)	1,821,973.49	0.00	\$1,821,973.49
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 Annex Tax Fund	141,699.31	0.00	0.00	19,351.66	161,050.97	0.00	\$161,050.97
727 Ham.Cen.Bus.Sp.Imprv Dst.	0.00	0.00	0.00	38,766.95	38,766.95	0.00	\$38,766.95
728 Joint Ecnmic Dvlp Dstrc I	9,953.86	0.00	0.00	6,549.08	16,502.94	0.00	\$16,502.94
729 Phillipsburg Tax Collectn	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
730 Benninghoffen Trust Fund	75,421.97	689.15	805.66	0.00	75,305.46	0.00	\$75,305.46
731 Joint Ecnmic Dvlp Dist II	71,820.74	0.00	0.00	(55,699.66)	16,121.08	0.00	\$16,121.08
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	1,024.20	0.00	0.00	3,082.95	4,107.15	0.00	\$4,107.15
740 Fire Damage Dep Escrow Fu	146,504.40	0.00	0.00	41,124.53	187,628.93	0.00	\$187,628.93
745 Police Prop.Rm Forfeiture	246,575.13	0.00	0.00	9,515.36	256,090.49	0.00	\$256,090.49
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	\$5,040,752.84	\$5,040,752.84	\$0.00	\$3,870.30	11,312.50	(\$7,442.20)
Total - Trust and Agency	\$3,329,191.36	\$5,041,441.99	\$5,043,133.50	(\$515,688.64)	\$2,811,811.21	\$11,312.50	\$2,800,498.71
TOTAL	\$126,078,504.83	\$180,239,036.21	\$158,741,991.42	(\$3,011,514.72)	\$144,564,034.90	\$56,188,318.87	\$68,375,716.03



Informational Report
August 26, 2020

City Council Meeting Informational Report

TO: The Honorable Mayor and Members of the City Council
FROM: Dave Jones, Finance Director
RE: JULY, 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





MEEDER **PUBLIC FUNDS ADVISORY**

Monthly Investment Report



Prepared for

City of Hamilton

As of July 31, 2020



A PERSONAL TOUCH TO
INVESTING

City of Hamilton
Portfolio Management
Investment Status Report - Investments
July 31, 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)												
3134G9QB6	16-0060	FHLMC	500,000.00	1.500	11/25/2020	05/25/2016	116	1.500	502,113.75		500,000.00	500,000.00
3133ECJF2	17-0026	FFCB	800,000.00	1.770	03/18/2021	12/28/2017	229	2.098	808,137.36	Received	791,864.00	791,864.00
3133ECKF0	17-0022	FFCB	1,024,000.00	1.750	04/01/2021	11/07/2017	243	1.864	1,034,881.58	Received	1,020,160.00	1,020,160.00
3133EHNX7	17-0013	FFCB	525,000.00	1.650	06/21/2021	06/21/2017	324	1.720	531,964.91		523,582.50	523,582.50
3130A8QS5	16-0088	FHLB	1,000,000.00	1.125	07/14/2021	07/15/2016	347	1.269	1,009,577.00	Received	993,050.00	993,050.00
3133EHWM1	18-0005	FFCB	100,000.00	1.700	09/01/2021	06/21/2018	396	2.789	101,662.30	Received	96,692.00	96,692.00
3133ELTZ7	20-0034	FFCB	250,000.00	0.625	03/18/2022	03/18/2020	594	0.730	251,815.55		249,480.00	249,480.00
3133EHSS3	17-0018	FFCB	600,000.00	1.875	09/26/2022	09/27/2017	786	1.928	621,484.99	Received	598,494.00	598,494.00
3133EKD60	19-0053	FFCB	500,000.00	1.560	02/21/2023	08/21/2019	934	1.586	516,955.11		499,560.00	499,560.00
3133ELUF9	20-0038	FFCB	500,000.00	0.790	03/15/2023	03/23/2020	956	0.900	507,291.38		498,385.00	498,385.00
31422BXH8	20-0041	FAMCA	1,000,000.00	0.850	03/20/2023	03/27/2020	961	0.850	1,015,568.28		1,000,000.00	1,000,000.00
3133ELG81	20-0077	FFCB	1,000,000.00	0.300	06/08/2023	06/08/2020	1,041	0.360	1,001,254.64		998,210.00	998,210.00
31422BH86	20-0093	FAMCA	1,000,000.00	0.350	07/10/2023	07/10/2020	1,073	0.350	1,001,594.31		1,000,000.00	1,000,000.00
3135G05G4	20-0094	FNMA	500,000.00	0.250	07/10/2023	07/10/2020	1,073	0.310	500,023.21		499,104.50	499,104.50
31422BG53	20-0085	FAMCA	1,000,000.00	0.350	09/29/2023	06/29/2020	1,154	0.375	1,001,291.40		999,200.00	999,200.00
3133EKVB9	19-0039	FFCB	500,000.00	1.860	10/17/2023	07/17/2019	1,172	1.961	525,356.06		497,956.02	497,956.02
3130AB3H7	19-0017	FHLB	500,000.00	2.375	03/08/2024	04/15/2019	1,315	2.467	536,335.91	Received	498,655.00	498,655.00
3130AGWK7	19-0056	FHLB	500,000.00	1.500	08/15/2024	08/20/2019	1,475	1.519	524,375.96	Received	499,545.00	499,545.00
3133EK3B0	19-0078	FFCB	500,000.00	1.500	10/16/2024	10/16/2019	1,537	1.515	524,599.35		499,640.00	499,640.00
3133ELH23	20-0076	FFCB	1,000,000.00	0.500	06/09/2025	06/09/2020	1,773	0.536	1,003,654.42		998,230.00	998,230.00
Federal Agency - Coupon (NC) Totals			13,299,000.00				896	1.181	13,519,937.47	0.00	13,261,808.02	13,261,808.02
Negotiatble CDs												
05581W2M6	19-0069	BMO	247,000.00	1.950	09/30/2021	09/30/2019	425	1.953	252,232.20		247,000.00	247,000.00
87164DRW2	20-0051	SNV	248,000.00	1.100	01/18/2022	04/17/2020	535	1.129	251,469.77		247,876.00	247,876.00
15201QCD7	20-0031	CTRSTE	248,000.00	1.000	03/21/2022	03/20/2020	597	1.000	251,435.05		248,000.00	248,000.00
12556LBU9	20-0032	CIT	248,000.00	1.050	03/28/2022	03/26/2020	604	1.050	251,671.89		248,000.00	248,000.00
17312Q3T4	19-0011	C	246,000.00	2.650	04/04/2022	04/04/2019	611	2.653	256,278.13	Received	246,000.00	246,000.00
084601XB4	20-0048	BHLB	248,000.00	1.250	04/21/2022	04/08/2020	628	1.305	252,655.46		247,727.20	247,727.20
57116AUD8	20-0057	MRLN	249,000.00	1.150	04/25/2022	04/24/2020	632	1.155	253,264.62		248,751.00	248,751.00
89214PCQ0	20-0060	TOWN	248,000.00	1.150	04/29/2022	04/29/2020	636	1.150	252,277.50		248,000.00	248,000.00
72345SKS9	20-0063	PNFP	248,000.00	0.900	05/09/2022	05/07/2020	646	0.951	251,244.83		247,752.00	247,752.00
33847E2J5	19-0032	FBC	246,000.00	2.500	06/13/2022	06/12/2019	681	2.510	256,734.21		245,938.50	245,938.50
02007GKL6	19-0033	ALLY	246,000.00	2.250	06/27/2022	06/28/2019	695	2.252	255,773.58	Received	246,000.00	246,000.00
20786ADA0	20-0055	NORJER	249,000.00	1.200	10/21/2022	04/22/2020	811	1.262	254,612.46		248,626.50	248,626.50
05580ATH7	19-0099	BMW	247,000.00	1.800	11/29/2022	12/19/2019	850	1.852	256,265.22	Received	246,644.32	246,644.32
949495AA3	19-0096	WFC	249,000.00	1.800	12/13/2022	12/13/2019	864	1.862	258,466.23		248,564.25	248,564.25

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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												
33646CMD3	20-0053	SRCE	248,000.00	1.150	02/17/2023	04/17/2020	930	1.222	254,006.31		247,504.00	247,504.00
81768PAF3	20-0012	SFBS	249,000.00	1.600	02/21/2023	02/21/2020	934	1.670	257,888.55		248,502.00	248,502.00
02589AB50	20-0040	AXP	248,000.00	1.450	03/31/2023	03/31/2020	972	1.570	256,208.80		247,132.00	247,132.00
87165FZA5	20-0045	SYF	248,000.00	1.450	04/03/2023	04/03/2020	975	1.570	256,231.62		247,132.00	247,132.00
61760AYA1	19-0012	MS	246,000.00	2.750	04/04/2023	04/05/2019	976	2.752	262,716.93	Received	246,000.00	246,000.00
949763YY6	19-0014	WELLS	249,000.00	2.750	04/10/2023	04/10/2019	982	2.778	266,010.68		248,751.00	248,751.00
12738RGA6	20-0049	CADE	248,000.00	1.300	04/17/2023	04/15/2020	989	1.385	255,331.13		247,380.00	247,380.00
20033AW36	19-0022	COME	249,000.00	2.650	05/15/2023	05/15/2019	1,017	2.678	265,896.39		248,751.00	248,751.00
88413QCL0	20-0065	THFDSL	249,000.00	0.800	05/15/2023	05/14/2020	1,017	0.868	253,081.86		248,502.00	248,502.00
619165JE4	20-0081	MOCIBK	249,000.00	0.350	06/19/2023	06/19/2020	1,052	0.425	249,956.41		248,439.75	248,439.75
06652CGX3	19-0035	BANKWST	249,000.00	2.050	06/27/2023	06/28/2019	1,060	2.180	262,227.13	Received	247,772.43	247,772.43
70212VAA6	20-0087	PARBNK	245,000.00	0.350	06/30/2023	06/30/2020	1,063	0.425	245,940.80		244,448.75	244,448.75
58404DET4	19-0045	MEDBNK	249,000.00	2.100	07/24/2023	07/22/2019	1,087	2.181	262,910.39		248,253.00	248,253.00
59013KBQ8	19-0047	MERICK	249,000.00	2.150	07/24/2023	07/23/2019	1,087	2.232	263,280.40		248,253.00	248,253.00
75472RAD3	19-0052	RJF	247,000.00	1.950	08/23/2023	08/23/2019	1,117	2.004	259,970.22		246,506.00	246,506.00
15118RRF6	19-0055	CII	249,000.00	1.800	08/30/2023	08/30/2019	1,124	1.861	261,010.52		248,422.32	248,422.32
51210SSA6	20-0042	LAKESD	249,000.00	1.350	09/29/2023	03/30/2020	1,154	1.425	257,713.76		248,377.50	248,377.50
29278TML1	19-0085	CMS	247,000.00	2.000	10/31/2023	10/31/2019	1,186	2.080	259,801.52		246,259.00	246,259.00
06426KBL1	19-0046	SONHBT	249,000.00	2.100	11/27/2023	07/26/2019	1,213	2.144	264,176.30		248,190.75	248,190.75
538036HC1	19-0095	LIVOAK	249,000.00	1.800	12/11/2023	12/11/2019	1,227	1.879	261,814.29		248,253.00	248,253.00
38148P5B9	19-0003	GOLD	246,000.00	3.100	02/13/2024	02/13/2019	1,291	3.178	270,365.07		245,139.00	245,139.00
07815AAY3	20-0021	STBFAR	249,000.00	1.650	02/27/2024	02/27/2020	1,305	1.729	249,277.14		248,253.00	248,253.00
06251AW48	19-0016	BKHAP	246,000.00	2.900	03/25/2024	04/12/2019	1,332	2.903	269,277.75	Received	246,000.00	246,000.00
05465DAK4	20-0023	BOFI	249,000.00	1.650	03/26/2024	03/26/2020	1,333	1.697	261,258.52		248,564.25	248,564.25
90348JJQ4	19-0010	UBS	249,000.00	2.900	04/03/2024	04/03/2019	1,341	2.903	272,674.92		249,000.00	249,000.00
7954502H7	19-0015	SLMA	245,000.00	2.800	04/17/2024	04/17/2019	1,355	2.900	267,596.11		243,897.50	243,897.50
32056GDH0	20-0067	FIBIND	249,000.00	0.850	05/13/2024	05/11/2020	1,381	0.876	254,054.70		248,751.00	248,751.00
14042RLP4	19-0024	CAP1NA	246,000.00	2.650	05/22/2024	05/22/2019	1,390	2.761	267,790.19		244,770.00	244,770.00
14042TAP2	19-0025	CAP1US	246,000.00	2.650	05/22/2024	05/22/2019	1,390	2.761	267,790.19		244,770.00	244,770.00
61690UGC8	19-0026	MSBKNA	246,000.00	2.600	05/23/2024	05/24/2019	1,391	2.743	267,336.32	Received	244,401.00	244,401.00
27002YEN2	19-0028	EAGLE	249,000.00	2.500	05/24/2024	05/24/2019	1,392	2.588	269,647.83		248,004.00	248,004.00
33767GAM0	19-0084	FIRSTB	249,000.00	1.850	10/25/2024	10/29/2019	1,546	1.910	264,319.23	Received	248,315.25	248,315.25
064236BK7	20-0028	BNKMOR	249,000.00	1.250	03/27/2025	03/27/2020	1,699	1.313	250,886.42		248,253.00	248,253.00
44329ME33	20-0064	HSBC	248,000.00	1.300	05/07/2025	05/07/2020	1,740	1.373	250,261.26		247,132.00	247,132.00
856285TR2	20-0078	INDIA	248,000.00	1.050	06/10/2025	06/19/2020	1,774	1.133	254,308.62	64.21	247,008.00	247,072.21
88241THU7	20-0080	BKCROW	249,000.00	1.000	06/19/2025	06/19/2020	1,783	1.083	249,311.75		248,004.00	248,004.00
Negotiatble CDs Totals			12,395,000.00				1,076	1.824	12,916,711.18	64.21	12,367,971.27	12,368,035.48

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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
Commercial Paper - Discount												
2254EAH55	20-0016	CSFBNY	650,000.00	1.620	08/05/2020	02/24/2020	4	1.655	645,232.25		645,232.25	645,232.25
89233GKN5	20-0062	TOY	2,000,000.00	1.690	10/22/2020	04/28/2020	82	1.728	1,983,381.66		1,983,381.66	1,983,381.66
89233GL46	20-0066	TOY	750,000.00	1.390	11/04/2020	05/08/2020	95	1.419	744,787.50		744,787.50	744,787.50
89233GM94	20-0079	TOY	500,000.00		12/09/2020	06/12/2020	130	0.345	499,150.00		499,150.00	499,150.00
Commercial Paper - Discount Totals			3,900,000.00				78	1.478	3,872,551.41	0.00	3,872,551.41	3,872,551.41
Federal Agency - Coupon (Callable)												
3136G32C8	17-0025	FNMA	325,000.00	1.300	08/24/2021	12/28/2017	388	2.216	329,063.42	Received	314,600.00	314,600.00
3134GV6H6	20-0097	FHLMC	1,500,000.00	0.320	10/20/2022	07/27/2020	810	0.361	1,500,505.02	93.33	1,500,000.00	1,500,093.33
3134GVZQ4	20-0072	FHLMC	500,000.00	0.375	11/25/2022	05/29/2020	846	0.387	500,072.52	15.63	499,850.00	499,865.63
3134GV2G2	20-0090	FHLMC	1,500,000.00	0.400	12/29/2022	07/01/2020	880	0.400	1,500,206.48	33.33	1,500,000.00	1,500,033.33
3134GV2R8	20-0091	FHLMC	1,000,000.00	0.350	12/29/2022	07/07/2020	880	0.360	1,000,144.07	77.78	999,750.00	999,827.78
3134GVD39	20-0075	FHLMC	1,000,000.00	0.400	03/03/2023	06/03/2020	944	0.440	1,000,284.70		1,000,000.00	1,000,000.00
3133ELRZ9	20-0027	FFCB	525,000.00	1.240	03/10/2023	03/10/2020	951	1.240	527,044.86		525,000.00	525,000.00
3130AJDC0	20-0035	FHLB	495,000.00	1.040	03/30/2023	03/30/2020	971	1.042	495,407.40		494,975.25	494,975.25
3134GVKH0	20-0054	FHLMC	500,000.00	0.950	04/20/2023	04/20/2020	992	0.950	500,319.69		500,000.00	500,000.00
3134GVVW7	20-0073	FHLMC	1,000,000.00	0.550	05/19/2023	05/29/2020	1,021	0.552	1,000,170.14	152.78	999,950.00	1,000,102.78
3135G04R1	20-0084	FNMA	1,000,000.00	0.500	05/25/2023	06/25/2020	1,027	0.503	1,000,223.69	458.33	999,900.00	1,000,358.33
3134GVE87	20-0082	FHLMC	1,000,000.00	0.500	06/08/2023	06/25/2020	1,041	0.500	1,000,273.19	236.11	1,000,000.00	1,000,236.11
3134GV2E7	20-0088	FHLMC	1,500,000.00	0.400	06/30/2023	06/30/2020	1,063	0.400	1,500,878.91		1,500,000.00	1,500,000.00
3134GV5N4	20-0092	FHLMC	1,000,000.00	0.500	07/13/2023	07/13/2020	1,076	0.500	1,000,042.23		1,000,000.00	1,000,000.00
3134GWAK2	20-0096	FHLMC	1,000,000.00	0.410	07/20/2023	07/21/2020	1,083	0.410	1,000,388.91	11.39	1,000,000.00	1,000,011.39
3135G05J8	20-0095	FNMA	1,000,000.00	0.420	07/21/2023	07/21/2020	1,084	0.420	1,000,463.32		1,000,000.00	1,000,000.00
3136G4B51	20-0098	FNMA	500,000.00	0.420	07/27/2023	07/30/2020	1,090	0.420	500,090.18	17.50	500,000.00	500,017.50
3134GUJG6	19-0079	FHLMC	250,000.00	1.700	10/23/2023	10/23/2019	1,178	1.747	250,766.58		249,550.00	249,550.00
3134GVLR7	20-0058	FHLMC	500,000.00	0.800	10/27/2023	04/27/2020	1,182	0.800	500,131.90		500,000.00	500,000.00
3136G4UC5	20-0008	FNMA	500,000.00	1.700	10/30/2023	01/30/2020	1,185	1.700	501,610.28		500,000.00	500,000.00
3134GU6Q8	20-0010	FHLMC	500,000.00	1.750	11/07/2023	02/07/2020	1,193	1.760	500,078.97		499,825.00	499,825.00
3133ELBG8	19-0092	FFCB	500,000.00	1.790	11/27/2023	11/27/2019	1,213	1.790	502,307.65		500,000.00	500,000.00
3134GVZZ4	20-0071	FHLMC	1,000,000.00	0.500	11/28/2023	05/29/2020	1,214	0.517	1,000,051.11		999,400.00	999,400.00
3134GVRP5	20-0068	FHLMC	500,000.00	0.625	02/05/2024	05/21/2020	1,283	0.632	500,002.88	138.89	499,875.00	500,013.89
3133ELMJ0	20-0009	FFCB	500,000.00	1.690	02/12/2024	02/12/2020	1,290	1.690	503,049.17		500,000.00	500,000.00
3133ELSL9	20-0030	FFCB	1,000,000.00	1.050	03/12/2024	03/12/2020	1,319	1.050	1,002,958.04		1,000,000.00	1,000,000.00
3134GUEN6	19-0072	FHLMC	500,000.00	1.875	03/28/2024	09/30/2019	1,335	1.875	504,225.98		500,000.00	500,000.00
3133ELXC3	20-0061	FFCB	500,000.00	0.800	04/22/2024	04/23/2020	1,360	0.800	500,527.54	11.11	500,000.00	500,011.11
3133ELZY3	20-0069	FFCB	1,000,000.00	0.640	05/20/2024	05/26/2020	1,388	0.653	1,000,048.83	106.67	999,500.00	999,606.67
3134GVK98	20-0083	FHLMC	1,170,000.00	0.700	06/10/2024	06/24/2020	1,409	0.700	1,171,321.89	318.50	1,170,000.00	1,170,318.50

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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)												
3130AJRD3	20-0086	FHLB	500,000.00	0.620	06/24/2024	06/26/2020	1,423	0.639	500,189.41	17.22	499,625.00	499,642.22
3134GTV59	19-0060	FHLMC	250,000.00	2.150	08/05/2024	08/23/2019	1,465	2.096	250,025.59	Received	250,625.00	250,625.00
3133EKZN9	19-0059	FFCB	500,000.00	2.060	08/13/2024	08/23/2019	1,473	2.060	500,185.06	Received	500,000.00	500,000.00
3133EKC61	19-0051	FFCB	500,000.00	2.100	08/20/2024	08/20/2019	1,480	2.100	500,439.20		500,000.00	500,000.00
3133EKN93	19-0086	FFCB	260,000.00	1.960	09/16/2024	10/30/2019	1,507	1.998	260,442.68	Received	259,545.00	259,545.00
3130AHXJ7	20-0002	FHLB	500,000.00	1.920	01/21/2025	01/24/2020	1,634	1.920	503,240.97	Received	500,000.00	500,000.00
3134GU5A4	20-0003	FHLMC	500,000.00	1.850	01/29/2025	01/29/2020	1,642	1.871	503,385.65		499,500.00	499,500.00
3130AJ4M8	20-0022	FHLB	785,000.00	1.750	02/12/2025	02/26/2020	1,656	1.750	789,033.75	534.24	785,000.00	785,534.24
3135G0Y23	20-0017	FNMA	500,000.00	1.900	02/18/2025	02/26/2020	1,662	1.900	500,257.61	211.11	500,000.00	500,211.11
3133ELRN6	20-0026	FFCB	500,000.00	1.500	03/05/2025	03/06/2020	1,677	1.500	501,016.65	20.83	500,000.00	500,020.83
3134GVVT2	20-0070	FHLMC	1,000,000.00	0.920	05/19/2025	05/28/2020	1,752	0.920	1,000,060.08	230.00	1,000,000.00	1,000,230.00
3133ELC28	20-0074	FFCB	500,000.00	0.730	05/27/2025	05/29/2020	1,760	0.756	500,387.34	20.28	499,375.00	499,395.28
3134GV3N6	20-0089	FHLMC	500,000.00	0.850	07/09/2025	07/09/2020	1,803	0.850	500,052.17		500,000.00	500,000.00
Federal Agency - Coupon (Callable) Totals			30,560,000.00				1,205	0.894	30,601,375.71	2,705.03	30,545,845.25	30,548,550.28
Treasury Securities - Coupon												
912828NT3	18-0026	USTN	500,000.00	2.625	08/15/2020	10/03/2018	14	2.788	500,414.50	Received	498,515.63	498,515.63
912828L65	17-0003	USTN	1,000,000.00	1.375	09/30/2020	01/26/2017	60	1.718	1,002,003.00	Received	987,812.50	987,812.50
912828Q37	17-0007	USTN	600,000.00	1.250	03/31/2021	03/31/2017	242	1.801	604,476.60		587,296.88	587,296.88
912828R77	17-0021	USTN	650,000.00	1.375	05/31/2021	10/17/2017	303	1.764	656,702.80	Received	641,164.06	641,164.06
912828S76	17-0009	USTN	860,000.00	1.125	07/31/2021	04/20/2017	364	1.641	868,465.84	Received	841,725.00	841,725.00
912828T67	17-0010	USTN	550,000.00	1.250	10/31/2021	04/28/2017	456	1.791	557,648.30	Received	537,173.83	537,173.83
912828H86	17-0019	USTN	475,000.00	1.500	01/31/2022	09/27/2017	548	1.798	484,722.78	Received	469,099.61	469,099.61
912828YK0	19-0090	USTN	750,000.00	1.375	10/15/2022	11/14/2019	805	1.649	770,712.75	Received	744,169.92	744,169.92
912828YH7	19-0098	USTN	1,000,000.00	1.500	09/30/2024	12/17/2019	1,521	1.705	1,054,805.00	Received	990,625.00	990,625.00
Treasury Securities - Coupon Totals			6,385,000.00				527	1.807	6,499,951.57	0.00	6,297,582.43	6,297,582.43
Investment Totals			66,539,000.00				989	1.245	67,410,527.34	2,769.24	66,345,758.38	66,348,527.62

**City of Hamilton
Purchases Report
Sorted by Purchase Date - Fund
July 1, 2020 - July 31, 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
3134GV2G2	20-0090	OP	FAC	FHLMC	1,500,000.00	07/01/2020	12/29 - 06/29	1,500,000.00	33.33	0.400	12/29/2022	0.400	1,500,033.33
3134GV2R8	20-0091	OP	FAC	FHLMC	1,000,000.00	07/07/2020	12/29 - 06/29	999,750.00	77.78	0.350	12/29/2022	0.360	999,827.78
3134GV3N6	20-0089	OP	FAC	FHLMC	500,000.00	07/09/2020	01/09 - 07/09	500,000.00		0.850	07/09/2025	0.850	500,000.00
31422BH86	20-0093	OP	NCB	FAMCA	1,000,000.00	07/10/2020	01/10 - 07/10	1,000,000.00		0.350	07/10/2023	0.350	1,000,000.00
3135G05G4	20-0094	OP	NCB	FNMA	500,000.00	07/10/2020	01/10 - 07/10	499,104.50		0.250	07/10/2023	0.310	499,104.50
3134GV5N4	20-0092	OP	FAC	FHLMC	1,000,000.00	07/13/2020	01/13 - 07/13	1,000,000.00		0.500	07/13/2023	0.500	1,000,000.00
3134GWAK2	20-0096	OP	FAC	FHLMC	1,000,000.00	07/21/2020	01/20 - 07/20	1,000,000.00	11.39	0.410	07/20/2023	0.410	1,000,011.39
3135G05J8	20-0095	OP	FAC	FNMA	1,000,000.00	07/21/2020	01/21 - 07/21	1,000,000.00		0.420	07/21/2023	0.420	1,000,000.00
3134GV6H6	20-0097	OP	FAC	FHLMC	1,500,000.00	07/27/2020	01/20 - 07/20	1,500,000.00	93.33	0.320	10/20/2022	0.361	1,500,093.33
3136G4B51	20-0098	OP	FAC	FNMA	500,000.00	07/30/2020	01/27 - 07/27	500,000.00	17.50	0.420	07/27/2023	0.420	500,017.50
Total Purchases					9,500,000.00			9,498,854.50	233.33				9,499,087.83

**City of Hamilton
Sales/Call Report
Sorted by Redemption Date - Fund
July 1, 2020 - July 31, 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
3134GVJN9	20-0046	OP	FHLMC FAC	04/08/2020	07/06/2020 04/06/2023	500,000.00	1.200	500,000.00	500,000.00	1,466.67	501,466.67 Call	1,466.67
3134GVJP4	20-0047	OP	FHLMC FAC	04/08/2020	07/07/2020 10/07/2022	500,000.00	1.125	500,000.00	500,000.00	1,390.63	501,390.63 Call	1,390.63
3133EKTT3	19-0037	OP	FFCB FAC	07/08/2019	07/08/2020 07/08/2024	600,000.00	2.230	600,000.00	600,000.00	6,690.00	606,690.00 Call	6,690.00
3134GVJW9	20-0050	OP	FHLMC FAC	04/13/2020	07/13/2020 04/13/2023	500,000.00	1.100	500,000.00	500,000.00	1,375.00	501,375.00 Call	1,375.00
3134GTC68	19-0038	OP	FHLMC FAC	07/17/2019	07/17/2020 07/17/2023	500,000.00	2.220	500,000.00	500,000.00	5,550.00	505,550.00 Call	5,550.00
3133ELWR1	20-0056	OP	FFCB FAC	04/20/2020	07/20/2020 10/20/2022	1,000,000.00	0.875	1,000,000.00	1,000,000.00	2,187.50	1,002,187.50 Call	2,187.50
3134GU4M9	20-0005	OP	FHLMC FAC	01/27/2020	07/21/2020 01/21/2025	500,000.00	2.000	500,166.67	500,000.00	5,000.00	505,000.00 Call	4,833.33
3130AGQE8	19-0040	OP	FHLB FAC	07/22/2019	07/22/2020 07/22/2024	500,000.00	2.270	499,500.00	500,000.00	5,675.00	505,675.00 Call	6,175.00
3133ELXF6	20-0059	OP	FFCB FAC	04/24/2020	07/24/2020 04/24/2024	500,000.00	0.980	500,000.00	500,000.00	1,225.00	501,225.00 Call	1,225.00
3135G0X81	20-0011	OP	FNMA FAC	02/12/2020	07/30/2020 01/30/2023	1,000,000.00	1.700	1,000,566.67	1,000,000.00	8,500.00	1,008,500.00 Call	7,933.33
Total Sales						6,100,000.00		6,100,233.34	6,100,000.00	39,059.80	6,139,059.80	38,826.46

**City of Hamilton
Maturity Report
Sorted by Maturity Date
Receipts during July 1, 2020 - July 31, 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
62479LGT6	20-0007	OP	COM	MUFGBK	1,000,000.00	07/27/2020	01/30/2020	1.680	991,646.66	8,353.34	1,000,000.00	8,353.34
Total Maturities					1,000,000.00				991,646.66	8,353.34	1,000,000.00	8,353.34

**City of Hamilton
Interest History
Sorted by Fund
July 1, 2020 - July 31, 2020**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	Amount Received
Texas Exchange Bank SSB										
88241THU7	20-0080	OP	Negotiatble CDs	249,000.00	06/19/2025	1.000	07/19/2020	204.66	07/19/2020	204.66
			Subtotal	249,000.00		1.000		204.66		204.66
			Texas Exchange Bank SSB Total	249,000.00				204.66		204.66
Bank of Old Monroe										
064236BK7	20-0028	OP	Negotiatble CDs	249,000.00	03/27/2025	1.250	07/27/2020	255.82	07/27/2020	255.82
			Subtotal	249,000.00		1.250		255.82		255.82
			Bank of Old Monroe Total	249,000.00				255.82		255.82
BanlWest Inc.										
06652CGX3	19-0035	OP	Negotiatble CDs	249,000.00	06/27/2023	2.050	07/27/2020	419.55	07/27/2020	419.55
			Subtotal	249,000.00		2.050		419.55		419.55
			BanlWest Inc. Total	249,000.00				419.55		419.55
Axos Bank										
05465DAK4	20-0023	OP	Negotiatble CDs	249,000.00	03/26/2024	1.650	07/26/2020	337.68	07/26/2020	337.68
			Subtotal	249,000.00		1.650		337.68		337.68
			Axos Bank Total	249,000.00				337.68		337.68
Celtic Bank										
15118RRF6	19-0055	OP	Negotiatble CDs	249,000.00	08/30/2023	1.800	07/30/2020	368.38	07/30/2020	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	07/15/2020	542.34	07/15/2020	542.34
			Subtotal	249,000.00		2.650		542.34		542.34
			Comenity Capital Bank Total	249,000.00				542.34		542.34
Eagle Bank										
27002YEN2	19-0028	OP	Negotiatble CDs	249,000.00	05/24/2024	2.500	07/24/2020	511.64	07/24/2020	511.64

**City of Hamilton
Interest History
Sorted by Fund
July 1, 2020 - July 31, 2020**

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Subtotal				249,000.00		2.500		511.64		511.64
Eagle Bank Total				249,000.00				511.64		511.64
Federal Farm Credit Bank										
3133EKT3	19-0037	OP	Federal Agency - Coupon (Callable)	0.00	07/08/2024	2.230	07/08/2020	6,690.00	07/08/2020	6,690.00
Subtotal				0.00		2.230		6,690.00		6,690.00
3133ELWR1	20-0056		Federal Agency - Coupon (Callable)	0.00	10/20/2022	0.875	07/20/2020	2,187.50	07/20/2020	2,187.50
Subtotal				0.00		0.875		2,187.50		2,187.50
3133ELXF6	20-0059		Federal Agency - Coupon (Callable)	0.00	04/24/2024	0.980	07/24/2020	1,225.00	07/24/2020	1,225.00
Subtotal				0.00		0.980		1,225.00		1,225.00
Federal Farm Credit Bank Total				0.00				10,102.50		10,102.50
Federal Home Loan Bank										
3130A8QS5	16-0088	OP	Federal Agency - Coupon (NC)	1,000,000.00	07/14/2021	1.125	07/14/2020	5,625.00	07/14/2020	5,625.00
Subtotal				1,000,000.00		1.125		5,625.00		5,625.00
3130AGQE8	19-0040		Federal Agency - Coupon (Callable)	0.00	07/22/2024	2.270	07/22/2020	5,675.00	07/22/2020	5,675.00
Subtotal				0.00		2.270		5,675.00		5,675.00
3130AHXJ7	20-0002		Federal Agency - Coupon (Callable)	500,000.00	01/21/2025	1.920	07/21/2020	4,800.00	07/21/2020	4,800.00
Subtotal				500,000.00		1.920		4,720.00		4,720.00
Federal Home Loan Bank Total				1,500,000.00				16,020.00		16,020.00
Federal Home Loan Mortgage Crp										
3134GTC68	19-0038	OP	Federal Agency - Coupon (Callable)	0.00	07/17/2023	2.220	07/17/2020	5,550.00	07/17/2020	5,550.00
Subtotal				0.00		2.220		5,550.00		5,550.00
3134GU5A4	20-0003		Federal Agency - Coupon (Callable)	500,000.00	01/29/2025	1.850	07/29/2020	4,625.00	07/29/2020	4,625.00
Subtotal				500,000.00		1.850		4,625.00		4,625.00
3134GU4M9	20-0005		Federal Agency - Coupon (Callable)	0.00	01/21/2025	2.000	07/21/2020	5,000.00	07/21/2020	5,000.00
Subtotal				0.00		2.000		4,833.33		4,833.33
3134GVJN9	20-0046		Federal Agency - Coupon (Callable)	0.00	04/06/2023	1.200	07/06/2020	1,466.67	07/06/2020	1,466.67
Subtotal				0.00		1.200		1,466.67		1,466.67
3134GVJP4	20-0047		Federal Agency - Coupon (Callable)	0.00	10/07/2022	1.125	07/07/2020	1,390.63	07/07/2020	1,390.63
Subtotal				0.00		1.125		1,390.63		1,390.63

City of Hamilton
Interest History
Sorted by Fund
July 1, 2020 - July 31, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest		Amount Due	Date Received	
						Rate	Date Due			
Federal Home Loan Mortgage Crp										
3134GVJW9	20-0050	OP	Federal Agency - Coupon (Callable)	0.00	04/13/2023	1.100	07/13/2020	1,375.00	07/13/2020	1,375.00
			Subtotal	0.00		1.100		1,375.00		1,375.00
			Federal Home Loan Mortgage Crp Total	500,000.00				19,240.63		19,240.63
First Internet Bank of Indiana										
32056GDH0	20-0067	OP	Negotiatble CDs	249,000.00	05/13/2024	0.850	07/11/2020	173.96	07/11/2020	173.96
			Subtotal	249,000.00		0.850		173.96		173.96
			First Internet Bank of Indiana Total	249,000.00				173.96		173.96
Firstbank Puerto Rico										
33767GAM0	19-0084	OP	Negotiatble CDs	249,000.00	10/25/2024	1.850	07/25/2020	378.62	07/25/2020	378.62
			Subtotal	249,000.00		1.850		378.62		378.62
			Firstbank Puerto Rico Total	249,000.00				378.62		378.62
Federal National Mortgage Assn										
3135G0X81	20-0011	OP	Federal Agency - Coupon (Callable)	0.00	01/30/2023	1.700	07/30/2020	8,500.00	07/30/2020	8,500.00
							07/30/2020	-566.67	07/30/2020	-566.67
			Subtotal	0.00		1.700		7,933.33		7,933.33
			Federal National Mortgage Assn Total	0.00				7,933.33		7,933.33
Lakeside Bank										
51210SSA6	20-0042	OP	Negotiatble CDs	249,000.00	09/29/2023	1.350	07/31/2020	285.50	07/31/2020	285.50
			Subtotal	249,000.00		1.350		285.50		285.50
			Lakeside Bank Total	249,000.00				285.50		285.50
Live oak Banking Co.										
538036HC1	19-0095	OP	Negotiatble CDs	249,000.00	12/11/2023	1.800	07/01/2020	368.38	07/01/2020	368.38
			Subtotal	249,000.00		1.800		368.38		368.38
			Live oak Banking Co. Total	249,000.00				368.38		368.38
Medallion Bank UTAH										
58404DET4	19-0045	OP	Negotiatble CDs	249,000.00	07/24/2023	2.100	07/22/2020	429.78	07/22/2020	429.78
			Subtotal	249,000.00		2.100		429.78		429.78
			Medallion Bank UTAH Total	249,000.00				429.78		429.78

City of Hamilton
Interest History
Sorted by Fund
July 1, 2020 - July 31, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Merrick Bank										
59013KBQ8	19-0047	OP	Negotiatble CDs	249,000.00	07/24/2023	2.150	07/23/2020	440.01	07/23/2020	440.01
			Subtotal	249,000.00		2.150		440.01		440.01
			Merrick Bank Total	249,000.00				440.01		440.01
Morton Community Bank, IL										
619165JE4	20-0081	OP	Negotiatble CDs	249,000.00	06/19/2023	0.350	07/19/2020	71.63	07/19/2020	71.63
			Subtotal	249,000.00		0.350		71.63		71.63
			Morton Community Bank, IL Total	249,000.00				71.63		71.63
Marlin Business Bank										
57116AUD8	20-0057	OP	Negotiatble CDs	249,000.00	04/25/2022	1.150	07/24/2020	235.36	07/24/2020	235.36
			Subtotal	249,000.00		1.150		235.36		235.36
			Marlin Business Bank Total	249,000.00				235.36		235.36
MUFG Bank LTD/NY										
62479LGT6	20-0007	OP	Commercial Paper - Discount	0.00	07/27/2020	1.680	07/27/2020	8,353.34	07/27/2020	8,353.34
			Subtotal	0.00		1.680		8,353.34		8,353.34
			MUFG Bank LTD/NY Total	0.00				8,353.34		8,353.34
Connectone Bank										
20786ADA0	20-0055	OP	Negotiatble CDs	249,000.00	10/21/2022	1.200	07/22/2020	245.59	07/22/2020	245.59
			Subtotal	249,000.00		1.200		245.59		245.59
			Connectone Bank Total	249,000.00				245.59		245.59
Partners Bank										
70212VAA6	20-0087	OP	Negotiatble CDs	245,000.00	06/30/2023	0.350	07/30/2020	70.48	07/30/2020	70.48
			Subtotal	245,000.00		0.350		70.48		70.48
			Partners Bank Total	245,000.00				70.48		70.48
ServiFirst Bank										
81768PAF3	20-0012	OP	Negotiatble CDs	249,000.00	02/21/2023	1.600	07/21/2020	327.45	07/21/2020	327.45
			Subtotal	249,000.00		1.600		327.45		327.45
			ServiFirst Bank Total	249,000.00				327.45		327.45

City of Hamilton
Interest History
Sorted by Fund
July 1, 2020 - July 31, 2020

CUSIP	Investment #	Fund	Security Type	Par Value	Redemption Date	Interest				
						Rate	Date Due	Amount Due	Date Received	
Bank of New England NH										
06426KBL1	19-0046	OP	Negotiatble CDs	249,000.00	11/27/2023	2.100	07/26/2020	429.78	07/26/2020	429.78
			Subtotal	249,000.00		2.100		429.78		429.78
			Bank of New England NH Total	249,000.00				429.78		429.78
Bell Bank Corp.										
07815AAY3	20-0021	OP	Negotiatble CDs	249,000.00	02/27/2024	1.650	07/27/2020	337.68	07/27/2020	337.68
			Subtotal	249,000.00		1.650		337.68		337.68
			Bell Bank Corp. Total	249,000.00				337.68		337.68
UBS Bank USA										
90348JJQ4	19-0010	OP	Negotiatble CDs	249,000.00	04/03/2024	2.900	07/03/2020	593.51	07/03/2020	593.51
			Subtotal	249,000.00		2.900		593.51		593.51
			UBS Bank USA Total	249,000.00				593.51		593.51
U.S. Treasury Note										
912828S76	17-0009	OP	Treasury Securities - Coupon	860,000.00	07/31/2021	1.125	07/31/2020	4,837.50	07/31/2020	4,837.50
			Subtotal	860,000.00		1.125		4,837.50		4,837.50
912828H86	17-0019		Treasury Securities - Coupon	475,000.00	01/31/2022	1.500	07/31/2020	3,562.50	07/31/2020	3,562.50
			Subtotal	475,000.00		1.500		3,562.50		3,562.50
			U.S. Treasury Note Total	1,335,000.00				8,400.00		8,400.00
Wells Fargo Bank NA										
949763YY6	19-0014	OP	Negotiatble CDs	249,000.00	04/10/2023	2.750	07/10/2020	562.81	07/10/2020	562.81
			Subtotal	249,000.00		2.750		562.81		562.81
			Wells Fargo Bank NA Total	249,000.00				562.81		562.81
Wells Fargo Nat'l. Bank West										
949495AA3	19-0096	OP	Negotiatble CDs	249,000.00	12/13/2022	1.800	07/13/2020	368.38	07/13/2020	368.38
			Subtotal	249,000.00		1.800		368.38		368.38
			Wells Fargo Nat'l. Bank West Total	249,000.00				368.38		368.38
			Total	9,058,000.00				78,008.79		78,008.79

City of Hamilton
Period Realized Gains and Losses
Sorted By Maturity/Sale/Call Date
Sales/Calls/Maturities: July 1, 2020 - July 31, 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
20-0046	FAC	04/08/2020	500,000.00	07/06/2020	5	500,000.00	500,000.00	0.00	83.33	83.33	1.217
Federal Home Loan Mortgage Crp			1.200	04/06/2023	1,093						
20-0047	FAC	04/08/2020	500,000.00	07/07/2020	6	500,000.00	500,000.00	0.00	93.75	93.75	1.141
Federal Home Loan Mortgage Crp			1.125	10/07/2022	912						
19-0037	FAC	07/08/2019	600,000.00	07/08/2020	7	600,000.00	600,000.00	0.00	260.17	260.17	2.261
Federal Farm Credit Bank			2.230	07/08/2024	1,827						
20-0050	FAC	04/13/2020	500,000.00	07/13/2020	12	500,000.00	500,000.00	0.00	183.33	183.33	1.115
Federal Home Loan Mortgage Crp			1.100	04/13/2023	1,095						
19-0038	FAC	07/17/2019	500,000.00	07/17/2020	16	500,000.00	500,000.00	0.00	493.33	493.33	2.251
Federal Home Loan Mortgage Crp			2.220	07/17/2023	1,461						
20-0056	FAC	04/20/2020	1,000,000.00	07/20/2020	19	1,000,000.00	1,000,000.00	0.00	461.81	461.81	0.887
Federal Farm Credit Bank			0.875	10/20/2022	913						
20-0005	FAC	01/27/2020	500,000.00	07/21/2020	20	500,166.67	500,166.67	0.00	555.56	555.56	2.027
Federal Home Loan Mortgage Crp			2.000	01/21/2025	1,821						
19-0040	FAC	07/22/2019	500,000.00	07/22/2020	21	499,500.00	500,000.00	500.00	662.08	1,162.08	4.044
Federal Home Loan Bank			2.270	07/22/2024	1,827						
20-0059	FAC	04/24/2020	500,000.00	07/24/2020	23	500,000.00	500,000.00	0.00	313.06	313.06	0.994
Federal Farm Credit Bank			0.980	04/24/2024	1,461						
20-0007	COM	01/30/2020	1,000,000.00	07/27/2020	26	991,646.66	1,000,000.00	0.00	1,213.33	1,213.33	1.718
MUFG Bank LTD/NY			1.680	07/27/2020	179						
20-0011	FAC	02/12/2020	1,000,000.00	07/30/2020	29	1,000,566.67	1,000,566.67	0.00	1,369.44	1,369.44	1.723
Federal National Mortgage Assn			1.700	01/30/2023	1,083						
Total Realized Gains/Losses						7,091,880.00	7,100,733.34	500.00	5,689.19	6,189.19	1.701

DISCLOSURE

Meeder Public Funds, Inc. is a registered investment adviser with the Securities and Exchange Commission (SEC) under the Investment Advisers Act of 1940. Registration with the SEC does not imply a certain level of skill or training. The opinions expressed in this presentation are those of Meeder Public Funds, Inc. The material presented has been derived from sources considered to be reliable, but the accuracy and completeness cannot be guaranteed.

Past performance does not guarantee future results. Opinions and forecasts are all subject to change at any time, based on market and other conditions, and should not be construed as a recommendation of any specific security. Investing in securities involves inherent risks, including the risk that you can lose the value of your investment. Any forecast, projection, or prediction of the market, the economy, economic trends, and fixed-income markets are based upon current opinion as of the date of issue, and are also subject to change. Opinions and data presented are not necessarily indicative of future events or expected performance. Meeder Public Funds, Inc. cannot and does not claim to be able to accurately predict the future investment performance of any individual security or of any asset class. There is no assurance that the investment process will consistently lead to successful results. The investment return and principal value of an investment will fluctuate, thus an investor's shares, or units, when redeemed, may be worth more or less than their original cost.



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to a Conditional Use Certificate for 535 Maple Avenue, to allow the reoccupation of an existing two story mixed use structure as a Single-Family Residence, with a variance from the two required off street parking spots as required in Section 1137.27 of the Hamilton Zoning Ordinance, on property located in the I-1 (Limited Industrial) zoning district. (Midwest Developers LLC, Property Owner Applicant).

<input checked="" type="checkbox"/> 1 st Reading Date: 9-9-2020
<input checked="" type="checkbox"/> 2 nd Reading Date: 9-23-2020
<input type="checkbox"/> Resolution Date:
<input type="checkbox"/> Public Hearing Date:

Dear Mayor and Members of Council:

Dr. Faisal Khan of Midwest Developers LLC is requesting a Conditional Use Certificate to allow the reoccupation of 535 Maple Avenue, an existing two story Single-Family Residence, with a variance request from two required off street parking spaces from Section 1137.27 of the Hamilton Zoning Ordinance (HZO)

The property is located within an I-1 (Limited Industrial) Zoning District and is regulated by Section 1123.00 of the Hamilton Zoning Ordinance. Section 1123.37 of the HZO defines Residential Uses as a conditional use in the I-1 Zoning District. As such, the application requires review and a favorable recommendation from the Planning Commission, as well as, final action from the City Council.

Background Information

The site in question is 535 Maple Avenue, located on an interior lot across from Hinkel Body and Paint Shop. The property consists of a vacant two story structure with a concrete pad in the rear. The site is located within the I-1 (Limited Industrial) District. The I-1 District allows residential uses as a Conditional Use if approved by the Planning Commission and City Council (See Exhibit B for the Conditional Use proposal and submitted plans).

History

This is the first time this specific request for the site in question has been heard by the Planning Commission. The application is in response to an appeal of a Public Nuisance Declaration to the property. The property owner appealed to the Nuisance appeals board at the June 11th, 2020 meeting and the item was tabled in order for the property owner to submit a renovation plan to show a good faith effort. The applicant has removed all trash and garbage from the property and cleaned up the exterior of the property.



Staff has been consistently in contact with the property owner since the Nuisance Appeals Board meeting to evaluate the proposal and explain the required steps for facilitating the proposal and moving the proposal forward.

Development Plan Overview (Exhibit B)

The submitted Development Plan proposes exterior and interior alterations, including a change from a two (2) unit residential building to a single (one) single-family dwelling unit.

The Development Plan proposes:

1. Renovation of first floor
 - a) Complete renovation of all rooms
 - b) Reconfiguring space with new walls to enclose bedroom one (1)
 - c) New appliances and fixtures
2. Renovation of second floor
 - a) Complete renovation of all rooms
 - b) Converting kitchen into bedroom
 - c) New appliances and fixtures
3. Renovation of basement
 - a) New washer/dryer
 - b) New stair winder above existing sewer pipe
4. Renovation of the exterior space and yard
 - a) Replacement of front and rear yard fencing
 - b) Replace damaged front porch corner post with like material.
 - c) Repair concrete pad in rear of property and made level
 - d) Replacing roof over rear patio

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

1. Conditional Use Certificate for renovation and reactivation of the structure for single-family residential on property zoned I-1 (Limited Industrial).

The current proposal for residential includes:

- a. One (1) single-family dwelling unit

The specifics of the development proposal are discussed in greater detail in the next section.

(Continued)



Exterior and Site Improvements

1. Exterior improvements for the existing structure:
 - a. Fencing
 - i. Remove existing front yard chain-link fence
 - ii. Install 42" decorative metal fence in front yard
 - iii. Remove existing rear yard wooden fence
 - iv. Install 72" privacy fence in rear yard
 - b. Concrete Pad
 - i. Concrete Pad in rear of property will be repaired and leveled.
 - c. Rear Patio
 - i. Patio roof will be repaired

Parking

1. Existing Parking / Paved Area
 - a. The site does not have any alley access for parking in the rear of the lot.
 - b. The only possible option for parking for a structure of this size would be to utilize public on street parking.

Lighting

1. Motion detected flood lights have been installed in the front and rear of the property for safety.

For further details and specifics of the development proposal please review the Planning Commission Staff Report (Exhibit G).

Planning Commission Recommendation:

This report was written before the August 20, 2020 Planning Commission Meeting. Planning Staff has recommended approval of the Conditional Use with the recommended conditions of approval as noted in 'Exhibit H – Recommended Conditions' (attachment):

Conditions for Approval:

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

Planning Staff recommends that the Planning Commission take action to recommend to City Council that they approve the Conditional Use Certificate for 535 Maple Avenue, to allow reoccupation of an existing structure with Single-Family residential, subject to the following conditions:



1. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments and future review requirements of the City of Hamilton Interdepartmental Review.
2. The total amount of residential units at the building shall not exceed one (1) unit.
3. The Conditional Use and single-family residential use shall adhere to the City of Hamilton Zoning Ordinance regulations, including abiding by the HZO's definition of a family, which states that the dwelling units shall not be rented to more than four (4) unrelated individuals at the same time.
4. The Conditional Use and subject property shall adhere to all applicable building, health, public safety, and fire code regulations. If issues are identified, the City shall work with the property owner to remedy issues. If issues are not resolved in a timely manner, the Conditional Use shall be revoked.
5. No light glare from any light source on the property shall extend beyond the property lines.
6. The four (4) residential units permitted will not exceed the space identified on the plan. None of the area identified on the plan as commercial will be utilized as residential.
7. The basement shall not be used for residential units, per State of Ohio Building Code. The storage units will not be built as rooms as shown on the building plans.
8. The building owner will make sure that the sidewalk remains in good condition and will repair any damage that occurs during construction.

Request 2: Request for one (1) variance from Section 1137.28 of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spaces.

Planning Staff recommends that the Planning Commission take action to recommend to City Council that they approve the variance request for 535 Maple Avenue, to grant relief from two (2) required parking spaces from Section 1137.28 spaces, subject to the following conditions:

1. That the requested variance complies with Section 1155.30.D, Conditional Use Review Criteria – Use Specific Standards and Variances.

Staff estimates that the Commission will likely recommend that City Council approve the Conditional Use Certificate, allowing Single-Family residential use in an I-1 (Limited Industrial) zoning district with the conditions of approval. In the event of any changes to the conditions of approval from the Planning Commission, the staff report to City Council will be revised as such.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.



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
- 2) Exhibit B – Application for Conditional Use
- 3) Exhibit C – Proposal and Site Plans
- 4) Exhibit D – Zoning Map
- 5) Exhibit E – Photos of 1301 Grand Boulevard
- 6) Exhibit F – Public Hearing Notice: 535 Maple Avenue, Conditional Use proposal
- 7) Exhibit G – Planning Commission Report
- 8) Exhibit H – Recommended Conditions of Approval



535 Maple Avenue, Conditional Use
Exhibit A - Location Map



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



Areas

Override 1

Site Address Points

535 Maple Avenue



535 Maple Avenue, Conditional Use
Exhibit B - Conditional Use Application

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: 535 MAPLE AVENUE, HAMILTON OH 45011

Property Owner: MIDWEST DEVELOPERS LLC

Owner's Mailing Address: 5047, OAKBROOK LANE, MASON OH 45040

Email Address: midwest.devllc@gmail.com Phone Number: 513-703-9888

Applicant's Name (if different from owner): FAISAL KHAN

Applicant's Mailing Address: 5047, OAKBROOK LANE, MASON OH 45040

Email Address: faisalmar@gmail.com Phone Number: 513-703-9888

Architect / Engineer: Local Contractors Registered with the City of Hamilton

Mailing Address: _____

Email Address: _____ Phone Number: _____

Previous Legal Use of Property: Residential Property

Date Previous Use Discontinued: 2015-2016

Proposed New Use of Property: Residential 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: [Signature] Date: 7/15/20

Property Owner's Signature: [Signature] Date: 7/15/20

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

A 202691

City of Hamilton
Date: 8/6/2020
Acct: 32720
Name:
Receipt #: 01809365
Payment Total: \$200.00
City of Hamilton
Officers: HLIII
Cashier: R. B. Chien
8/6/2020 3:47:40
Credit Card Tendered: \$200.00

Conditional Use Review Criteria – 535 Maple Avenue, Hamilton, OH 45011

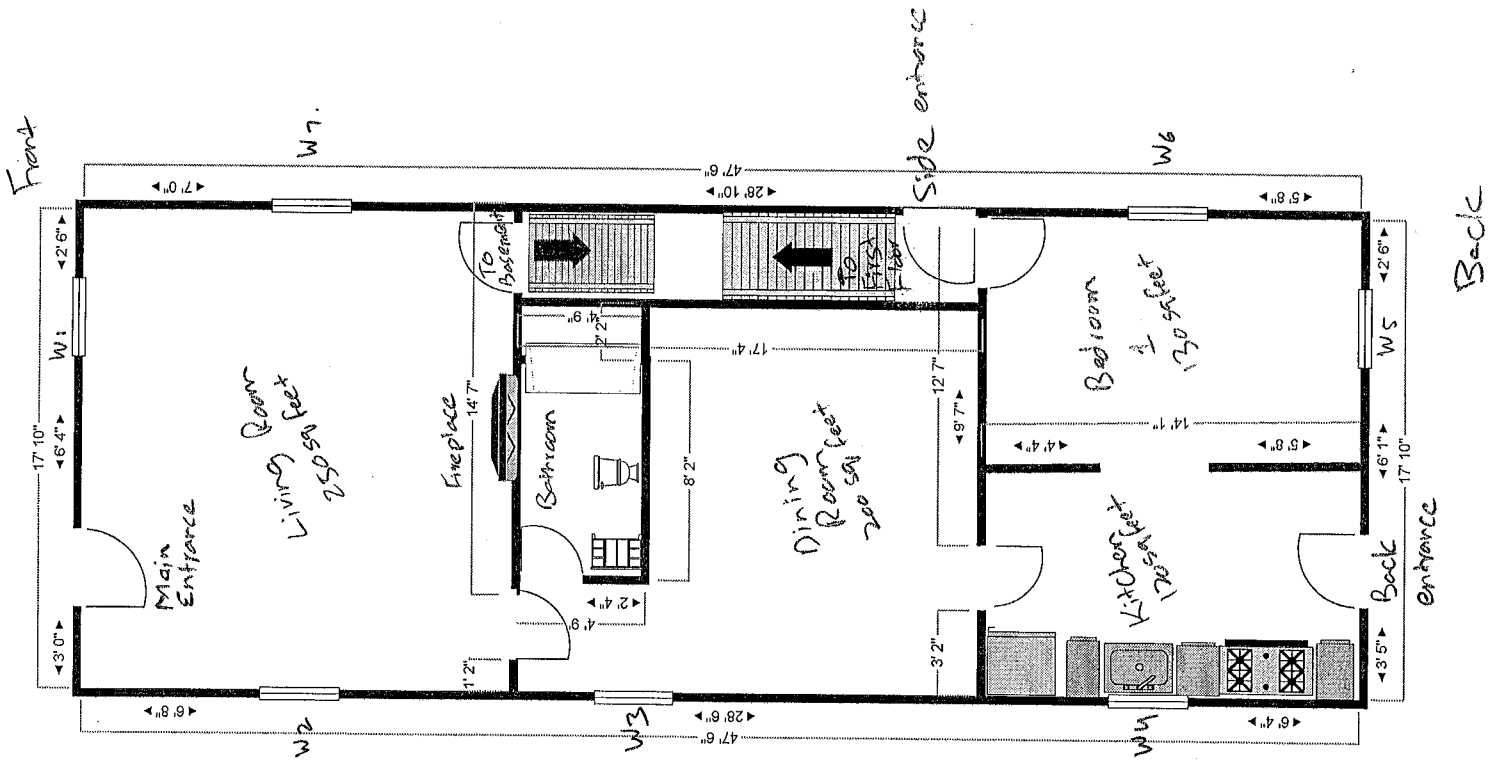
The proposed Conditional Use is consistent with the following General Standards:

1. This property is located in a district wherein residential properties are permitted. This house was being used as a residence before it was vacated and sold by the Butler County during the sheriff's sale. There are three houses (with families living in them) next to this property. There is also an occupied house right behind this property.
2. This residence after rehabilitation will help improve the outlook of the neighboring properties and will not adversely effect the appropriate use of the neighboring property.
3. The structure of this property will be harmonious with the existing character of the vicinity. This will be the most updated house in the immediate neighborhood.
4. This residence will be adequately served by essential public facilities and services. All of the residential services that this house had previously will be re-established and maintained.
5. The property will utilize the vehicular approach form the main road without interfering with traffic on surrounding streets.
6. All developmental standards will be maintained during the rehabilitation of this property. It will undergo serial inspections by the City of Hamilton building department.
7. The proposed conditional use will not be hazardous to or have a negative impact on the existing or future neighboring uses.
8. This property being used as a residence will not involve any activities that will be detrimental to the general welfare of the surrounding area.
9. This residence will not impede the normal and orderly development or improvement of the surrounding property.
10. This house being zoned as a residence will help improve the aesthetic outlook of the vicinity and is consistent with the goals of uplifting the City of Hamilton.

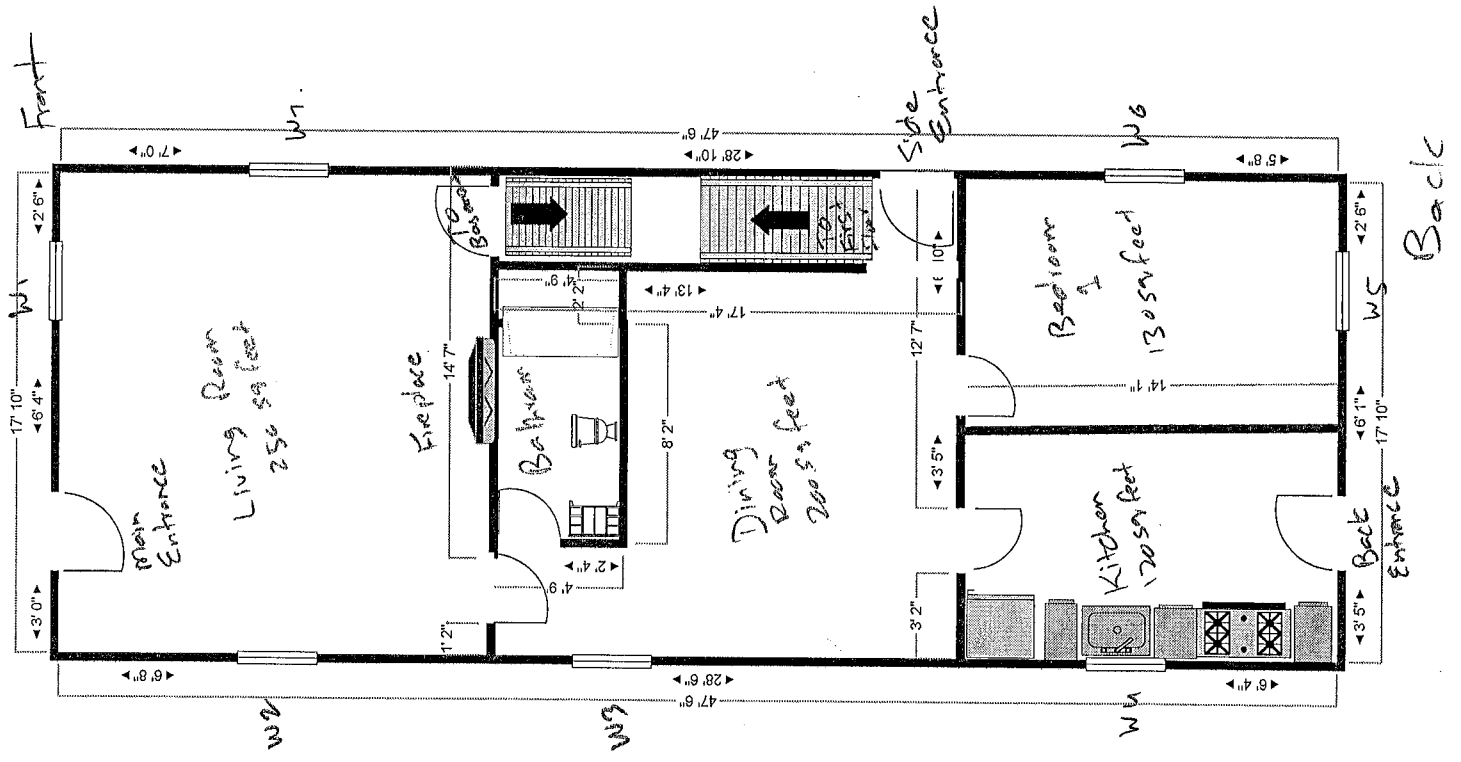
Exterior Renovations

- We will remove the current metal fence at the front of the property.
- We will install 3.5 feet high metal fence at the front property line
- We will remove the current wooden fence at the back of the property
- We will install 6 feet high wooden fence at the back property line
- The corner post at the front porch (close to the entry door) will be replaced with a new post
- The rest of the posts will receive fresh paint.
- The concrete pad on the back of the property will be repaired to make it even and plane.
- The roof over the back patio will be repaired

First Floor Current



First Floor Proposed Renovation

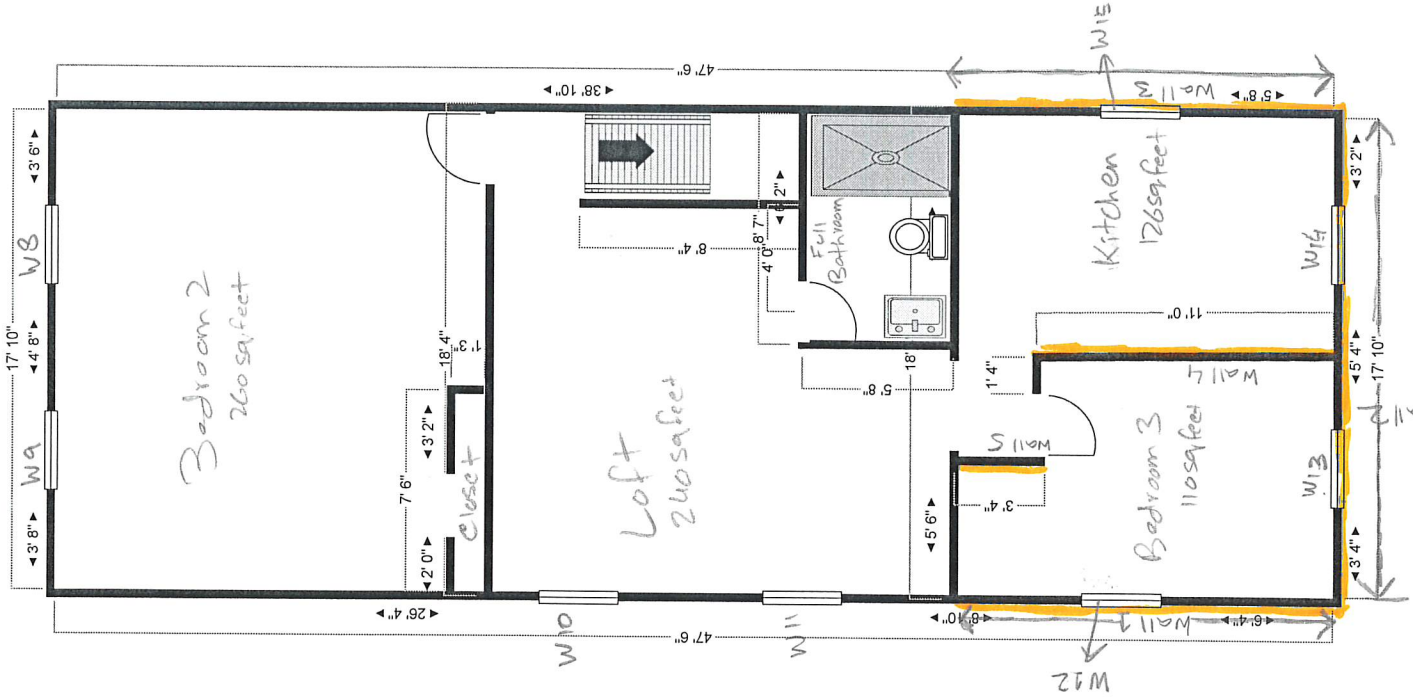


First Floor Renovation (Please compare “Current” and “Proposed Renovation” diagrams)

- Will close off the door currently between Bedroom 1 and stairs going up to second floor
- Will demolish the wall between the kitchen and Bedroom 1. This wall is only supporting the false ceiling above these two rooms. The false ceiling will also be demolished
- New wall will be built between Kitchen and Bedroom 1. This wall will not have any opening.
- Entry to bedroom 1 will be created through the dining room.
- Entry to the staircase going up to second floor will also be created through the dining room.
- The false ceilings in the dining room, kitchen and bedroom 1 will be demolished.
- New dry wall will be installed on the original ceilings of these rooms
- R13 insulation will be installed in the middle floor above these rooms
- The wall paper on the living room ceiling will be removed and any damaged area of ceiling will be repaired. The ceiling in the living room is the original ceiling
- Current drywall/plaster on all the walls on this floor will be removed
- New R15 (for 2x4 walls) or R21 (for 2x6 walls) will be installed in all exterior walls
- New dry wall will be installed on all the walls
- New pergo flooring will be installed in all rooms
- New bathtub with shower will be installed in the bathroom
- New toilet will be installed in the bathroom
- New vanity will be installed in the bathroom
- New cabinets will be installed in the kitchen
- New refrigerator and gas stove will be installed in the kitchen
- All 7 windows on this floor will be replaced with new windows
- All 3 entry doors (front, back and side) will be replaced

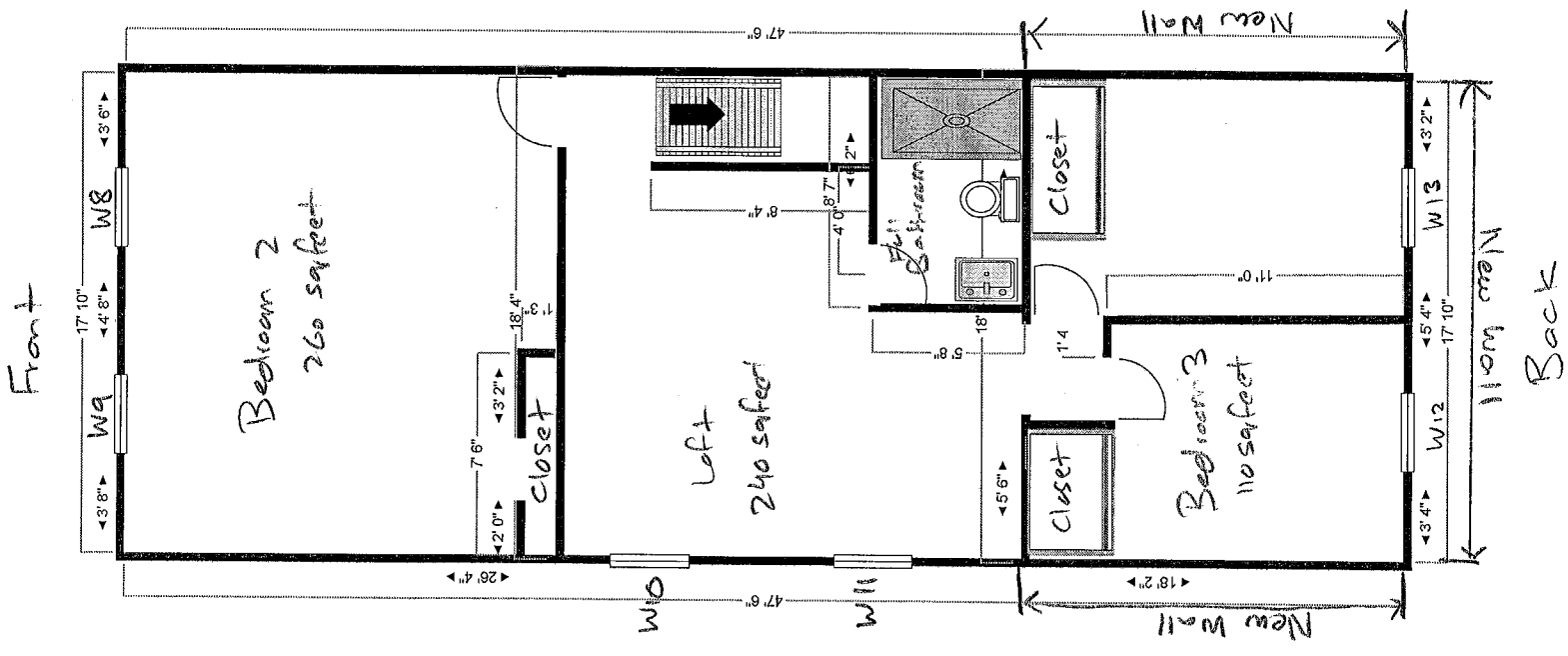
Second Floor
Current

Front



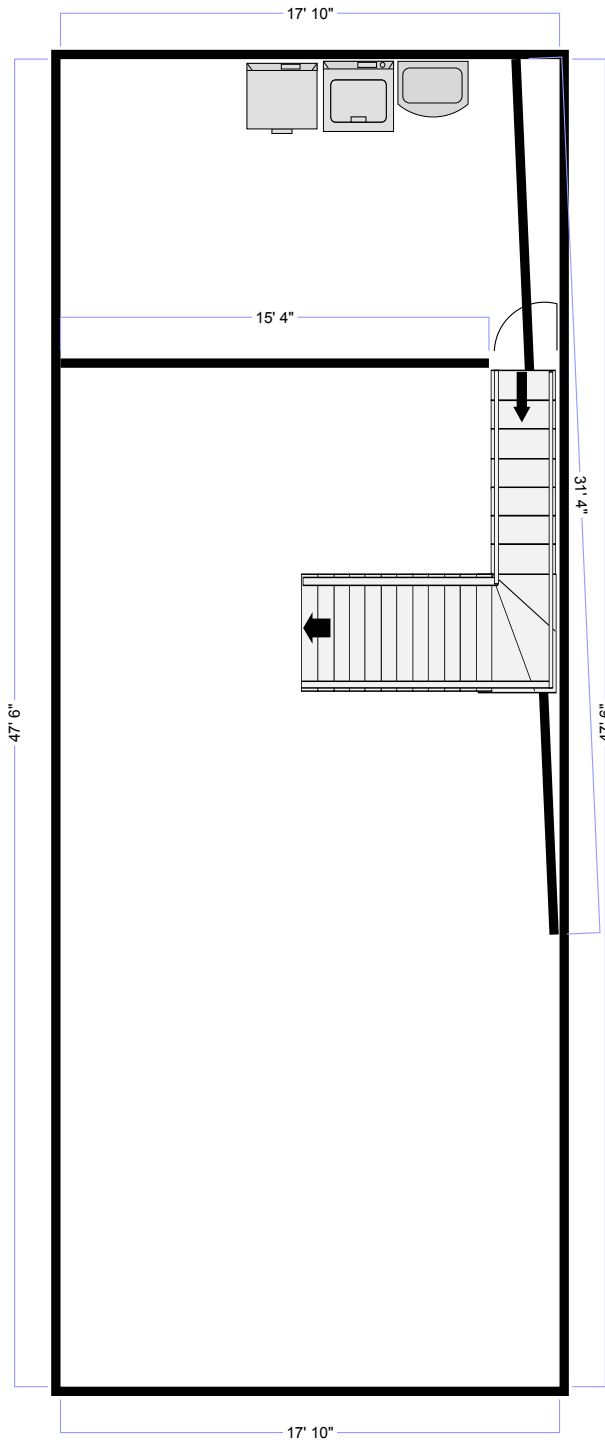
Back

Second Floor
Proposed Renovation



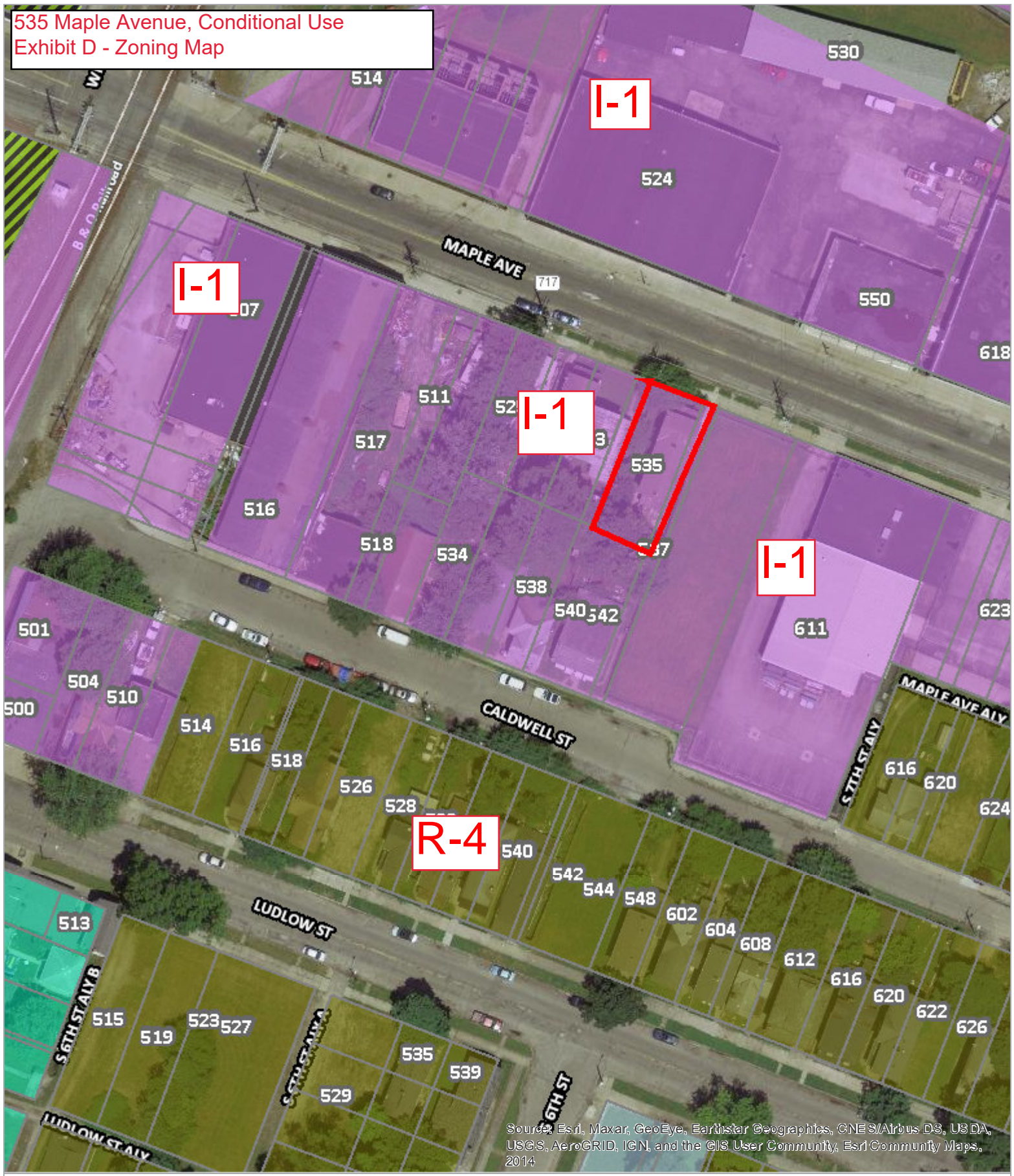
Second Floor Renovation (Please compare “Current” and “Proposed Renovation” diagrams)

- Walls 1,2,3,4,5 (shown in orange color) will be demolished (burnt)
- Ceiling, roof and roof framing (joists, rafters) above Bedroom 3 and Kitchen will be removed.
- New framing for walls 1,2 and 3 will be installed, 2 x 6
- New framing for wall 4,5 will be installed, 2 x 4
- Kitchen will be converted to Bedroom 4
- New roof framing will be installed over bedrooms 3 and 4
 - Ceiling joists (2 x 6) 16 inches on the center; we anticipate replacing and installing a total of 12-15 joists which will run between the two exterior walls (wall1 and wall 3). No overlapping over the interior wall 4
 - Roof rafters (2 x 8) 24 inches on the center, we anticipate 10-12 on each side of the ridge board
 - Roof pitch 4:12
 - Ridge ventilation system
 - Asphalt shingles
 - Soffit and siding installation where new roof framing is being installed
 - R38 insulation between ceiling joists
- Kitchen will be converted to Bedroom 4. We will remove the gas line
- Windows 12 and 15 currently present in Bedroom 3 and kitchen, respectively, will be removed in the new framing
- Closet space will be created in bedrooms 3 and 4
- Current drywall/plaster on all the walls on this floor will be removed
- New R15 (for 2x4 walls) or R21 (for 2x6 walls) insulation will be installed in all exterior walls
- New dry wall will be installed on all the walls and ceilings
- New pergo flooring will be installed in all rooms
- New stand up shower will be installed in the bathroom
- New toilet will be installed in the bathroom
- New vanity will be installed in the bathroom
- All 6 windows on this floor will be replaced with new windows



Basement Renovations

- Currently sewer pipe is running through the stairs.
- A stair winder will be installed just above the point where pipe crosses through the staircase (see proposed renovation diagram) so that the pipe now passes just below the staircase.
- Washer and dryer will be installed in the basement under the staircase. Water drainage from the washer will be through a sump pump installed under a tray laundry sink and connected to the water drainage line for drainage (see attached diagram)



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



- Areas
- Override 1
- Site Address Points

535 Maple Ave Zoning Map



535 Maple Avenue, Conditional Use
Exhibit E - Photos of Existing Conditions





535

NO TRESPASSING
PRIVATE PROPERTY

Aug 13, 2020 1:52:58 PM
Hamilton



NO
TRESPASSING
PRIVATE PROPERTY
VIOLATORS WILL BE
PROSECUTED

535

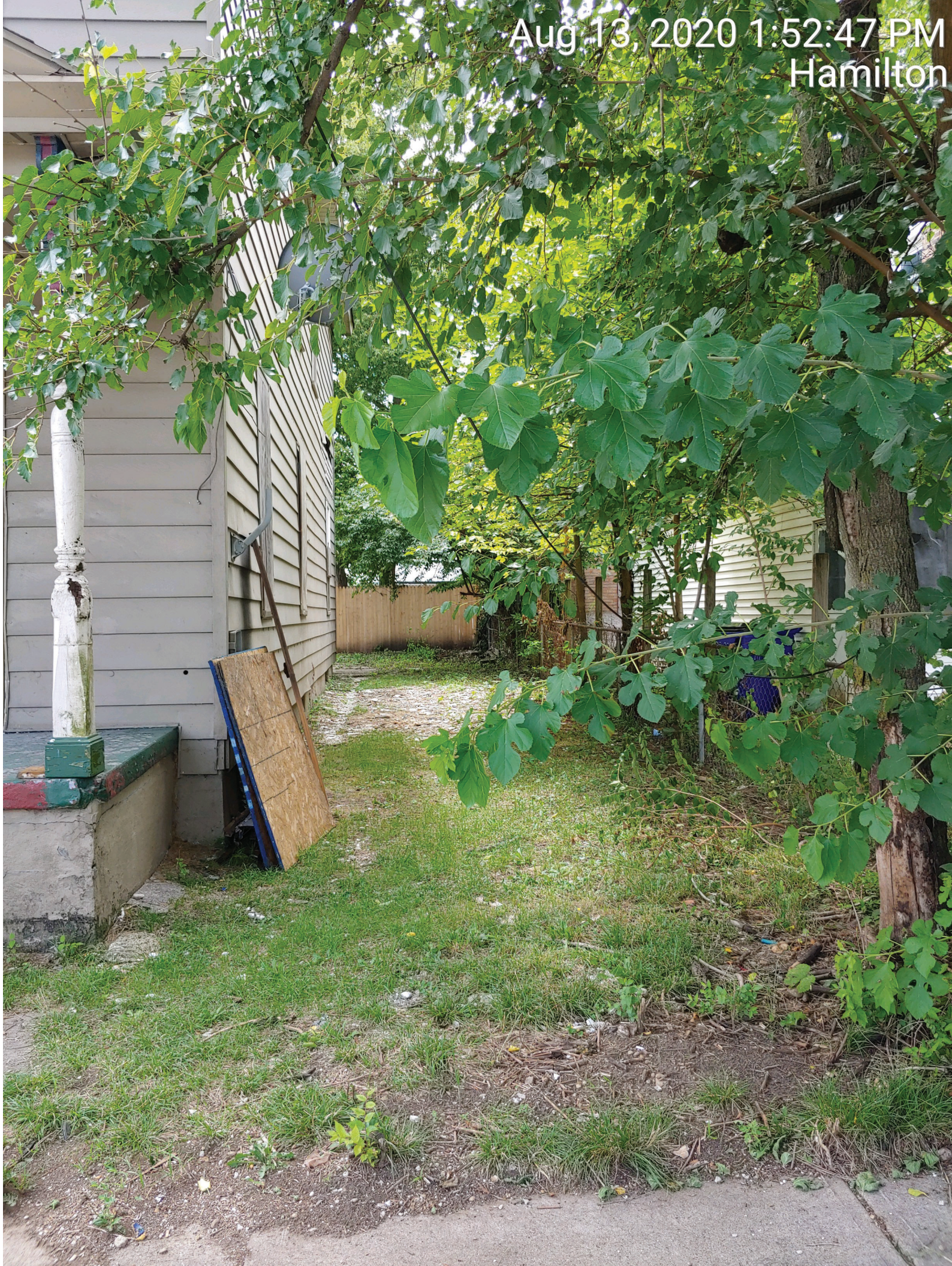


NO TRESPASSING
PRIVATE PROPERTY
VIOLATORS WILL BE PROSECUTED

535



Aug 13, 2020 1:52:47 PM
Hamilton



August 7, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, August 20, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/99601139722>. Webinar ID: 996 0113 9722.

The agenda for this hearing includes the following item:

- LOCATION:** 535 Maple Avenue (P6441019000067), Across from Hinkel's Body & Paint Shop, See map on the reverse side.
- APPLICANT:** Midwest Developers, LLC
- REQUEST:** The applicant is requesting a Conditional Use Certificate to allow the reoccupation of an existing vacant two-story structure as a Single Family Residence, on a property located in an I-1 (Limited Industrial) zoning district.

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 (revised site plan, images) 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-oh.gov/planningcommission>

The Planning Commission Agenda containing the staff report, application, and site plans will be updated as we approach the date of the Planning Commission meeting: Agenda link - <https://tinyurl.com/pc08202020>.

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205-6099 and when prompted dial the Webinar ID: 996 0113 9722
Or use this website link to access the online meeting: <https://zoom.us/j/99601139722>.

If you have any questions or comments concerning this matter, please forward your comments in writing for presentation at the meeting, or, please contact the Planning Department via email at planning@hamilton-oh.gov or contact **Ed Wilson, AICP** or **Liz Hayden, Planning Director** of the City of Hamilton Planning Department at (513) 785-7350.

Sincerely

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification Map



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



Areas

Override 1

Site Address Points

535 Maple Avenue





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

Agenda Item #3
535 Maple Ave

For the Planning Commission Meeting of August 20, 2020

To: Planning Commission
From: Daniel Tidyman, Associate City Planner
Ed Wilson III, AICP, Associate Planner II
Date: August 10, 2020

Subject: **AGENDA ITEM #3 – New Business**
535 Maple Avenue– Conditional Use

APPLICANT: Faisil Khan on behalf of Midwest Developers, LLC., Property Owner

LOCATION: 535 Maple Avenue, Hamilton, Ohio
Location⁵ ([Zoning Map](#)) | Location⁶ ([Google Maps](#))

REQUEST: Conditional Use Certificate to allow the reoccupation of an existing vacant two-story structure as a Single-Family Residence on a property located in an I-1 (Limited Industrial) zoning district. One (1) variance request pertaining to off street parking requirements from Section [1137.28](#) of the Hamilton Zoning Ordinance.

BASIC INFORMATION		
Applicant/Property Owner	Dr. Faisil Khan on behalf of Midwest Developers, LLC., Property Owner	
Architect/Engineer/Consultant	N/A	
Size of Property	3,049 square feet	
Current Zoning	I-1 (Limited Industrial) as listed in Section 1123.00 of the Hamilton Zoning Ordinance (HZO)	
Size of Revision	3,049 square feet	
ADJACENT LAND USE/ZONING INFORMATION		
Direction	Land Use	Zoning
North	Hinkel Paint and Body Shop	I-1 (Limited Industrial)
South	Residential	I-1 (Limited Industrial) and R-4 (Multi-Family Residence District)
East	K & R Landscaping	I-1 (Limited Industrial)
West	Residential	I-1 (Limited Industrial)

⁵ Shows 535 Maple Avenue using the Public Zoning Map

⁶ Shows the location of the site in question using Google Maps:

<https://www.google.com/maps/place/535+Maple+Ave.+Hamilton,+OH+45011/@39.396542,-84.5575045,208m/data=!3m2!1e3!4b1!4m5!3m4!1s0x88404656c4b27e5b:0x3b9508d1f9d802a9!8m!3d39.396542!4d-84.5569573>

Report continued on the next page





Staff Report Contents: 535 Maple Avenue, Conditional Use with Variance

Section A: Introduction and Background 67
Section B: Development Plan Review 68
Section C: Interdepartmental Review..... 72
Section D: Submitted Request 72
Section E: Statutes: 73
Section F: Notification 75
Section G: Recommendations 76
Section H: Staff Basis / Comments..... 77
Section I: Attachments: 79

Report continued on the next page





Section A: Introduction and Background

Section A.1: Project Overview

The submitted application pertains to the renovation and utilization of the building on the site in question, 535 Maple Avenue (See [Exhibit A](#)) as a single family residence dwelling. The I-1 (Limited Industrial) Zoning District allows for residential uses as a Conditional Use if approved by Planning Commission and City Council (see Exhibit [B](#) & [C](#) for the conditional use proposal and submitted project plans).

Section A.2: Existing Site Conditions

The site in question consists of one (1) parcel for a total area of 3,049 square feet. The property contains a two-story, metal sided, building. The structure has an entrance on the front, side, and rear facades of the structure. The floor plan of the first floor indicates a living room, dining room, kitchen, bedroom, and bathroom. The second floor currently shows spaces for a two (2) bedrooms, a loft, kitchen, and bathroom. Exterior improvements include an existing metal fence in the front yard, privacy fence on the rear property line, and a concrete pad in the rear of the property (see [Exhibit E](#) for photos of the property).

Section A.3: History

This is the first time this specific request for the site in question has been heard by the Planning Commission. The property is being brought to the Planning Commission after recently appealing to the Nuisance Appeals Board. The applicant purchased the property in in November 2019 through Butler County Sherriff Sale with the transfer being completed in April 2020. The purchase was made sight unseen and without the knowledge that the property was declared a public nuisance in March 2020.

The property has a history of complaints including tall grass/weeds, securing the structure, repairs to the exterior, repairs to the interior, garbage/rubbish, people residing within the structure without running utilities, fire and rehabilitation or demolition orders. A fire occurred on May 24, 2015 damaging the interior and exterior of the second floor (See [Exhibit E](#) for photos of the interior of the building).

The applicant's appeal to the board was tabled at the June 11, 2020 Nuisance Appeals Board (NAB) to allow the applicant the opportunity to show a good faith effort to submit permit applications and rehabilitate the property. Since the NAB meeting, the applicant has cleaned all garbage out the building, submitted a rehabilitation plan, and submitted a building permit application. Staff noted that residential uses are a Conditional Use. Staff scheduled a pre-application meeting with the applicant to discuss the process and the applicant submitted an application shortly after.

Report continued on the next page





Section B: Development Plan Review

Section B.1: Development Plan Overview ([Exhibit B](#))

The submitted Development Plan proposes exterior and interior alterations, including a change from a two (2) unit residential building to a single-family dwelling unit.

The Development Plan proposes:

1. Renovation of first floor
 - a) Complete renovation of all rooms
 - b) Reconfiguring space with new walls to enclose bedroom one (1)
 - c) New appliances and fixtures
2. Renovation of second floor
 - a) Complete renovation of all rooms
 - b) Converting kitchen into bedroom
 - c) New appliances and fixtures
3. Renovation of basement
 - a) New washer/dryer
 - b) New stair winder above existing sewer pipe
4. Renovation of the exterior space and yard
 - a) Replacement of front and rear yard fencing
 - b) Replace damaged front porch corner post with like material.
 - c) Repair concrete pad in rear of property and made level
 - d) Replacing roof over rear patio

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

1. Conditional Use Certificate for renovation and reactivation of the structure for single-family residential on property zoned I-1 (Limited Industrial).

The current proposal for residential includes:

- a. One (1) single-family dwelling unit

The specifics of the development proposal are discussed in greater detail in the next section.

Report continued on the next page





Section B.2 Conditional Use for the proposed renovation of an existing structure for single-family residential. ([Exhibit C](#))

Section B.2.1: Proposal Overview

The submitted Development Plan indicate the following:

1. Conditional Use for a single-family residence in I-1 (Limited Industrial) zoning.
 - a. To allow for renovation, construction, and occupation of a two story building into one (1) single-family dwelling unit.

Hamilton Zoning Ordinance, Definitions (Section [1108.00](#)) defines, family:

“[Family](#)”: A person living alone, or two or more persons related by blood or marriage living together as a housekeeping unit, and occupying a single dwelling unit; or a group of not more than four (4) persons, who need not be related by blood or marriage, living together as a housekeeping unit by joint agreement and occupying a single dwelling unit on a non-profit, cost sharing basis.

Section B.2.2: Interior Building Improvements

The submitted Development Plans indicate the following (See [Exhibit C](#)):

1. Interior Improvements on the first floor of the structure
 - a. Add/Remove Walls
 - i. Close off door between bedroom one (1) and stairs
 - ii. Demolish wall between kitchen and bedroom one (1)
 - iii. New wall between kitchen and bedroom one (1) with no opening
 - iv. New entry to bedroom one (1) through dining room
 - v. New entry to the staircase on the second floor created through the dining room
 - vi. False ceilings in dining room, kitchen, and bedroom one (1) will be removed and replaced with new drywall
 - vii. R13 Insulation installed in the middle in middle floor above these rooms
 - viii. All dry wall/plaster will be removed
 - ix. New Insulation
 1. R15 for 2 X 4 walls
 2. R21 for 2 X 6 in all exterior walls
 - x. New drywall on all walls and ceilings

Report continued on the next page





- b. Flooring
 - i. New pergo laminate flooring in all rooms

 - c. Bathroom
 - i. New bathtub with shower
 - ii. New vanity installed in bathroom
 - iii. New toilet in bathroom

 - d. Kitchen
 - i. New cabinets installed in kitchen
 - ii. New refrigerator and gas stove in kitchen
 - iii. All windows (seven (7) total) will be replaced with new windows
 - iv. All entry doors (three (3) total) will be replaced
2. Interior Improvements on the second floor of the structure
- a. Add/Remove Walls
 - i. Walls one (1) through five (5) will be demolished
 - ii. Remove all drywall and plaster
 - iii. New framing for walls one (1) through three (3)
 - 1. 2 X 6
 - iv. New Framing for walls four (4) and five (5)
 - 1. 2 X 4
 - v. New R15 insulation for 2 X 4 walls
 - vi. New R21 insulation for 2 X 6 walls and all exterior walls
 - vii. New drywall on all walls and ceilings

 - b. Flooring:
 - i. New pergo laminate flooring in all rooms

 - c. Bathroom
 - i. New stand up shower
 - ii. New toilet
 - iii. New bathroom vanity

 - d. Kitchen
 - i. Converted into bedroom four (4)

 - e. Windows
 - i. All six (6) windows replaced with new windows

Report continued on the next page





3. Interior improvements for basement
 - a. Stairs
 - i. Sewer pipe running through stairs
 - ii. Staircase winder installed above sewer pipe
 - iii. Water drainage through sump pump under tray laundry sink and connected to water drainage line.

Section B.2.3 Exterior and Site Improvements

1. Exterior improvements for the existing structure:
 - a. Fencing
 - i. Remove existing front yard chain-link fence
 - ii. Install 42" decorative metal fence in front yard
 - iii. Remove existing rear yard wooden fence
 - iv. Install 72" privacy fence in rear yard
 - b. Concrete Pad
 - i. Concrete Pad in rear of property will be repaired and leveled.
 - c. Rear Patio
 - i. Patio roof will be repaired

Section B.2.4 Parking

The submitted Development Plans indicate the following:

1. Existing Parking / Paved Area
 - a. The site does not have any alley access for parking in the rear of the lot.
 - b. The only possible option for parking for a structure of this size would be to utilize public on street parking.

Section B.2.5 Lighting

The submitted Development Plans indicate the following:

1. Motion detected flood lights have been installed in the front and rear of the property for safety.

Report continued on the next page





Section C: Interdepartmental Review

The City's Interdepartmental Review Committee evaluated the proposed Conditional Use Certificate to allow a Single-Family Residence on a property in the I-1 (Limited Industrial) zoning district.

Planning received no objections on the final proposal submitted. The applicant is complying with City Departments to take the correct route to complete work through standard permitting procedure. The applicant is reducing the occupancy from a duplex to a single-family dwelling. The applicant has agreed to additional requests from Planning Staff which includes providing appliances such as a washer and dryer in the basement for tenants.

Section D: Submitted Request

In order to accomplish the project as proposed in **Section B.1**, the applicant is requesting a Conditional Use Certificate pertaining to the following two (2) requests.

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

The applicant is seeking approval for a conditional use certificate to renovate and reactivate a vacant two-story structure with a single-family residential use, on property zoned I-1 (Limited Industrial).

The applicant's intention is to convert the duplex into a single family residence.

Request 2: Request for one (1) variance from Section [1137.28](#) of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spots.

The applicant is seeking relief from Section [1137.28](#) regarding required off street parking. The site in question has no alley access for parking in the rear or adequate space for a driveway in the front of the property. Paving a new driveway in the front of the property would remove what little greenspace is available in the front yard of the site.

Report continued on the next page





Section E: Statutes:

Section E.1 Governing Statutes

Section [1155.00](#) of the Hamilton Zoning Ordinance provides the basis, process, and review criteria for a Conditional Use Application. Section [1123.00](#) of the Zoning Ordinance governs the Limited Industrial District (I-1). The purpose of the I-1 District is to create areas that allow manufacturing, warehousing, distribution, office, and technology business in the City. It is intended to have such uses to provide employment and a suitable tax base. Such uses must also be clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare. This district is normally found in commercial areas however there are also areas of the City such as Maple Avenue which have residential uses within this zoning district.

Per Section [1123.37](#) of the HZO, the proposal for any residential use located on property zoned I-1 (Limited Industrial) requires a Conditional Use proposal and approval.

Plan Hamilton, the updated Comprehensive Plan meant to guide land use, planning, and zoning decisions for the city, indicates 535 Maple Avenue as part of the Urban Mixed Use future land use area. Urban Mixed Use is part of the community where the broadest mixture of land uses may be appropriate with well-designed structures and the use of transitional uses that are significantly different in scale or intensity. Residential uses as allowed in traditional residential category where existing homes exist or where such house supports nonresidential use are appropriate for this area. The property on 535 Maple Avenue aligns with a residential use in the traditional residential category and could support nonresidential uses in the area.

Section E.2 Findings for Approving a Conditional Use

Section [1155.30](#) (Conditional Uses – Application and Review, General Standards) contains specific findings outlined within the HZO for review and approval of a Conditional Use by the Planning Commission.

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:

Report continued on the next page





Conditional Use Criteria:

- (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.3 Findings for Granting a Variance

Section [1155.30.D](#) Conditional Use Review Criteria – Use Specific Standards and Variances

In reviewing an application for a Conditional Use, the Planning Commission 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 recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.

Section F: Notification

The Planning Department mailed Public Hearing Notices to the owners of 57 properties within 500 feet of the subject property per statute requirements. Staff posted a sign at the site, advertising the public hearing for the conditional use. (See [Exhibit F](#))

Report continued on the next page





Section G: Recommendations

The Staff recommendations to the Planning Commission are as listed below in the document. Additionally, Staff Recommended Conditions are also listed in Exhibit G as a separate summary document. (Please see [Exhibit G](#) for the conditions).

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

Staff recommends that the Planning Commission take action to recommend to City Council that they approve the Conditional Use Certificate for 535 Maple Avenue, to allow reoccupation of an existing structure with Single-Family residential, subject to the following conditions:

1. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments and future review requirements of the City of Hamilton Interdepartmental Review.
2. The total amount of residential units at the building shall not exceed one (1) unit.
3. The Conditional Use and single-family residential use shall adhere to the City of Hamilton Zoning Ordinance regulations, including abiding by the HZO's definition of a family, which states that the dwelling units shall not be rented to more than four (4) unrelated individuals at the same time.
4. The Conditional Use and subject property shall adhere to all applicable building, health, public safety, and fire code regulations. If issues are identified, the City shall work with the property owner to remedy issues. If issues are not resolved in a timely manner, the Conditional Use shall be revoked.
5. No light glare from any light source on the property shall extend beyond the property lines.
6. The four (4) residential units permitted will not exceed the space identified on the plan. None of the area identified on the plan as commercial will be utilized as residential.
7. The basement shall not be used for residential units, per State of Ohio Building Code. The storage units will not be built as rooms as shown on the building plans.
8. The building owner will make sure that the sidewalk remains in good condition and will repair any damage that occurs during construction.

Report continued on the next page





Request 2: Request for one (1) variance from Section [1137.28](#) of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spaces.

Staff recommends that the Planning Commission take action to recommend to City Council that they approve the variance request for 535 Maple Avenue, to grant relief from two (2) required parking spaces from Section [1137.28](#) spaces, subject to the following conditions:

1. That the requested variance complies with Section [1155.30.D](#)

Section H: Staff Basis / Comments

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

Staff finds the proposed Conditional Use for single-family residential on property zoned I-1 (Limited Industrial) district to be consistent with the intent and purpose of the Conditional Use regulations, and the purpose and intent of the Hamilton Zoning Ordinance (HZO) in the following ways:

- 1) The proposed repair and renovation of the structure for a single-family residential use and proposed conditions will not substantially injure the neighboring property, or the public convenience, health, safety, and welfare. It will not be hazardous to existing or future land uses, and will comply with applicable development standards.
- 2) The proposed Conditional Use, single-family residential, is located in a district wherein such use can be permitted, due to nature of the building and its location in a traditional urban neighborhood, and its adjacency to R-4 (Multi-family Residential) district to the south.
- 3) The proposed project, single-family residential use will be harmonious with adjacent residential uses and will not change the essential character of the same area, due to the proposed restoration of the property.
- 4) The proposed Conditional Use will be adequately served by essential public facilities and services as part of the overall project.
- 5) The proposed Conditional Use has one vehicular approach to the property from Maple Avenue. The tenants will be able to utilize existing on street parking without

Report continued on the next page





interfering with traffic.

- 6) The proposed Conditional Use will not impede the normal and orderly development. The recommended conditions pertaining to the residential use will address restoring the building, potential litter, and orderliness and cleanliness of the property.
- 7) The proposed reactivation of an existing two-story structure with single-family is consistent with Plan Hamilton, the update to the City's comprehensive plan which identifies the area for Urban Mixed Use, promoting traditional residential category where existing homes exist or such housing supports nonresidential uses.
- 8) The submitted plans meet the requirements of City Staff and have been approved with no objection through the interdepartmental review process.

Request 2: Request for one (1) variance from Section [1137.28](#) of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spaces.

1. There are exceptional circumstances that apply to this property. The existing size of the property and its location do not provide the means for off-street parking. There is no alley access for parking in the rear of the property. Paving an access drive in the front of the property would remove what little greenspace is currently present on the property.
2. Not granting this variance would infringe on the property rights of the owner. Denying this variance request would prevent the property owner from completing renovations and occupying the property with a tenant.
3. Granting this variance will not be detrimental to the property or surrounding properties. Granting this variance will allow the property owner to proceed with renovations and occupy this structure as a single family residence. Adequate public on street parking can still be provided in front of the property.
4. The request is not of general nature given the location and existing conditions of the property. Although most properties in traditional neighborhoods have alley access for parking in the rear. This property lacks alley access for off street parking in the rear and lacks space in the front yard to create a parking space.

Report continued on the next page





Section I: Attachments:

- 1) Exhibit A - [Location Map](#)
- 2) Exhibit B - [Application for Conditional Use](#)
- 3) Exhibit C - [Proposal and Site Plans](#)
- 4) Exhibit D - [Zoning Map](#)
- 5) Exhibit E - [Photos of 535 Maple Avenue](#)
- 6) Exhibit F - [Public Hearing Notice: 535 Maple Avenue, Conditional Use proposal](#)
- 7) Exhibit G - [Conditions of Approval](#)

Report continued on the next page





APPLICATION INFORMATION	
Applicant/Property Owner	Faisil Khan on behalf of Midwest Developers, LLC., Property Owner
Property Location	535 Maple Avenue
Size of Property	3049 Square Feet
Current Zoning	I-1 (Limited Industrial)
Proposed Request:	Conditional Use Certificate to allow the reoccupation of an existing vacant two-story structure as a Single-Family Residence on a property located in an I-1 (Limited Industrial) zoning district. One (1) variance request pertaining to off street parking requirements from Section 1137.28 of the Hamilton Zoning Ordinance.
Petition Date	August 20, 2020

Conditions of Approval:

The Staff recommendations to the Planning Commission are as listed below in the document. Additionally, Staff Recommended Conditions are also listed in Exhibit E as a separate summary document. (Please see Exhibit E for the conditions).

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

Staff recommends that the Planning Commission take action to recommend to City Council that they approve the Conditional Use Certificate for 535 Maple Avenue, to allow reoccupation of an existing structure with Single-Family residential, subject to the following conditions:

1. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments and future review requirements of the City of Hamilton Interdepartmental Review.
2. The total amount of residential units at the building shall not exceed one (1) unit.
3. The Conditional Use and single-family residential use shall adhere to the City of Hamilton Zoning Ordinance regulations, including abiding by the HZO’s definition of a family, which states that the dwelling units shall not be rented to more than four (4) unrelated individuals at the same time.
4. The Conditional Use and subject property shall adhere to all applicable building, health, public safety, and fire code regulations. If issues are identified, the City shall work with the property owner to remedy issues. If issues are not resolved in a timely manner, the Conditional Use shall be revoked.

Report continued on the next page



5. No light glare from any light source on the property shall extend beyond the property lines.
6. The four (4) residential units permitted will not exceed the space identified on the plan. None of the area identified on the plan as commercial will be utilized as residential.
7. The basement shall not be used for residential units, per State of Ohio Building Code. The storage units will not be built as rooms as shown on the building plans.
8. The building owner will make sure that the sidewalk remains in good condition and will repair any damage that occurs during construction.

Request 2: Request for one (1) variance from Section 1137.28 of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spaces.

Staff recommends that the Planning Commission take action to recommend to City Council that they approve the variance request for 535 Maple Avenue, to grant relief from two (2) required parking spaces from Section 1137.28 spaces, subject to the following conditions:

1. That the requested variance complies with Section 1155.31.D

Report continued on the next page



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to a Request to vacate a portion of North D Street Alley “A” and Alley “B”, alleys located between Park Avenue Alley and Main Street, situated in the First Ward, North Side, City of Hamilton, Ohio. (City of Hamilton, Applicant).

<input checked="" type="checkbox"/>	1 st Reading Date: 9-9-2020
<input checked="" type="checkbox"/>	2 nd Reading Date: 9-23-2020
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton is requesting vacation of a portion of North D Street Alleys “A” and “B”. The portion of alleyways in question are north-south alleys that connect Park Avenue Alley to Main Street. North D Street Alley “A” is an improved paved alleyway, located between 310 Main Street and the vacant 316 Main Street. North Street Alley “B” is a partially improved alleyway, with a paved southern half and a gravel northern half, located between 324 Main Street and 326 Main Street.

Both portions of alleyway measure one-hundred and sixty-six feet (166’) in length and ten feet (10’) in width. There is also an existing gas main and storm sewer running through Alley “B”. The petition for vacation is due to a prospective developer interested in the contiguous properties of 310-312, 316, 320, & 324 Main Street. 310-312 Main Street has an existing duplex on the property, while 316, 320, & 324 Main Street are vacant, undeveloped properties.

The statutes of Section 167.07, Vacation of City Streets, Alleys or Other Public Property, of the City of Hamilton’s Codified Ordinances regulate vacation or abandonment of public right-of-way (alleys, streets, etc.).

- Planning Commission may vote on the street vacation, for or against.
- If the Planning Commission provides a favorable recommendation, the street vacation proposal is forwarded to City Council.
- If approved by City Council, the council adopts a resolution of intent to vacate.

Typically, right-of-way vacations proceed with appraisal of the alley and Board of Revisions of Assessments. However, with the City of Hamilton as applicant, the petition to vacate may proceed to City Council as a resolution to vacate, followed by an ordinance to vacate the right-of-way.



Specific information pertaining to the proposed alley for vacation is as follows:

North D Street Alley “A”

(between Main Street and Park Avenue Alley), adjacent to 310-312 Main Street and 316 Main Street

- o Length: 166 feet
- o Width: Ten (10’) feet

Adjacent Property Owners:

Specific information pertaining to the properties adjacent to the right-of-way proposed for vacation is as follows:

- 310 Main Street – Owner: Community Improvement Corp. of Hamilton
Parcel: P6411003000037, (City Lot No. 1627 S 116)
- 316 Main Street – Owner: Community Improvement Corp. of Hamilton
Parcel: P6411003000039, (City Lot No. 1626 E 40)
- 19 North D Street – Owner: Community Improvement Corp. of Hamilton
Parcel: P6411003000038, (City Lot No. 1627 N50 CONS W/35)

North D Street Alley “B”

(between Main Street and Park Avenue Alley), adjacent to 324 Main Street and 326 Main Street

- o Length: 166 feet
- o Width: Ten (10’) feet

Adjacent Property Owners:

Specific information pertaining to the properties adjacent to the right-of-way proposed for vacation is as follows:

- 1) 324 Main Street – Owner: Community Improvement Corp. of Hamilton
Parcel: P6411003000042, (City Lot No. 1625 W 26 FT)
- 2) 326 Main Street – Owners: David S. Dennison TR
Parcel: P6411003000043, (City Lot No. 1624 E 1/2)

There are existing utilities within both portions of alleyway in question. Staff is recommending that appropriate utility easements be recorded to allow for continued access and maintenance of the easements. With recorded easements, structures such as buildings or accessory buildings cannot be built within the easements, allowing unimpeded access.



Notification

The Planning Department mailed Public Hearing Notices to the owners of thirty-two (32) properties within 200 feet of the subject property per statute requirements. This mailing also includes two (2) owners of property abutting the alley in question. Staff posted a sign at the site, advertising the public hearing for proposed vacation of a portion of North D Street Alleys “A” and “B”.

The Planning Department received two (2) phone calls pertaining to the proposal.

- 1) An individual with Butler Community Health (19 North D Street) asked questions about how the alley vacation would impact their access to the rear parking lot.
- 2) Mr. David Dennison, owner of 326 Main Street called and asked questions about North D Street, Alley “B”.

Mr. Dennison noted concerns that with the vacated alley he would not be able to maintain the eastern façade of his building, citing potential Paint & Fix citations and general maintenance.

Planning Commission Recommendation:

This report was written before the August 20, 2020 Planning Commission Meeting. Planning Staff has recommended approval of the Conditional Use Certificate with the following recommendation with conditions of approval as noted in ‘Exhibit F – Recommended Conditions’ (attachment):

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) An easement shall be recorded granting access to underground electric services for 302 & 306 Main Street, and 11 & 17 North D Street. The easement course originates behind 312 Main Street, extends south fifty feet (50’) and turns eastwardly behind 310 & 312 Main Street.
- 3) A utility and drainage easement shall be recorded for North D Street Alley “B”, or there shall be relocation of utilities completed to the satisfaction of the City.
- 4) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 5) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 6) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

Planning Staff estimates that the Commission will likely recommend that City Council approve the portion of North D Street Alley A & B vacation with conditions of approval. In the event of any changes to the conditions of approval from the Planning Commission, the staff report to City Council will be revised to reflect as such.



It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation to approve the North D Street Alley A & B vacation.

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
City Manager

Ed Wilson, AICP
Associate Planner II

Choose Strategic Goal(s)

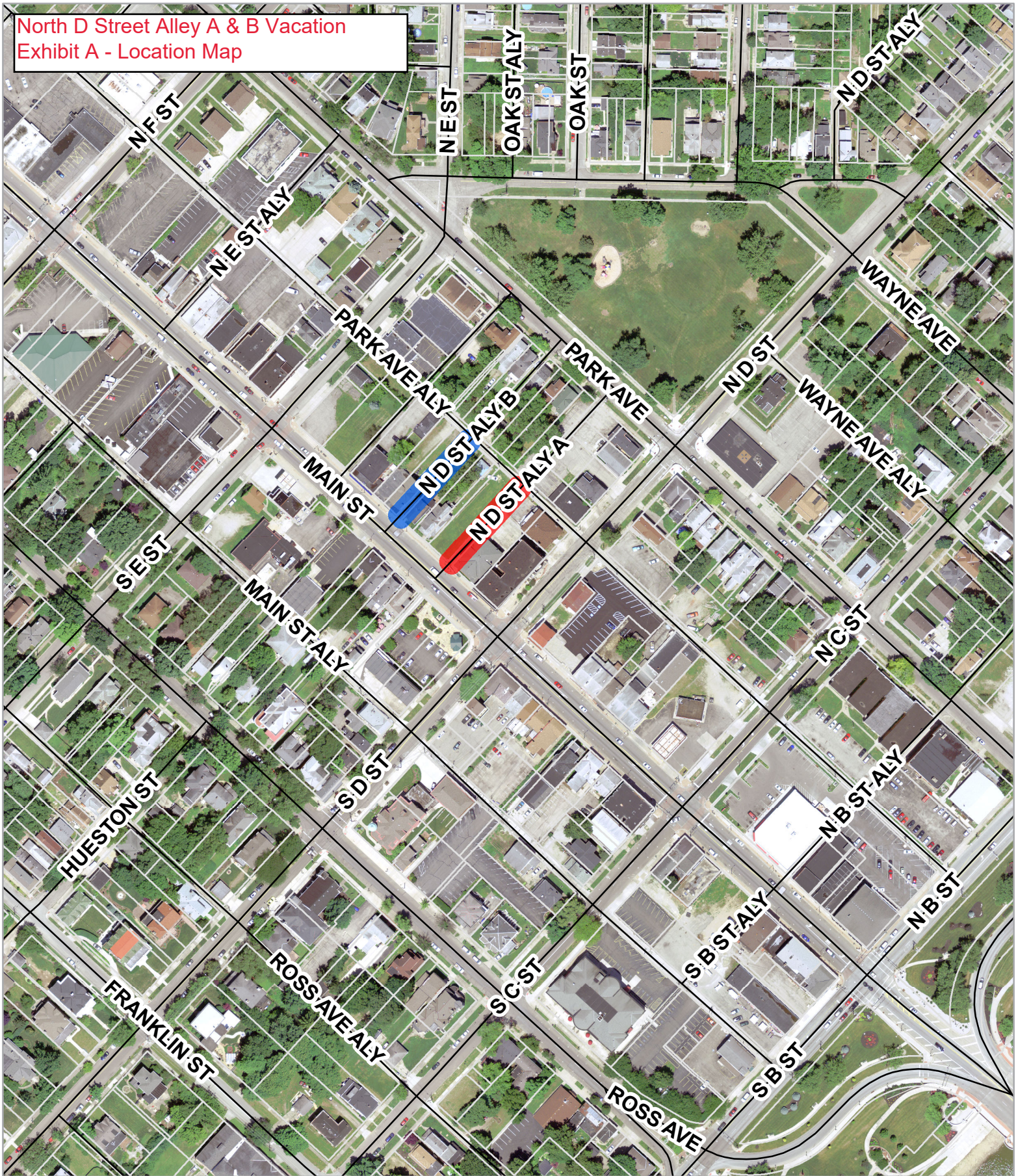
- I** *Generate 125mm in new private investment*
- J** *Increase gross wages paid by Hamilton Employers by \$100mm*
- P** *Exceed total county growth rate median home sale prices*
- R** *Generate \$40mm in investment for recreational amenities*
- E** *Engage 50,000 participants annually in special events,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

Attachments:

1. Exhibit A – Location Map
2. Exhibit B – Exhibit Map of North D Street Alley “A” and “B”
3. Exhibit C – Petition to Vacate
4. Exhibit D – Photos of existing conditions
5. Exhibit E – Public Hearing Notice letters
6. Exhibit F – Recommended Conditions of Approval



North D Street Alley A & B Vacation
Exhibit A - Location Map



N



North D Street, Alley "A"
North D Street, Alley "B"

North D Street, Alley "A" & "B"



North D Street Alley A & B Vacation
Exhibit B - Exhibit Map



Areas

- Override 1
- Override 2



- Site Address Points
- Owner Parcels
- Municipal Boundaries

North D St Alleys A & B





Caucus Report
February 12, 2020

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Request to vacate a portion of North D Street Alley "A" and Alley "B", alleys located between Park Avenue Alley and Main Street, situated in the First Ward, North Side, City of Hamilton, Ohio. (City of Hamilton, Applicant)

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

Dear Mayor and Members of Council:

The City of Hamilton is requesting vacation of a portion of North D Street Alleys "A" and "B". The portion of alleyways in question are north-south alleys that connect Park Avenue Alley to Main Street. North D Street Alley "A" is an improved paved alleyway, located between 310 Main Street and the vacant 316 Main Street. North Street Alley "B" is a partially improved alleyway, with a paved southern half and a gravel northern half, located between 324 Main Street and 326 Main Street.

Both portions of alleyway measure one-hundred and sixty-six feet (166') in length and ten feet (10') in width. There is also an existing gas main and storm sewer running through Alley "B". The petition for vacation is due to a prospective developer interested in the contiguous properties of 310, 316, 320, & 324 Main Street. 310-312 Main Street has an existing duplex on the property, while 316, 320, & 324 Main Street are vacant, undeveloped properties.

Recommendation:

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, 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
2. Exhibit B – Exhibit Map of North D Street Alley “A” & Alley “B”



North D Street Alley A & B Vacation
Exhibit D - Photos of Existing







July 1, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, July 16, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/91172580559>. Webinar ID: 911 7258 0559.

The agenda for this hearing includes the following item:

- LOCATION:** North D Street Alleys "A" and "B" (between 310 & 326 Main Street). See map on the reverse side.
- APPLICANT:** City of Hamilton
- REQUEST:** The applicant petitioned to vacate two (2) portions of rights-of-way, North D Street Alleys "A" and "B", situated in the First Ward, North Side.

The proposed alley vacation means that the portion of alley in question would no longer be public right-of-way, meaning that the public could not use the alley for public access (driving, vehicles, parking, or pedestrian use).

You are a property owner within 200 feet of the subject property and as such are required by statute to be notified of this public hearing.

An application for this project (revised site plan, images) 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-oh.gov/planningcommission>

The Planning Commission Agenda containing the staff report, application, and site plans will be updated as we approach the date of the Planning Commission meeting: Agenda link - <https://tinyurl.com/pc07162020>.

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205-6099 and when prompted dial the Webinar ID: 911 7258 0559

Or use this website link to access the online meeting: <https://zoom.us/j/91172580559>

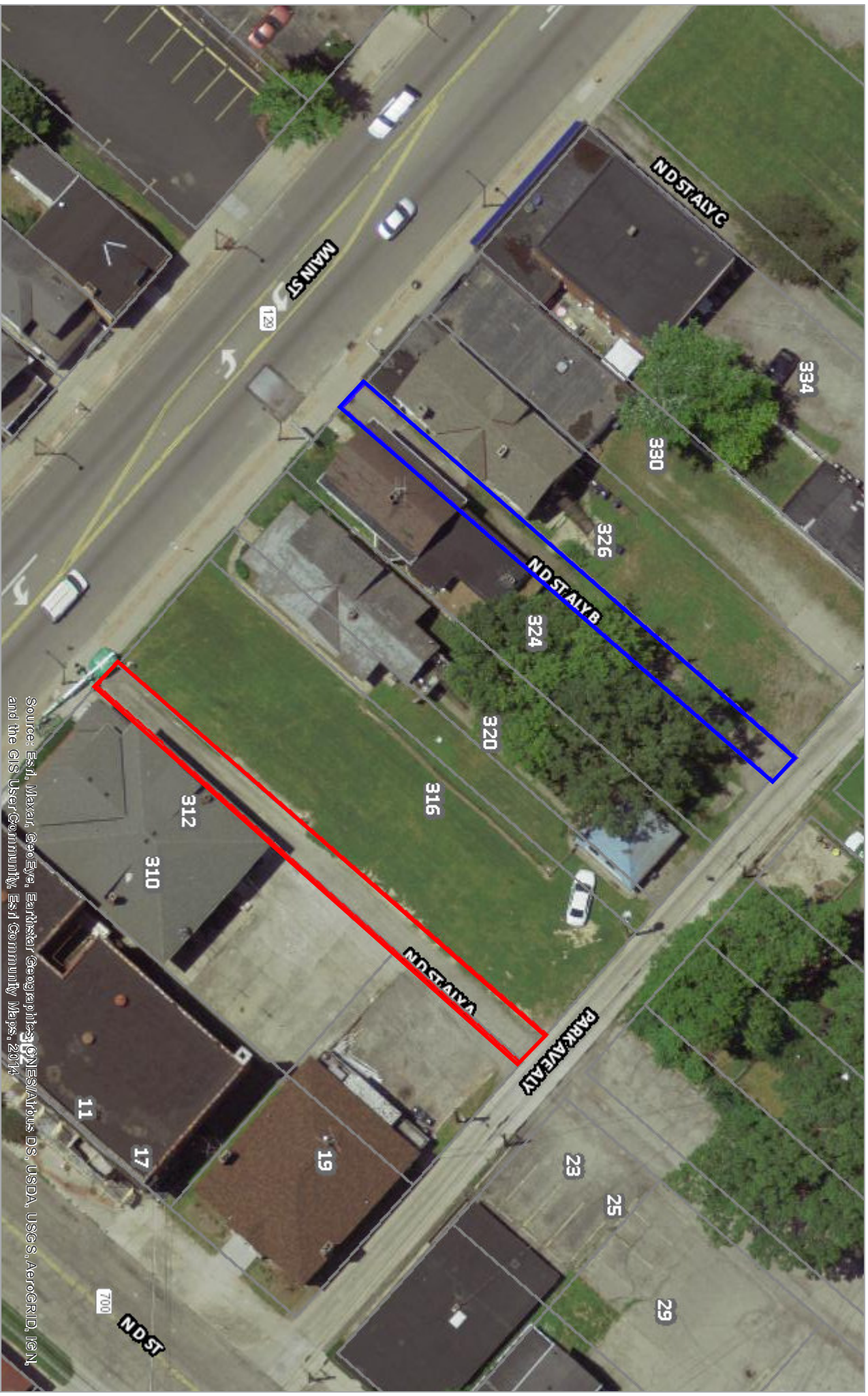
If you have any questions or comments concerning this matter, please forward your comments in writing for presentation at the meeting, or, please contact the Planning Department via email at planning@hamilton-oh.gov or contact **Ed Wilson, AICP** or **Liz Hayden, Planning Director** of the City of Hamilton Planning Department at (513) 785-7350.

Sincerely,

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification Map



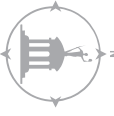
Source: Esri, Maxar, GeoEye, Earthstar, GeographicOS, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community, Esri Community Maps, 2014

North D St Alleys A & B

Areas

- Override 1
- Owner Parcels
- Override 2
- Municipal Boundaries

Site Address Points



City of Hamilton
BUTLER COUNTY OHIO

Date: 6/29/2020

1 inch = 50 feet

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 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.



July 1, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, July 16, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/91172580559>. Webinar ID: 911 7258 0559.

The agenda for this hearing includes the following item:

- LOCATION:** North D Street Alleys "A" and "B" (between 310 & 326 Main Street). See map on the reverse side.
- APPLICANT:** City of Hamilton
- REQUEST:** The applicant petitioned to vacate two (2) portions of rights-of-way, North D Street Alleys "A" and "B", situated in the First Ward, North Side.

The proposed alley vacation means that the portion of alley in question would no longer be public right-of-way, meaning that the public could not use the alley for public access (driving, vehicles, parking, or pedestrian use).

You are an owner of property that directly abuts the alley proposed for vacation/abandonment.

Per Chapter 167.07 of the City of Hamilton's Codified Ordinances, if you do not participate this public hearing to voice objection or do not object to the Planning Commission in writing, this shall be considered agreement with the proposed alley vacation.

An application for this project (revised site plan, images) 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-oh.gov/planningcommission>

The Planning Commission Agenda containing the staff report, application, and site plans will be updated as we approach the date of the Planning Commission meeting: Agenda link - <https://tinyurl.com/pc07162020>.

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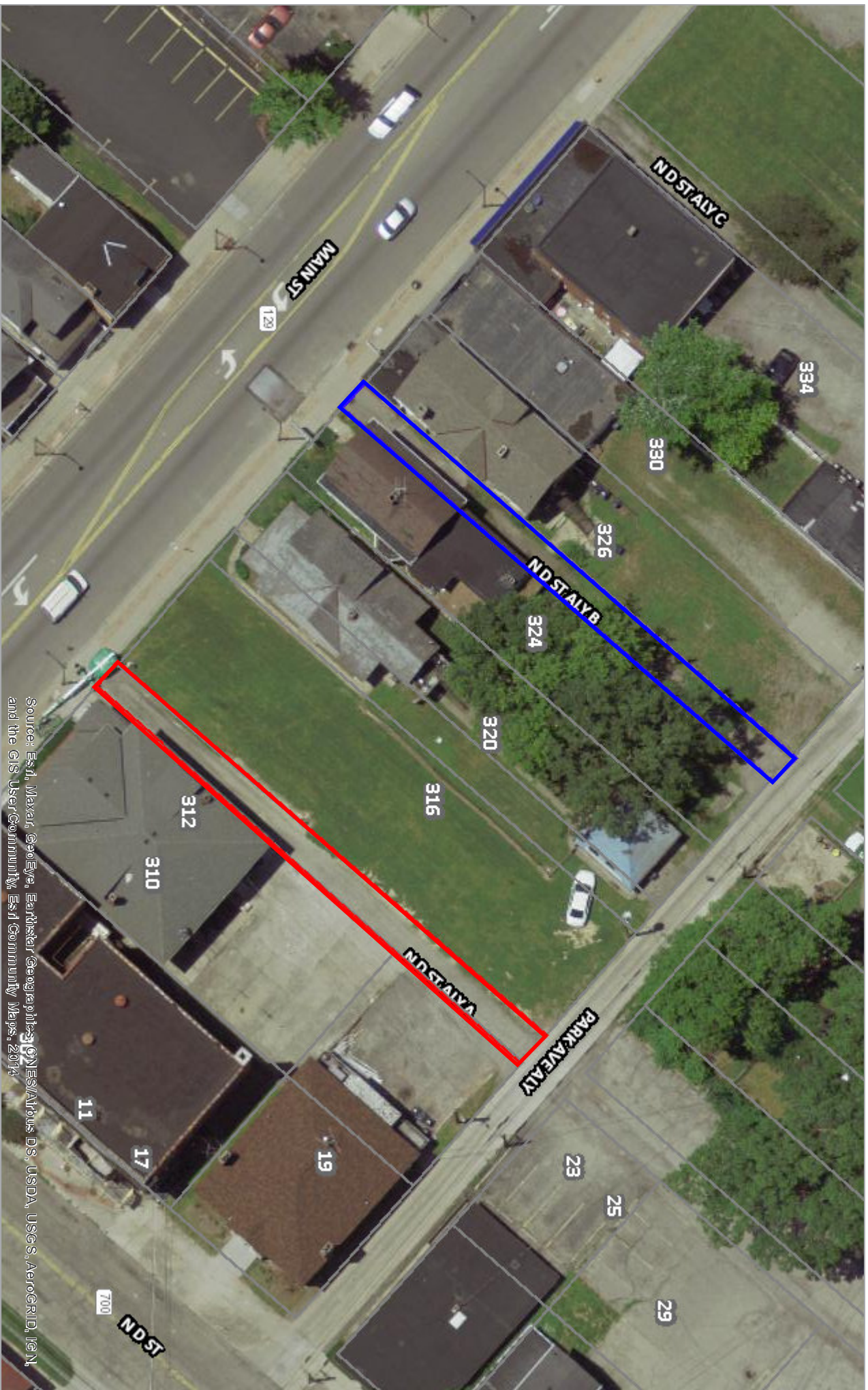
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Sincerely,

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

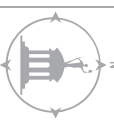
See Reverse Side for Public Hearing Notification Map



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

North D St Alleys A & B

- Areas**
- Override 1
 - Owner Parcels
 - Override 2
 - Municipal Boundaries
- Site Address Points**



Date: 6/29/2020

1 inch = 50 feet

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 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.

North D Street Alley A & B Vacation
Exhibit F - Conditions of Approval

North D Street Alley A & B Vacation – Recommended Conditions of Approval

BASIC INFORMATION	
Applicant/Property Owner	City of Hamilton, applicant & property owner
Architect/Engineer/Consultant	N/A
Size of Property	166 Feet of alley 1,660 Square Feet of right-of-way
Current Zoning	N/A
Requests	Vacate a portion of North D Street Alley “A” & “B”
Size of Revision	166 Feet of alley (both alleys)

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) An easement shall be recorded granting access to underground electric services for 302 & 306 Main Street, and 11 & 17 North D Street. The easement course originates behind 312 Main Street, extends south fifty feet (50') and turns eastwardly behind 310 & 312 Main Street.
- 3) A utility and drainage easement shall be recorded for North D Street Alley “B”, or there shall be relocation of utilities completed to the satisfaction of the City.
- 4) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 5) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 6) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to a Request to vacate a portion of South Martin Luther King Jr. Boulevard Alley "B" located between Charles Street Alley & Pershing Avenue, abutting 524 South 4th Street, in the block between South 4th Street, South Martin Luther King Jr. Boulevard, Pershing Avenue, and Charles Street, Hamilton, Ohio 45011. (City of Hamilton, Applicant).

<input checked="" type="checkbox"/>	1st Reading Date: 9-9-2020
<input checked="" type="checkbox"/>	2nd Reading Date: 9-23-2020
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton, submitted a petition for the vacation of a portion of South Martin Luther King Jr. Boulevard, Alley "B" (see Exhibit C). The portion of alley in question is an unimproved north-south alley that connects Charles Street Alley and Pershing Avenue. The portion of alley measures 120 feet in length and is ten (10) feet in width.

Previously, Ms. Nancy Nunez, 524 South Fourth Street, submitted a petition to vacate the alley in question and Council passed a resolution to vacate the alley in question. However, Ms. Nunez did not complete the alley vacation process.

City Staff reconsidered the proposed vacation of South Martin Luther King Boulevard Alley "B", and desired to move forward with the alley vacation as a City-initiated application. The alley is an unimproved, vacant alley, with vegetation growing throughout and is the site of dumping and trespassing.

Background Information

Alley Vacation

A right-of-way vacation is a process in which a street or alley is reviewed for transference from public use to private property. Approval of an alley vacation means that the vacated portion of alley will no longer be public right-of-way and the public could not use the street for public access such as driving, parking, or walking.

In the event that any right-of-way vacation is approved, the land currently designated as right-of-way would be split down the centerline and each half (1/2) would be transferred to the adjacent property owners of record.



The statutes of Section 167.07, Vacation of City Streets, Alleys or Other Public Property of the City of Hamilton's Codified Ordinances and Ohio general laws regulate vacation or abandonment of public right-of-way (alleys, streets, etc.).

- Planning Commission may vote on the street vacation, for or against.
- If the Planning Commission provides a favorable recommendation, the street vacation proposal is forwarded to City Council.
- If approved by City Council, the council adopts a resolution of intent to vacate.

Typically, right-of-way vacations proceed with appraisal of the alley and Board of Revisions of Assessments. However, with the City of Hamilton as applicant, the petition to vacate may proceed to City Council as a resolution to vacate, followed by an ordinance to vacate the right-of-way.

Specific information pertaining to the proposed alley for vacation is as follows:

S Martin Luther King Jr. Alley "B",

(between Charles Street Alley and Pershing Avenue)

- Length: 120 feet; Width: Ten (10') feet
- There is an existing electric utility within the alley. Staff recommends recording of a utility easement to maintain access.

Specific information pertaining to the properties adjacent to the right-of-way proposed for vacation is as follows:

- 516 S Fourth Street – Owner: Juana Mancebo and Eduardo Cadena
Parcel: P6441032000107, (City Lot No. 814 ENT)
- 520 S Fourth Street – Owner: Leonard Florence
Parcel: P6441032000108, (City Lot No. 815 ENT)
- 524 S Fourth Street – Owner: Nancy Padilla Nunez
Parcel: P6441032000109, (City Lot: No. 816 ENT)
- 412 Pershing Avenue – Owner: Mariam and Fahed Salem
Parcel: P6441032000111, (City Lot No. 817 ENT)
- 416 Pershing Avenue – Owner: Piney Tiendrebeogo
Parcel: P6441032000112, (City Lot No. 818 ENT)

Notification

The Planning Department mailed Public Hearing Notices to the owners of 36 properties within 200 feet of the subject property per statute requirements. This includes the five (5) owners of property adjacent to the alley in question.

As of the writing of this report, the Planning Department received no phone calls or inquiries pertaining to the proposal.



Planning Commission Recommendation:

This report was written before the August 20, 2020 Planning Commission Meeting. Planning Staff has recommended approval of the alley vacation with the recommended conditions of approval as noted in 'Exhibit F – Recommended Conditions' (attachment):

Conditions for Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) A ten (10') feet wide electric easement shall be recorded, which includes the existing South Martin Luther King Jr. Boulevard, Alley "B" right-of-way beginning at the Charles Street Alley, extending South 120 feet.
- 3) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 5) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

Planning Staff estimates that the Commission will likely recommend that City Council prepare an ordinance to vacate the alley in question with the conditions of approval. In the event of any changes to the conditions of approval from the Planning Commission, the staff report to City Council will be revised to reflect as such.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation vacate for the portion of South Martin Luther King Blvd, Alley "B".

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
City Manager

Ed Wilson, AICP
Associate Planner II



Choose Strategic Goal(s)

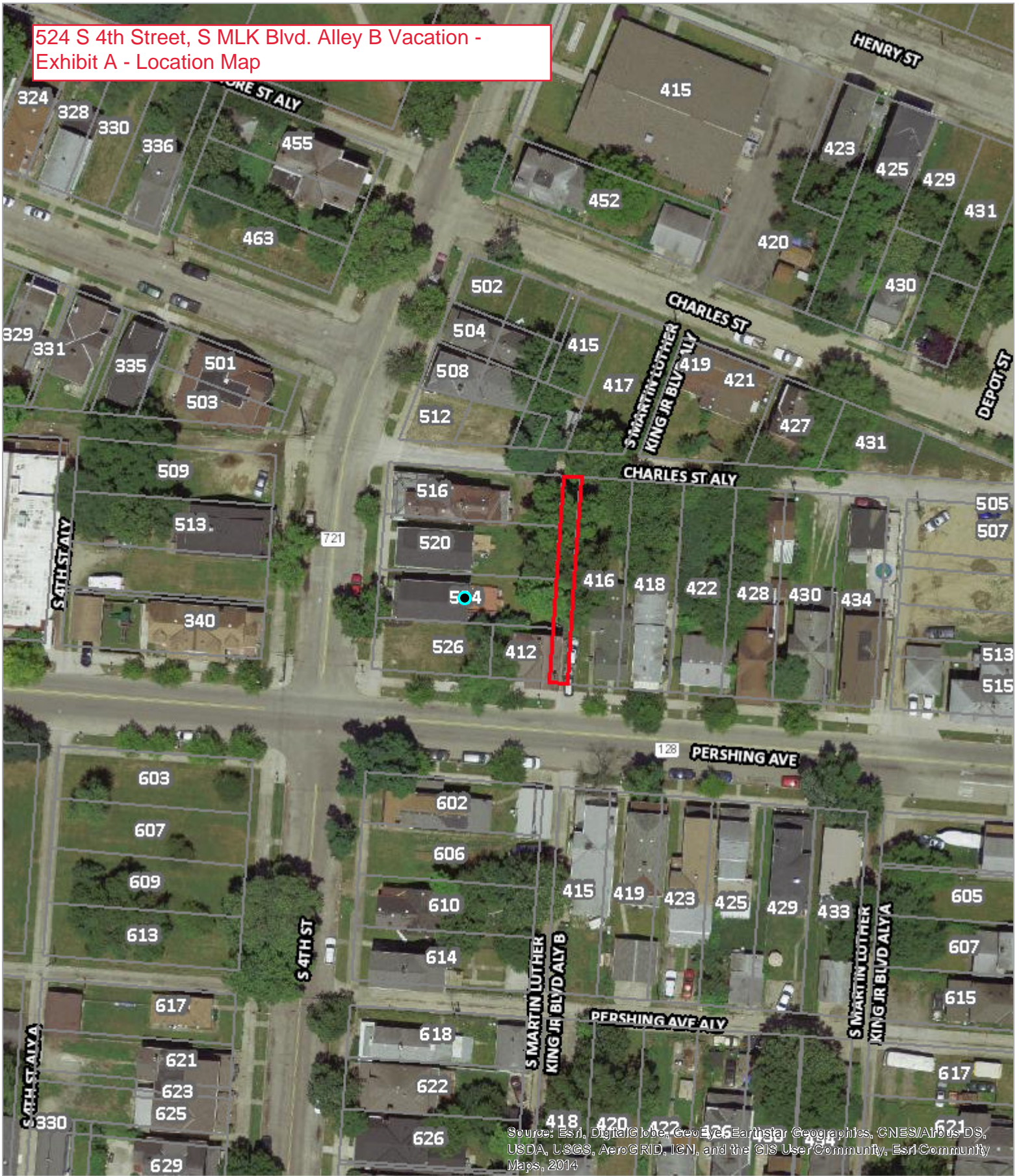
- I** *Generate 125mm in new private investment*
- J** *Increase gross wages paid by Hamilton Employers by \$100mm*
- P** *Exceed total county growth rate median home sale prices*
- R** *Generate \$40mm in investment for recreational amenities*
- E** *Engage 50,000 participants annually in special events,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

Attachments:

1. Exhibit A - Location Map
2. Exhibit B - Exhibit Map of South Martin Luther King Alley "B"
3. Exhibit C - Petition to Vacate
4. Exhibit D - Photos of South F Alley "B", Existing Conditions.
5. Exhibit E - Public Hearing Notice letters
6. Exhibit F - Recommended Conditions for Approval



524 S 4th Street, S MLK Blvd. Alley B Vacation - Exhibit A - Location 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

S MLK Alley B

City of Hamilton
BUTLER COUNTY OHIO



BCEO GIS Tax Map

524 S 4th Street, S MLK Alley B Vacation -
Exhibit B - Exhibit Map of South Martin Luther King Alley "B"

SECTION 02
TOWN 1
RANGE 3

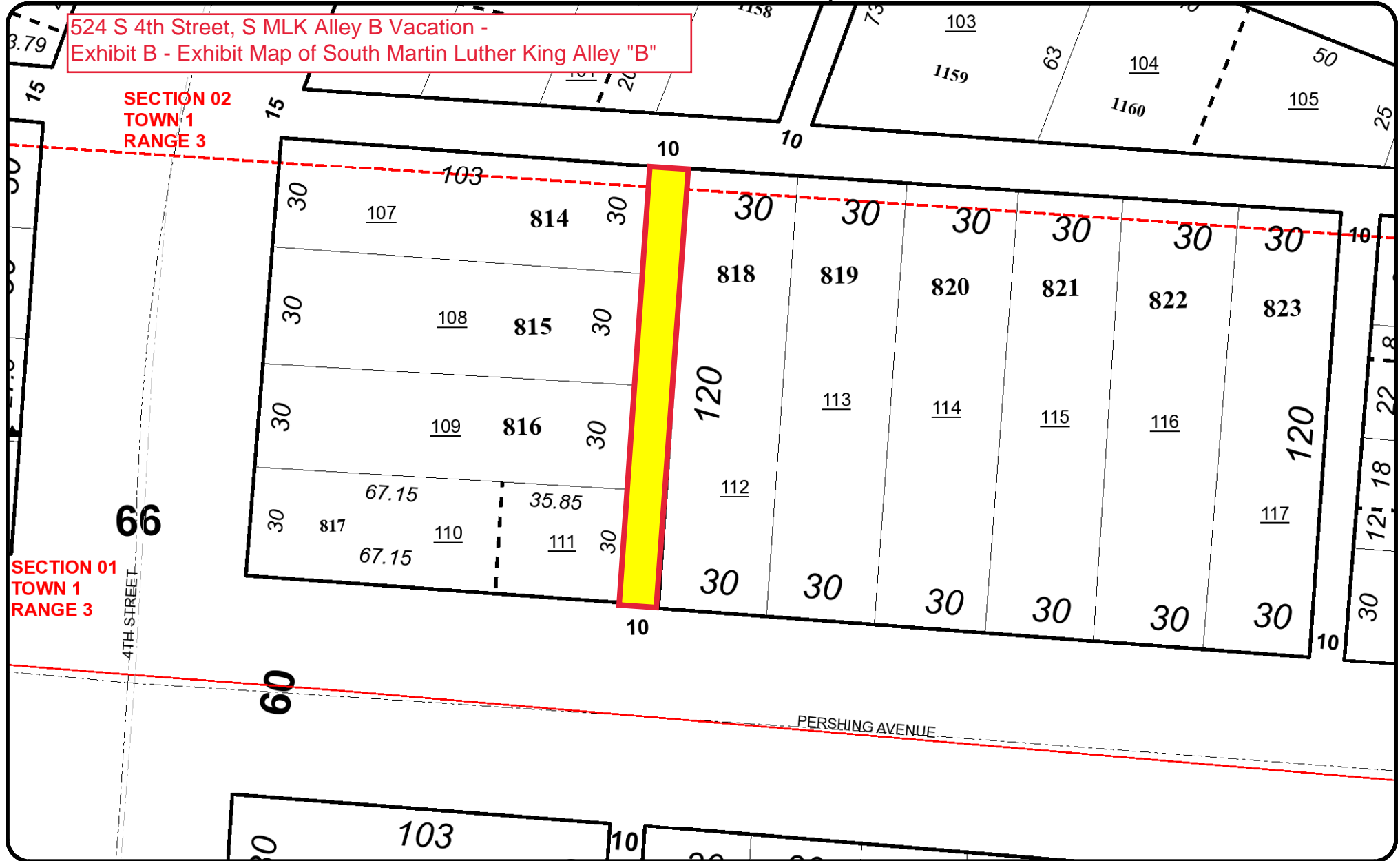
SECTION 01
TOWN 1
RANGE 3

66

4TH STREET

60

PERSHING AVENUE



BUTLER COUNTY ENGINEER'S OFFICE



GREGORY J. WILKENS, PE., P.S. BUTLER COUNTY ENGINEER

August 7, 19

In using this map provided by the Butler County Engineer's Office, you accept the data as is, without warranty of any kind, either expressed or implied. The Butler County Engineer's Office shall not be held liable for any claim for any loss or damage as a result of reliance on the information contained in this website



Caucus Report
August 12, 2020

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Petition to vacate a portion of South Martin Luther King Jr. Boulevard Alley “B” located between Charles Street Alley & Pershing Avenue, abutting 524 South 4th Street, in the block between South 4th Street, South Martin Luther King Jr. Boulevard, Pershing Avenue, and Charles Street, Hamilton, Ohio 45011. (City of Hamilton, Applicant).

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

Dear Mayor and Members of Council:

The proposal is a submitted request to vacate portion of South Martin Luther King Jr. Boulevard Alley “B”. Previously, Ms. Nancy Nunez, 524 South Fourth Street, submitted a petition to vacate the alley in question and Council passed a resolution to vacate the alley in question. However, Ms. Nunez did not complete the alley vacation process.

Upon review, City Staff reconsidered the proposed vacation of South Martin Luther King Boulevard Alley “B”, and desired to move forward with the alley vacation as a city-initiated application. Due to statutes, the alley vacation request must be restarted, and would require a public hearing at the Planning Commission if Council accepts this petition.

Overview:

The alley in question is an unimproved, vacant, alley located in the Fourth Ward. This alley abuts 516, 520, 524 South 4th Street, and 412 Pershing Avenue on the west & 416 Pershing Avenue on the east. South Martin Luther King Jr. Boulevard, Alley “B” runs north-south and is accessible from Charles Street Alley in the north and Pershing Avenue to the south. The portion of alley measures approximately one-hundred and twenty feet (120’) in length, and ten feet (10’) in width, as 1,200 square feet of right-of-way. The alley currently has weeds and other vegetation growing through it.

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, 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 South Martin Luther King Jr Blvd., Alley "B"
- 2) Exhibit B - Exhibit Map of Alley "B"



524 S 4th Street, S MLK Alley B Vacation
Exhibit D - Photos of S MLK Alley B, Existing Conditions

These two pictures were taken from Pershing Avenue side.







August 5, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, August 20, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/99601139722>. Webinar ID: 996 0113 9722.

The agenda for this hearing includes the following item:

- LOCATION:** South Martin Luther King Jr. Boulevard Alley “B”, portion between Charles Street Alley and Pershing Avenue. See map on the reverse side.
- APPLICANT:** City of Hamilton
- REQUEST:** To vacate / abandon a portion of South Martin Luther King Jr. Boulevard Alley “B” located between Charles Street Alley & Pershing Avenue, situated in the Fourth Ward, City of Hamilton, Ohio.

The proposed alley vacation means that the portion of alley in question would no longer be public right-of-way, meaning that the public could not use the alley for public access (driving, vehicles, parking, or pedestrian use).

You are a property owner within 200 feet of the subject property and as such are required by statute to be notified of this public hearing.

An application for this project (revised site plan, images) 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-oh.gov/planningcommission>

The Planning Commission Agenda containing the staff report, application, and site plans will be updated as we approach the date of the Planning Commission meeting: Agenda link - <https://tinyurl.com/pc08202020>.

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205-6099 and when prompted dial the Webinar ID: 996 0113 9722
Or use this website link to access the online meeting: <https://zoom.us/j/99601139722>.

If you have any questions or comments concerning this matter, please forward your comments in writing for presentation at the meeting, or, please contact the Planning Department via email at planning@hamilton-oh.gov or contact **Ed Wilson, AICP** or **Liz Hayden, Planning Director** of the City of Hamilton Planning Department at (513) 785-7350.

Sincerely

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification 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
- Site Address Points

MLK Alley B





August 5, 2020

NOTICE OF PUBLIC HEARING

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The agenda for this hearing includes the following item:

- LOCATION:** South Martin Luther King Jr. Boulevard Alley "B", portion between Charles Street Alley and Pershing Avenue. See map on the reverse side.
- APPLICANT:** City of Hamilton
- REQUEST:** To vacate / abandon a portion of South Martin Luther King Jr. Boulevard Alley "B" located between Charles Street Alley & Pershing Avenue, situated in the Fourth Ward, City of Hamilton, Ohio.

The proposed alley vacation means that the portion of alley in question would no longer be public right-of-way, meaning that the public could not use the alley for public access (driving, vehicles, parking, or pedestrian use).

You are an owner of property that directly abuts the alley proposed for vacation/abandonment.

Per Chapter 167.07 of the City of Hamilton's Codified Ordinances, if you do not participate in this public hearing to voice objection or do not object to the Planning Commission in writing, this shall be considered agreement with the proposed alley vacation.

An application for this project (revised site plan, images) 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-oh.gov/planningcommission>

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Sincerely,

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification 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
- Site Address Points

MLK Alley B





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

APPLICATION INFORMATION	
Applicant/Property Owner	City of Hamilton, applicant & property owner
Property Location	Charles Street Alley and Pershing Avenue
Size of Property	120 Feet of alley 1,200 Square Feet of right-of-way
Current Zoning	N/A
Petition Date	08/12/2020

Request: To vacate that portion of South Martin Luther King Jr. Boulevard, Alley “B”, located between Charles Street Alley and Pershing Avenue, situated in the Fourth Ward, City of Hamilton, Ohio

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) A ten (10') feet wide electric easement shall be recorded, which includes the existing South Martin Luther King Jr. Boulevard, Alley “B” right-of-way beginning at the Charles Street Alley, extending South 120 feet.
- 3) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 5) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

Report continued on the next page



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to a request for a replat of Hamilton Enterprise Park, Phase 3; a Replat of part of Lot #30305, All of Lot #32175, and All of Lot #32166 – into New Lots #32326 and #32327, situated in the Sixth Ward, North Side, Hamilton, Ohio. (City of Hamilton, Applicant)

<input checked="" type="checkbox"/>	1 st Reading Date: 9-9-2020
<input checked="" type="checkbox"/>	2 nd Reading Date: 9-23-2020
<input type="checkbox"/>	Resolution Date:
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The submitted application is a City-led application for a replat of a portion of Hamilton Enterprise Park. The replat is for Phase 3 of Hamilton Enterprise Park, related to the upcoming Project Cassius development project, and is for the relocation of existing easements and utilities to accommodate the project.

Replat Information

A replat is a reconfiguration of existing lots and parcels. It is typically different from a lot split or lot combination as a replat will also involve requests pertaining to easements (establishing or vacating/abandoning), and/or right-of-way requests (proposing new streets or right-of-way) as part of the lot or land reconfiguration. City Council takes final action on Replat requests following a recommendation of approval from the Planning Commission.

The proposed replat would subdivide 58.21 acres of remaining undeveloped land, including Part of City Lot #30305, and All of City Lots #32175 and #32166 – to be replatted into two (2) new separate lots, Lots #32326 and #32327.

Background Information:

Submitted Request (Final Plat)

The proposed replat would subdivide the existing property, creating two (2) new lots. New Lot #32326 would be the northern lot, containing the upcoming Project Cassius development. New Lot #32327 would contain the remainder of the replatted land. The proposed replat consists of Part of City Lot #30305, and All of City Lots #32175 and #32166.



- **Proposed Lot (1) - #32326 (30.51 acres)**
 - This is the northern proposed lot.
 - This is the site of the upcoming Project Cassius development, recently approved by the Planning Commission.
 - This lot also contains easements to be vacated by this plat:
 - An existing drainage easement encompassing the eastern half of the area.
 - An existing 15' utility easement
 - An existing 20' sanitary sewer easement.
 - The easement vacations are required as part of the Cassius development and relocation of a drainage easement and existing utilities.
 - The plat proposes a new, relocated 20' sanitary sewer easement as part of the relocation of sewer utilities.

- **Proposed Lot (2) - #32327 (27.69 acres)**
 - This is the southern proposed lot.
 - There are no proposed changes to easements on the property.
 - This would be a remainder parcel.

Statutes:

Per the City Subdivision Regulations of the Hamilton Zoning Ordinance, Ordinance No. 6038, the Planning Commission can recommend that City Council approve or deny the request for the platting of subdivisions and subdivision lots within the City of Hamilton.

Chapter 1191 of the Subdivision Regulations outlines the procedure for plat approval.

Interdepartmental Review

The proposed replat has been through the City's Interdepartmental Review Committee. The proposed final plat has been reviewed and approved through the City's Interdepartmental Review process.

Planning Commission Recommendation:

This report was written before the August 20, 2020 Planning Commission Meeting. Staff has recommended approval of the replat with the following recommendation:

- 1) Staff recommends that Planning Commission provide a recommendation to City Council to approve the Replat of Part of City Lot No. #30305, and All of City Lots No. #32175 and #32166 as new Lots #32326 & #32327, as proposed with the following additional condition:



Condition of Approval:

- 1) The final easement language will be subject to City and Environmental Protection Agency (EPA) approval.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

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
- 2) Exhibit B - Replat of Hamilton Enterprise Park, Phase III (Part of City Lot No. #30305, and All of City Lots No. #32175 and #32166) - into New Lots #32326 and #32327



535 Maple Avenue, Conditional Use
Exhibit A - Location Map



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



Areas

Override 1

Site Address Points

535 Maple Avenue



535 Maple Avenue, Conditional Use
Exhibit B - Conditional Use Application

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: 535 MAPLE AVENUE, HAMILTON OH 45011

Property Owner: MIDWEST DEVELOPERS LLC

Owner's Mailing Address: 5047, OAKBROOK LANE, MASON OH 45040

Email Address: midwest.devllc@gmail.com Phone Number: 513-703-9888

Applicant's Name (if different from owner): FAISAL KHAN

Applicant's Mailing Address: 5047, OAKBROOK LANE, MASON OH 45040

Email Address: faisalmar@gmail.com Phone Number: 513-703-9888

Architect / Engineer: Local Contractors Registered with the City of Hamilton

Mailing Address: _____

Email Address: _____ Phone Number: _____

Previous Legal Use of Property: Residential Property

Date Previous Use Discontinued: 2015-2016

Proposed New Use of Property: Residential 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: [Signature] Date: 7/15/20

Property Owner's Signature: [Signature] Date: 7/15/20

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

A 202691

City of Hamilton
Date: 8/6/2020
Acct: 32720
Name:
Receipt #: 01809365
Payment Total: \$200.00
City of Hamilton
Officers: HLIII
Cashier: R. B. Chien
8/6/2020 3:47:40
\$200.00
Credit Card Tendered \$:

Conditional Use Review Criteria – 535 Maple Avenue, Hamilton, OH 45011

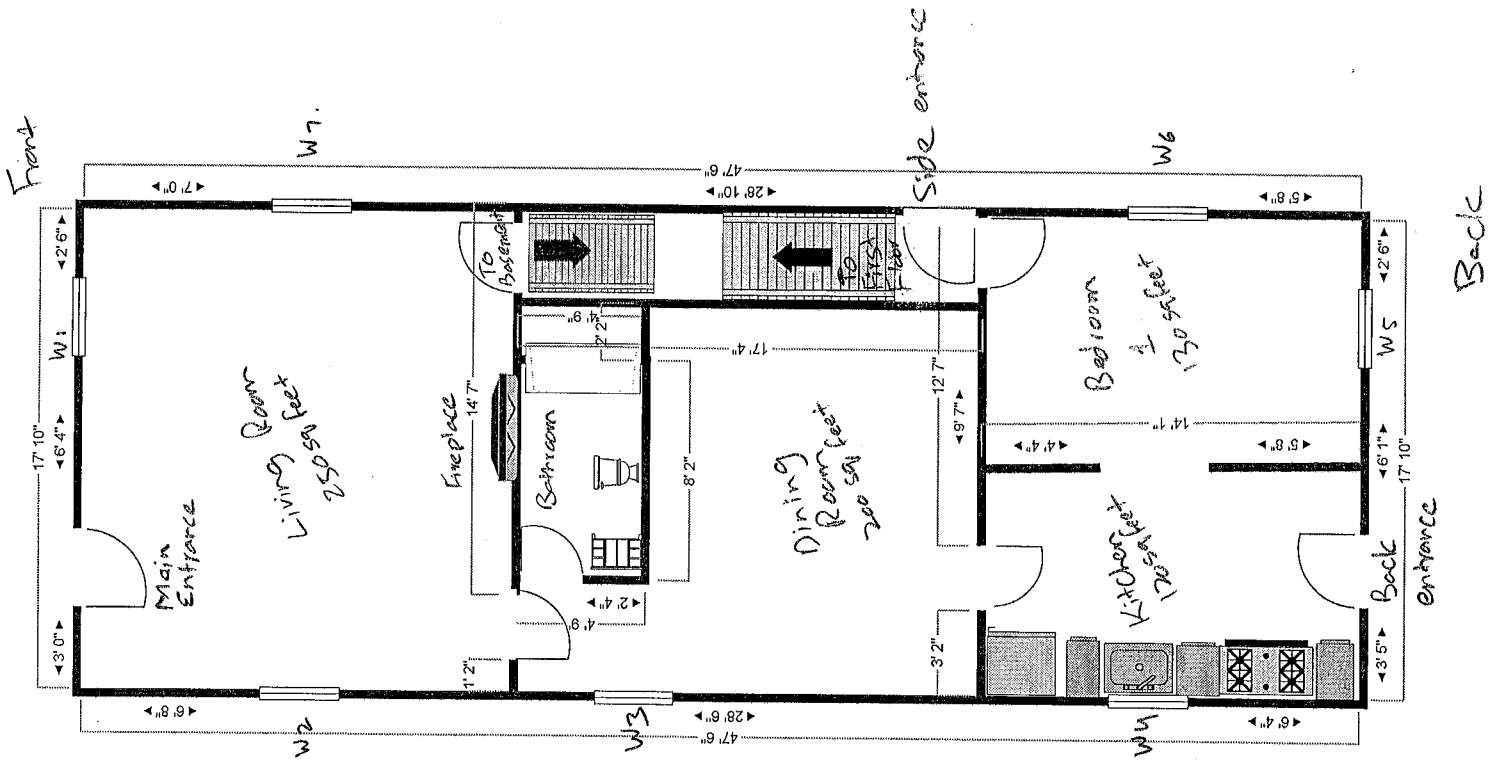
The proposed Conditional Use is consistent with the following General Standards:

1. This property is located in a district wherein residential properties are permitted. This house was being used as a residence before it was vacated and sold by the Butler County during the sheriff's sale. There are three houses (with families living in them) next to this property. There is also an occupied house right behind this property.
2. This residence after rehabilitation will help improve the outlook of the neighboring properties and will not adversely effect the appropriate use of the neighboring property.
3. The structure of this property will be harmonious with the existing character of the vicinity. This will be the most updated house in the immediate neighborhood.
4. This residence will be adequately served by essential public facilities and services. All of the residential services that this house had previously will be re-established and maintained.
5. The property will utilize the vehicular approach form the main road without interfering with traffic on surrounding streets.
6. All developmental standards will be maintained during the rehabilitation of this property. It will undergo serial inspections by the City of Hamilton building department.
7. The proposed conditional use will not be hazardous to or have a negative impact on the existing or future neighboring uses.
8. This property being used as a residence will not involve any activities that will be detrimental to the general welfare of the surrounding area.
9. This residence will not impede the normal and orderly development or improvement of the surrounding property.
10. This house being zoned as a residence will help improve the aesthetic outlook of the vicinity and is consistent with the goals of uplifting the City of Hamilton.

Exterior Renovations

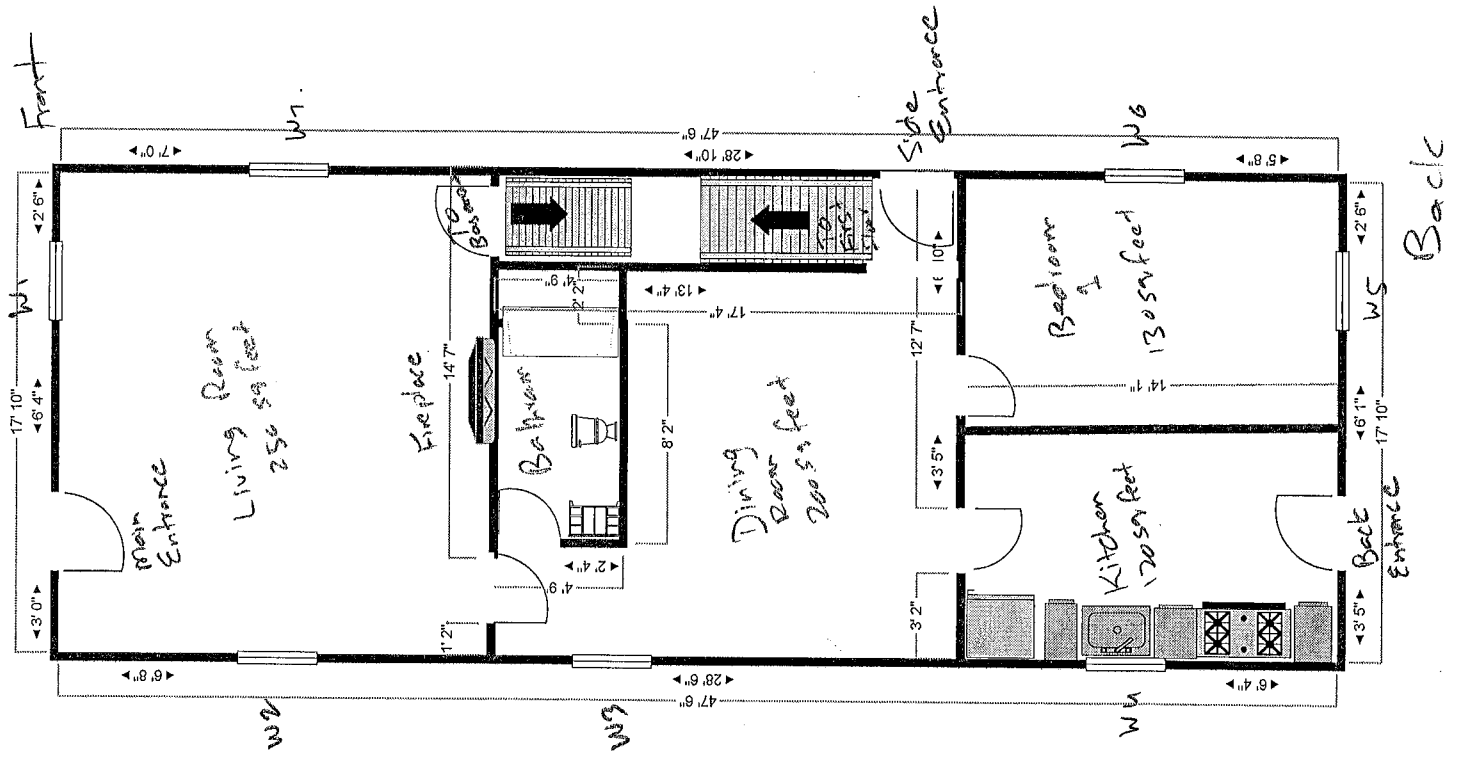
- We will remove the current metal fence at the front of the property.
- We will install 3.5 feet high metal fence at the front property line
- We will remove the current wooden fence at the back of the property
- We will install 6 feet high wooden fence at the back property line
- The corner post at the front porch (close to the entry door) will be replaced with a new post
- The rest of the posts will receive fresh paint.
- The concrete pad on the back of the property will be repaired to make it even and plane.
- The roof over the back patio will be repaired

First Floor Current



Back

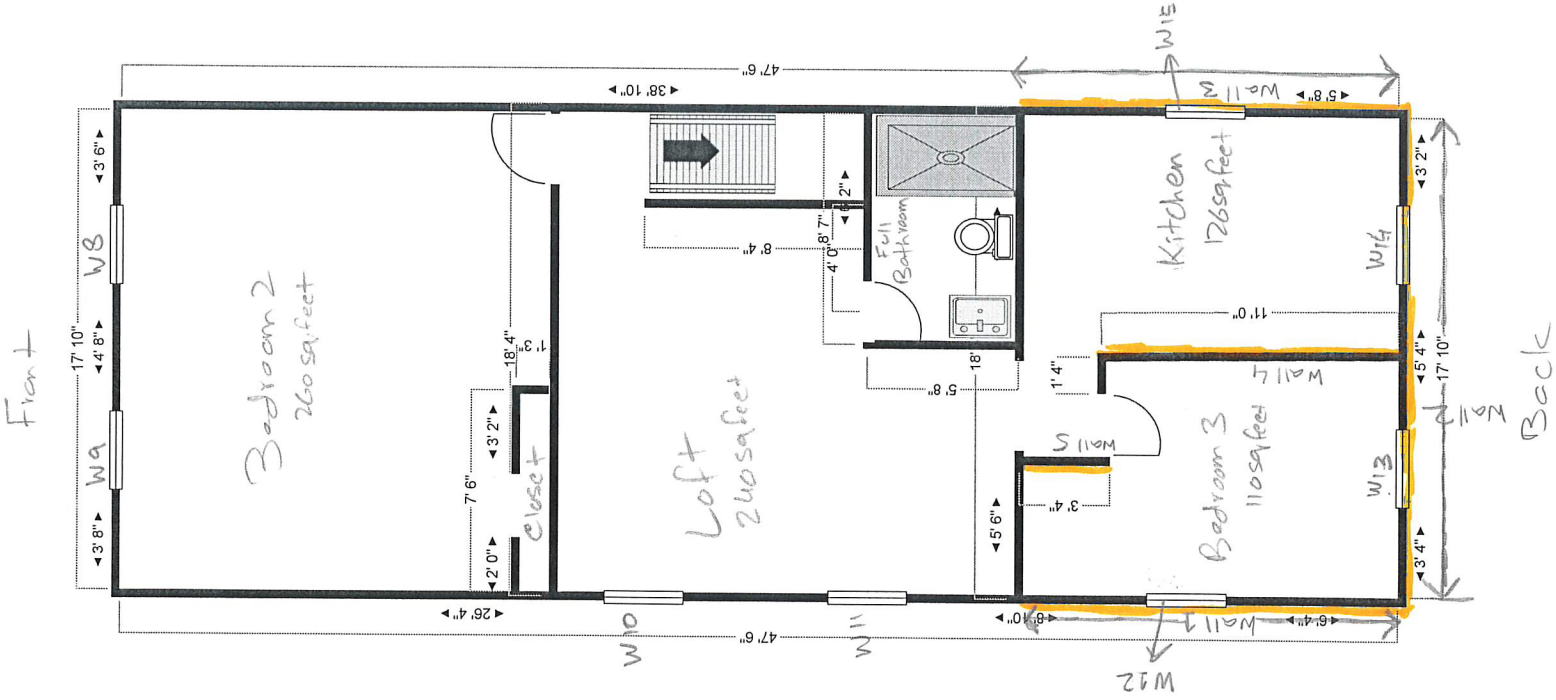
First Floor Proposed Renovation



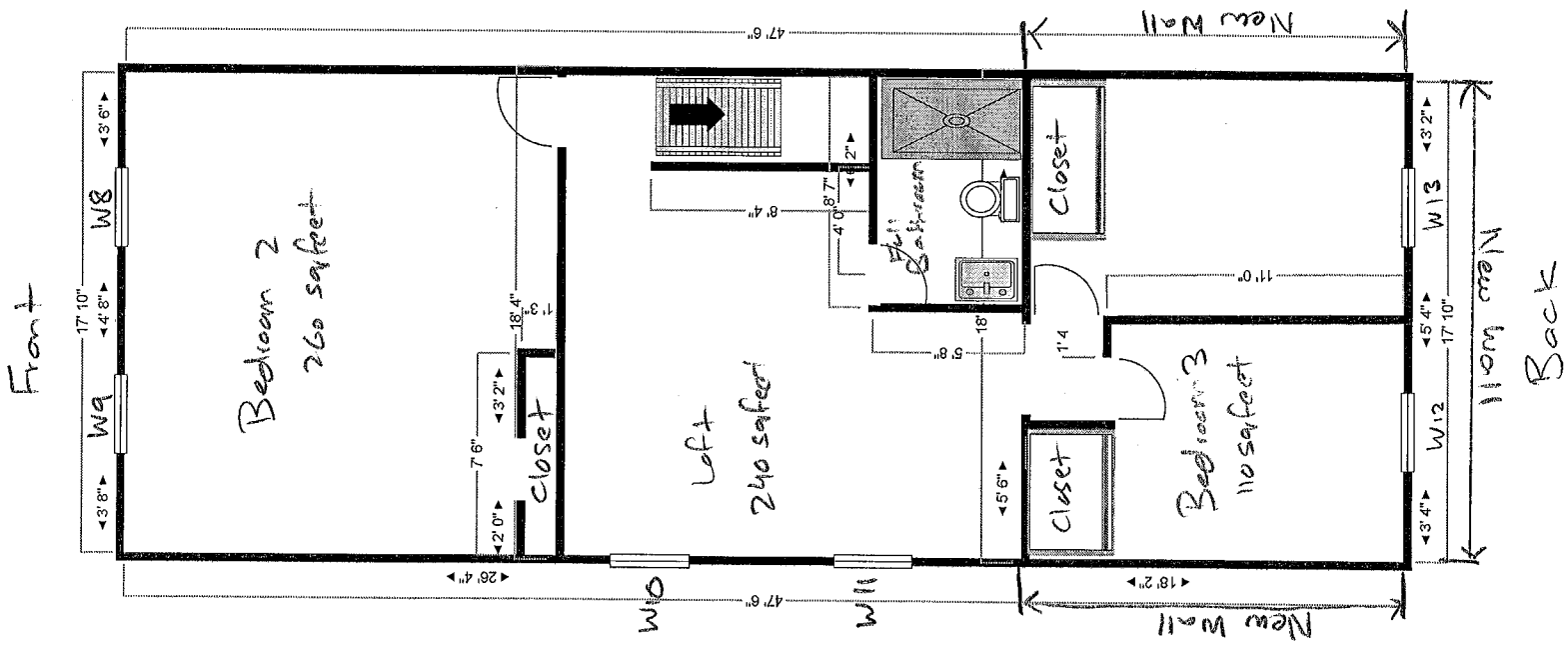
First Floor Renovation (Please compare “Current” and “Proposed Renovation” diagrams)

- Will close off the door currently between Bedroom 1 and stairs going up to second floor
- Will demolish the wall between the kitchen and Bedroom 1. This wall is only supporting the false ceiling above these two rooms. The false ceiling will also be demolished
- New wall will be built between Kitchen and Bedroom 1. This wall will not have any opening.
- Entry to bedroom 1 will be created through the dining room.
- Entry to the staircase going up to second floor will also be created through the dining room.
- The false ceilings in the dining room, kitchen and bedroom 1 will be demolished.
- New dry wall will be installed on the original ceilings of these rooms
- R13 insulation will be installed in the middle floor above these rooms
- The wall paper on the living room ceiling will be removed and any damaged area of ceiling will be repaired. The ceiling in the living room is the original ceiling
- Current drywall/plaster on all the walls on this floor will be removed
- New R15 (for 2x4 walls) or R21 (for 2x6 walls) will be installed in all exterior walls
- New dry wall will be installed on all the walls
- New pergo flooring will be installed in all rooms
- New bathtub with shower will be installed in the bathroom
- New toilet will be installed in the bathroom
- New vanity will be installed in the bathroom
- New cabinets will be installed in the kitchen
- New refrigerator and gas stove will be installed in the kitchen
- All 7 windows on this floor will be replaced with new windows
- All 3 entry doors (front, back and side) will be replaced

Second Floor
Current

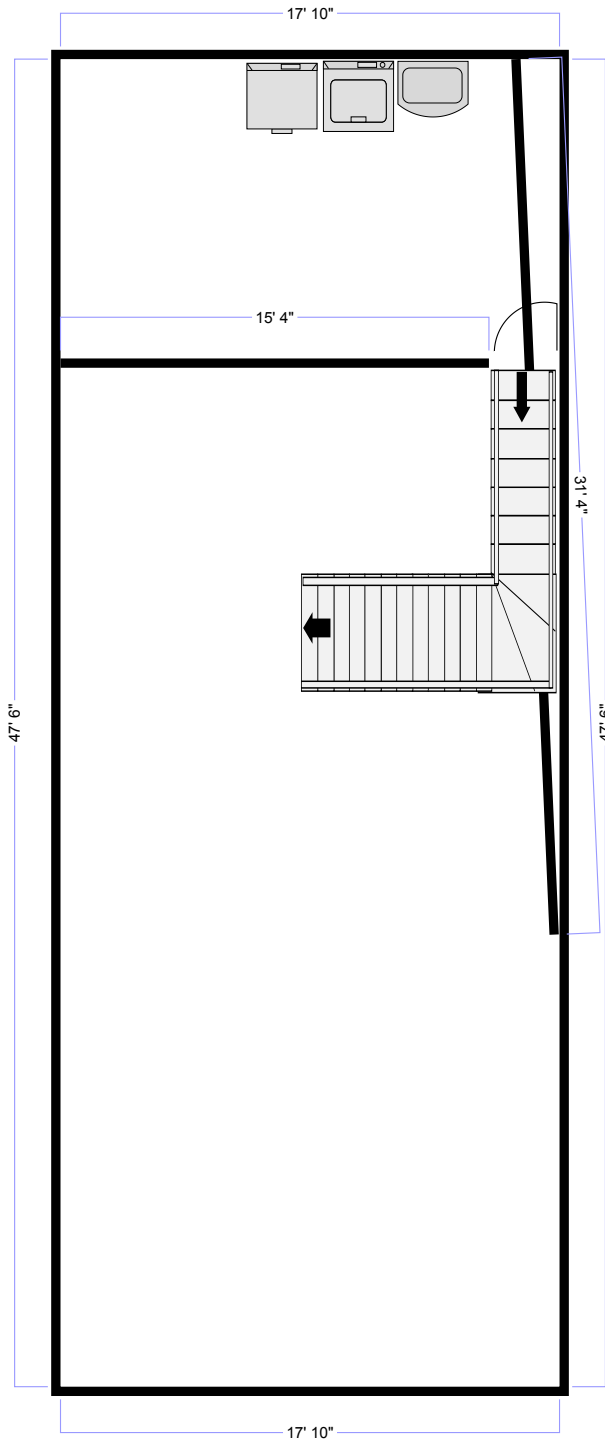


Second Floor
Proposed Renovation



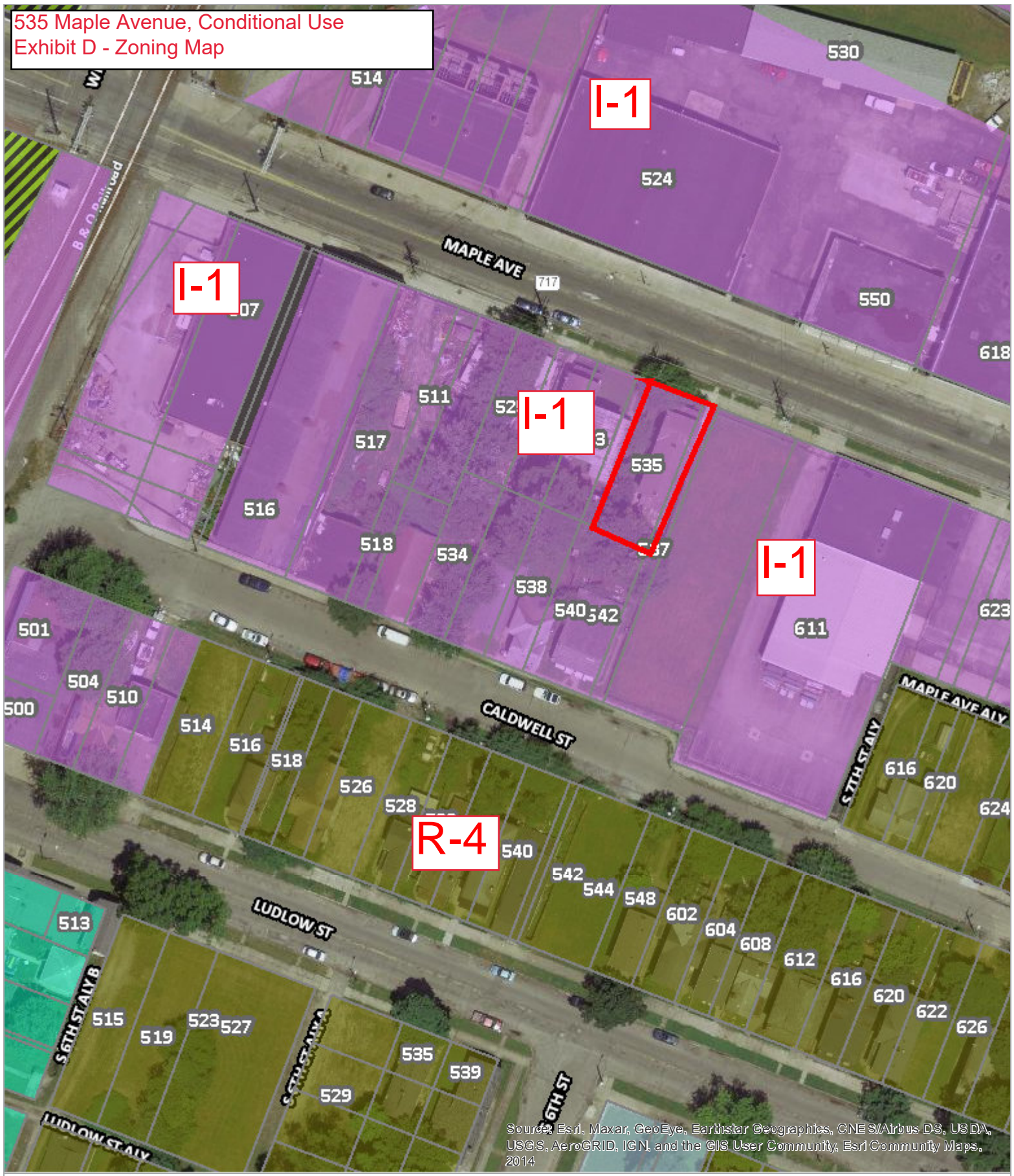
Second Floor Renovation (Please compare “Current” and “Proposed Renovation” diagrams)

- Walls 1,2,3,4,5 (shown in orange color) will be demolished (burnt)
- Ceiling, roof and roof framing (joists, rafters) above Bedroom 3 and Kitchen will be removed.
- New framing for walls 1,2 and 3 will be installed, 2 x 6
- New framing for wall 4,5 will be installed, 2 x 4
- Kitchen will be converted to Bedroom 4
- New roof framing will be installed over bedrooms 3 and 4
 - Ceiling joists (2 x 6) 16 inches on the center; we anticipate replacing and installing a total of 12-15 joists which will run between the two exterior walls (wall1 and wall 3). No overlapping over the interior wall 4
 - Roof rafters (2 x 8) 24 inches on the center, we anticipate 10-12 on each side of the ridge board
 - Roof pitch 4:12
 - Ridge ventilation system
 - Asphalt shingles
 - Soffit and siding installation where new roof framing is being installed
 - R38 insulation between ceiling joists
- Kitchen will be converted to Bedroom 4. We will remove the gas line
- Windows 12 and 15 currently present in Bedroom 3 and kitchen, respectively, will be removed in the new framing
- Closet space will be created in bedrooms 3 and 4
- Current drywall/plaster on all the walls on this floor will be removed
- New R15 (for 2x4 walls) or R21 (for 2x6 walls) insulation will be installed in all exterior walls
- New dry wall will be installed on all the walls and ceilings
- New pergo flooring will be installed in all rooms
- New stand up shower will be installed in the bathroom
- New toilet will be installed in the bathroom
- New vanity will be installed in the bathroom
- All 6 windows on this floor will be replaced with new windows



Basement Renovations

- Currently sewer pipe is running through the stairs.
- A stair winder will be installed just above the point where pipe crosses through the staircase (see proposed renovation diagram) so that the pipe now passes just below the staircase.
- Washer and dryer will be installed in the basement under the staircase. Water drainage from the washer will be through a sump pump installed under a tray laundry sink and connected to the water drainage line for drainage (see attached diagram)



535 Maple Avenue, Conditional Use
Exhibit E - Photos of Existing Conditions





535

NO TRESPASSING
PRIVATE PROPERTY

Aug 13, 2020 1:52:58 PM
Hamilton



NO
TRESPASSING
PRIVATE PROPERTY
VIOLATORS WILL BE
PROSECUTED

535

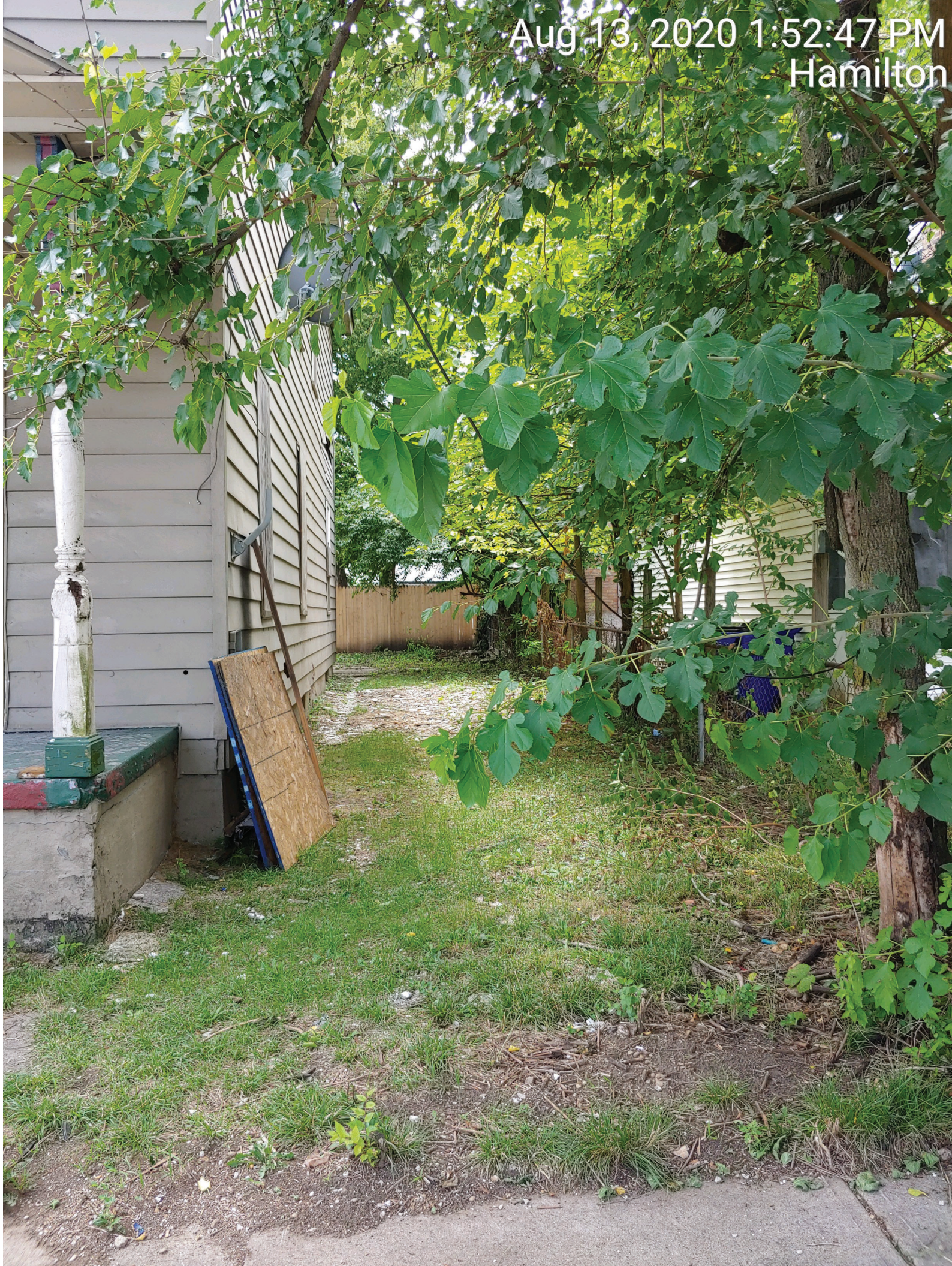


NO TRESPASSING
PRIVATE PROPERTY
VIOLATORS WILL BE PROSECUTED

535



Aug 13, 2020 1:52:47 PM
Hamilton



August 7, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, August 20, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/99601139722>. Webinar ID: 996 0113 9722.

The agenda for this hearing includes the following item:

- LOCATION:** 535 Maple Avenue (P6441019000067), Across from Hinkel's Body & Paint Shop, See map on the reverse side.
- APPLICANT:** Midwest Developers, LLC
- REQUEST:** The applicant is requesting a Conditional Use Certificate to allow the reoccupation of an existing vacant two-story structure as a Single Family Residence, on a property located in an I-1 (Limited Industrial) zoning district.

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 (revised site plan, images) 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-oh.gov/planningcommission>

The Planning Commission Agenda containing the staff report, application, and site plans will be updated as we approach the date of the Planning Commission meeting: Agenda link - <https://tinyurl.com/pc08202020>.

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205-6099 and when prompted dial the Webinar ID: 996 0113 9722
Or use this website link to access the online meeting: <https://zoom.us/j/99601139722>.

If you have any questions or comments concerning this matter, please forward your comments in writing for presentation at the meeting, or, please contact the Planning Department via email at planning@hamilton-oh.gov or contact **Ed Wilson, AICP** or **Liz Hayden, Planning Director** of the City of Hamilton Planning Department at (513) 785-7350.

Sincerely

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification Map



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



Areas

Override 1

Site Address Points

535 Maple Avenue





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

Agenda Item #3
535 Maple Ave

For the Planning Commission Meeting of August 20, 2020

To: Planning Commission
From: Daniel Tidyman, Associate City Planner
Ed Wilson III, AICP, Associate Planner II
Date: August 10, 2020

Subject: **AGENDA ITEM #3 – New Business**
535 Maple Avenue– Conditional Use

APPLICANT: Faisil Khan on behalf of Midwest Developers, LLC., Property Owner

LOCATION: 535 Maple Avenue, Hamilton, Ohio
Location⁵ ([Zoning Map](#)) | Location⁶ ([Google Maps](#))

REQUEST: Conditional Use Certificate to allow the reoccupation of an existing vacant two-story structure as a Single-Family Residence on a property located in an I-1 (Limited Industrial) zoning district. One (1) variance request pertaining to off street parking requirements from Section [1137.28](#) of the Hamilton Zoning Ordinance.

BASIC INFORMATION		
Applicant/Property Owner	Dr. Faisil Khan on behalf of Midwest Developers, LLC., Property Owner	
Architect/Engineer/Consultant	N/A	
Size of Property	3,049 square feet	
Current Zoning	I-1 (Limited Industrial) as listed in Section 1123.00 of the Hamilton Zoning Ordinance (HZO)	
Size of Revision	3,049 square feet	
ADJACENT LAND USE/ZONING INFORMATION		
Direction	Land Use	Zoning
North	Hinkel Paint and Body Shop	I-1 (Limited Industrial)
South	Residential	I-1 (Limited Industrial) and R-4 (Multi-Family Residence District)
East	K & R Landscaping	I-1 (Limited Industrial)
West	Residential	I-1 (Limited Industrial)

⁵ Shows 535 Maple Avenue using the Public Zoning Map

⁶ Shows the location of the site in question using Google Maps:

<https://www.google.com/maps/place/535+Maple+Ave.+Hamilton,+OH+45011/@39.396542,-84.5575045,208m/data=!3m2!1e3!4b1!4m5!3m4!1s0x88404656c4b27e5b:0x3b9508d1f9d802a9!8m!3d39.396542!4d-84.5569573>

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Staff Report Contents: 535 Maple Avenue, Conditional Use with Variance

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Section A: Introduction and Background

Section A.1: Project Overview

The submitted application pertains to the renovation and utilization of the building on the site in question, 535 Maple Avenue (See [Exhibit A](#)) as a single family residence dwelling. The I-1 (Limited Industrial) Zoning District allows for residential uses as a Conditional Use if approved by Planning Commission and City Council (see Exhibit [B](#) & [C](#) for the conditional use proposal and submitted project plans).

Section A.2: Existing Site Conditions

The site in question consists of one (1) parcel for a total area of 3,049 square feet. The property contains a two-story, metal sided, building. The structure has an entrance on the front, side, and rear facades of the structure. The floor plan of the first floor indicates a living room, dining room, kitchen, bedroom, and bathroom. The second floor currently shows spaces for a two (2) bedrooms, a loft, kitchen, and bathroom. Exterior improvements include an existing metal fence in the front yard, privacy fence on the rear property line, and a concrete pad in the rear of the property (see [Exhibit E](#) for photos of the property).

Section A.3: History

This is the first time this specific request for the site in question has been heard by the Planning Commission. The property is being brought to the Planning Commission after recently appealing to the Nuisance Appeals Board. The applicant purchased the property in in November 2019 through Butler County Sherriff Sale with the transfer being completed in April 2020. The purchase was made sight unseen and without the knowledge that the property was declared a public nuisance in March 2020.

The property has a history of complaints including tall grass/weeds, securing the structure, repairs to the exterior, repairs to the interior, garbage/rubbish, people residing within the structure without running utilities, fire and rehabilitation or demolition orders. A fire occurred on May 24, 2015 damaging the interior and exterior of the second floor (See [Exhibit E](#) for photos of the interior of the building).

The applicant's appeal to the board was tabled at the June 11, 2020 Nuisance Appeals Board (NAB) to allow the applicant the opportunity to show a good faith effort to submit permit applications and rehabilitate the property. Since the NAB meeting, the applicant has cleaned all garbage out the building, submitted a rehabilitation plan, and submitted a building permit application. Staff noted that residential uses are a Conditional Use. Staff scheduled a pre-application meeting with the applicant to discuss the process and the applicant submitted an application shortly after.

Report continued on the next page





Section B: Development Plan Review

Section B.1: Development Plan Overview ([Exhibit B](#))

The submitted Development Plan proposes exterior and interior alterations, including a change from a two (2) unit residential building to a single-family dwelling unit.

The Development Plan proposes:

1. Renovation of first floor
 - a) Complete renovation of all rooms
 - b) Reconfiguring space with new walls to enclose bedroom one (1)
 - c) New appliances and fixtures
2. Renovation of second floor
 - a) Complete renovation of all rooms
 - b) Converting kitchen into bedroom
 - c) New appliances and fixtures
3. Renovation of basement
 - a) New washer/dryer
 - b) New stair winder above existing sewer pipe
4. Renovation of the exterior space and yard
 - a) Replacement of front and rear yard fencing
 - b) Replace damaged front porch corner post with like material.
 - c) Repair concrete pad in rear of property and made level
 - d) Replacing roof over rear patio

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

1. Conditional Use Certificate for renovation and reactivation of the structure for single-family residential on property zoned I-1 (Limited Industrial).

The current proposal for residential includes:

- a. One (1) single-family dwelling unit

The specifics of the development proposal are discussed in greater detail in the next section.

Report continued on the next page





Section B.2 Conditional Use for the proposed renovation of an existing structure for single-family residential. ([Exhibit C](#))

Section B.2.1: Proposal Overview

The submitted Development Plan indicate the following:

1. Conditional Use for a single-family residence in I-1 (Limited Industrial) zoning.
 - a. To allow for renovation, construction, and occupation of a two story building into one (1) single-family dwelling unit.

Hamilton Zoning Ordinance, Definitions (Section [1108.00](#)) defines, family:

“[Family](#)”: A person living alone, or two or more persons related by blood or marriage living together as a housekeeping unit, and occupying a single dwelling unit; or a group of not more than four (4) persons, who need not be related by blood or marriage, living together as a housekeeping unit by joint agreement and occupying a single dwelling unit on a non-profit, cost sharing basis.

Section B.2.2: Interior Building Improvements

The submitted Development Plans indicate the following (See [Exhibit C](#)):

1. Interior Improvements on the first floor of the structure
 - a. Add/Remove Walls
 - i. Close off door between bedroom one (1) and stairs
 - ii. Demolish wall between kitchen and bedroom one (1)
 - iii. New wall between kitchen and bedroom one (1) with no opening
 - iv. New entry to bedroom one (1) through dining room
 - v. New entry to the staircase on the second floor created through the dining room
 - vi. False ceilings in dining room, kitchen, and bedroom one (1) will be removed and replaced with new drywall
 - vii. R13 Insulation installed in the middle in middle floor above these rooms
 - viii. All dry wall/plaster will be removed
 - ix. New Insulation
 1. R15 for 2 X 4 walls
 2. R21 for 2 X 6 in all exterior walls
 - x. New drywall on all walls and ceilings

Report continued on the next page





- b. Flooring
 - i. New pergo laminate flooring in all rooms

 - c. Bathroom
 - i. New bathtub with shower
 - ii. New vanity installed in bathroom
 - iii. New toilet in bathroom

 - d. Kitchen
 - i. New cabinets installed in kitchen
 - ii. New refrigerator and gas stove in kitchen
 - iii. All windows (seven (7) total) will be replaced with new windows
 - iv. All entry doors (three (3) total) will be replaced
2. Interior Improvements on the second floor of the structure
- a. Add/Remove Walls
 - i. Walls one (1) through five (5) will be demolished
 - ii. Remove all drywall and plaster
 - iii. New framing for walls one (1) through three (3)
 - 1. 2 X 6
 - iv. New Framing for walls four (4) and five (5)
 - 1. 2 X 4
 - v. New R15 insulation for 2 X 4 walls
 - vi. New R21 insulation for 2 X 6 walls and all exterior walls
 - vii. New drywall on all walls and ceilings

 - b. Flooring:
 - i. New pergo laminate flooring in all rooms

 - c. Bathroom
 - i. New stand up shower
 - ii. New toilet
 - iii. New bathroom vanity

 - d. Kitchen
 - i. Converted into bedroom four (4)

 - e. Windows
 - i. All six (6) windows replaced with new windows

Report continued on the next page





3. Interior improvements for basement
 - a. Stairs
 - i. Sewer pipe running through stairs
 - ii. Staircase winder installed above sewer pipe
 - iii. Water drainage through sump pump under tray laundry sink and connected to water drainage line.

Section B.2.3 Exterior and Site Improvements

1. Exterior improvements for the existing structure:
 - a. Fencing
 - i. Remove existing front yard chain-link fence
 - ii. Install 42" decorative metal fence in front yard
 - iii. Remove existing rear yard wooden fence
 - iv. Install 72" privacy fence in rear yard
 - b. Concrete Pad
 - i. Concrete Pad in rear of property will be repaired and leveled.
 - c. Rear Patio
 - i. Patio roof will be repaired

Section B.2.4 Parking

The submitted Development Plans indicate the following:

1. Existing Parking / Paved Area
 - a. The site does not have any alley access for parking in the rear of the lot.
 - b. The only possible option for parking for a structure of this size would be to utilize public on street parking.

Section B.2.5 Lighting

The submitted Development Plans indicate the following:

1. Motion detected flood lights have been installed in the front and rear of the property for safety.

Report continued on the next page





Section C: Interdepartmental Review

The City's Interdepartmental Review Committee evaluated the proposed Conditional Use Certificate to allow a Single-Family Residence on a property in the I-1 (Limited Industrial) zoning district.

Planning received no objections on the final proposal submitted. The applicant is complying with City Departments to take the correct route to complete work through standard permitting procedure. The applicant is reducing the occupancy from a duplex to a single-family dwelling. The applicant has agreed to additional requests from Planning Staff which includes providing appliances such as a washer and dryer in the basement for tenants.

Section D: Submitted Request

In order to accomplish the project as proposed in **Section B.1**, the applicant is requesting a Conditional Use Certificate pertaining to the following two (2) requests.

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

The applicant is seeking approval for a conditional use certificate to renovate and reactivate a vacant two-story structure with a single-family residential use, on property zoned I-1 (Limited Industrial).

The applicant's intention is to convert the duplex into a single family residence.

Request 2: Request for one (1) variance from Section [1137.28](#) of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spots.

The applicant is seeking relief from Section [1137.28](#) regarding required off street parking. The site in question has no alley access for parking in the rear or adequate space for a driveway in the front of the property. Paving a new driveway in the front of the property would remove what little greenspace is available in the front yard of the site.

Report continued on the next page





Section E: Statutes:

Section E.1 Governing Statutes

Section [1155.00](#) of the Hamilton Zoning Ordinance provides the basis, process, and review criteria for a Conditional Use Application. Section [1123.00](#) of the Zoning Ordinance governs the Limited Industrial District (I-1). The purpose of the I-1 District is to create areas that allow manufacturing, warehousing, distribution, office, and technology business in the City. It is intended to have such uses to provide employment and a suitable tax base. Such uses must also be clean, quiet, and free of hazardous or objectionable elements such as noise, odor, dust, smoke, or glare. This district is normally found in commercial areas however there are also areas of the City such as Maple Avenue which have residential uses within this zoning district.

Per Section [1123.37](#) of the HZO, the proposal for any residential use located on property zoned I-1 (Limited Industrial) requires a Conditional Use proposal and approval.

Plan Hamilton, the updated Comprehensive Plan meant to guide land use, planning, and zoning decisions for the city, indicates 535 Maple Avenue as part of the Urban Mixed Use future land use area. Urban Mixed Use is part of the community where the broadest mixture of land uses may be appropriate with well-designed structures and the use of transitional uses that are significantly different in scale or intensity. Residential uses as allowed in traditional residential category where existing homes exist or where such house supports nonresidential use are appropriate for this area. The property on 535 Maple Avenue aligns with a residential use in the traditional residential category and could support nonresidential uses in the area.

Section E.2 Findings for Approving a Conditional Use

Section [1155.30](#) (Conditional Uses – Application and Review, General Standards) contains specific findings outlined within the HZO for review and approval of a Conditional Use by the Planning Commission.

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:

Report continued on the next page





Conditional Use Criteria:

- (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.3 Findings for Granting a Variance

Section [1155.30.D](#) Conditional Use Review Criteria – Use Specific Standards and Variances

In reviewing an application for a Conditional Use, the Planning Commission 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 recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.

Section F: Notification

The Planning Department mailed Public Hearing Notices to the owners of 57 properties within 500 feet of the subject property per statute requirements. Staff posted a sign at the site, advertising the public hearing for the conditional use. (See [Exhibit F](#))

Report continued on the next page





Section G: Recommendations

The Staff recommendations to the Planning Commission are as listed below in the document. Additionally, Staff Recommended Conditions are also listed in Exhibit G as a separate summary document. (Please see [Exhibit G](#) for the conditions).

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

Staff recommends that the Planning Commission take action to recommend to City Council that they approve the Conditional Use Certificate for 535 Maple Avenue, to allow reoccupation of an existing structure with Single-Family residential, subject to the following conditions:

1. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments and future review requirements of the City of Hamilton Interdepartmental Review.
2. The total amount of residential units at the building shall not exceed one (1) unit.
3. The Conditional Use and single-family residential use shall adhere to the City of Hamilton Zoning Ordinance regulations, including abiding by the HZO's definition of a family, which states that the dwelling units shall not be rented to more than four (4) unrelated individuals at the same time.
4. The Conditional Use and subject property shall adhere to all applicable building, health, public safety, and fire code regulations. If issues are identified, the City shall work with the property owner to remedy issues. If issues are not resolved in a timely manner, the Conditional Use shall be revoked.
5. No light glare from any light source on the property shall extend beyond the property lines.
6. The four (4) residential units permitted will not exceed the space identified on the plan. None of the area identified on the plan as commercial will be utilized as residential.
7. The basement shall not be used for residential units, per State of Ohio Building Code. The storage units will not be built as rooms as shown on the building plans.
8. The building owner will make sure that the sidewalk remains in good condition and will repair any damage that occurs during construction.

Report continued on the next page





Request 2: Request for one (1) variance from Section [1137.28](#) of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spaces.

Staff recommends that the Planning Commission take action to recommend to City Council that they approve the variance request for 535 Maple Avenue, to grant relief from two (2) required parking spaces from Section [1137.28](#) spaces, subject to the following conditions:

1. That the requested variance complies with Section [1155.30.D](#)

Section H: Staff Basis / Comments

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

Staff finds the proposed Conditional Use for single-family residential on property zoned I-1 (Limited Industrial) district to be consistent with the intent and purpose of the Conditional Use regulations, and the purpose and intent of the Hamilton Zoning Ordinance (HZO) in the following ways:

- 1) The proposed repair and renovation of the structure for a single-family residential use and proposed conditions will not substantially injure the neighboring property, or the public convenience, health, safety, and welfare. It will not be hazardous to existing or future land uses, and will comply with applicable development standards.
- 2) The proposed Conditional Use, single-family residential, is located in a district wherein such use can be permitted, due to nature of the building and its location in a traditional urban neighborhood, and its adjacency to R-4 (Multi-family Residential) district to the south.
- 3) The proposed project, single-family residential use will be harmonious with adjacent residential uses and will not change the essential character of the same area, due to the proposed restoration of the property.
- 4) The proposed Conditional Use will be adequately served by essential public facilities and services as part of the overall project.
- 5) The proposed Conditional Use has one vehicular approach to the property from Maple Avenue. The tenants will be able to utilize existing on street parking without

Report continued on the next page





interfering with traffic.

- 6) The proposed Conditional Use will not impede the normal and orderly development. The recommended conditions pertaining to the residential use will address restoring the building, potential litter, and orderliness and cleanliness of the property.
- 7) The proposed reactivation of an existing two-story structure with single-family is consistent with Plan Hamilton, the update to the City's comprehensive plan which identifies the area for Urban Mixed Use, promoting traditional residential category where existing homes exist or such housing supports nonresidential uses.
- 8) The submitted plans meet the requirements of City Staff and have been approved with no objection through the interdepartmental review process.

Request 2: Request for one (1) variance from Section [1137.28](#) of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spaces.

1. There are exceptional circumstances that apply to this property. The existing size of the property and its location do not provide the means for off-street parking. There is no alley access for parking in the rear of the property. Paving an access drive in the front of the property would remove what little greenspace is currently present on the property.
2. Not granting this variance would infringe on the property rights of the owner. Denying this variance request would prevent the property owner from completing renovations and occupying the property with a tenant.
3. Granting this variance will not be detrimental to the property or surrounding properties. Granting this variance will allow the property owner to proceed with renovations and occupy this structure as a single family residence. Adequate public on street parking can still be provided in front of the property.
4. The request is not of general nature given the location and existing conditions of the property. Although most properties in traditional neighborhoods have alley access for parking in the rear. This property lacks alley access for off street parking in the rear and lacks space in the front yard to create a parking space.

Report continued on the next page





Section I: Attachments:

- 1) Exhibit A - [Location Map](#)
- 2) Exhibit B - [Application for Conditional Use](#)
- 3) Exhibit C - [Proposal and Site Plans](#)
- 4) Exhibit D - [Zoning Map](#)
- 5) Exhibit E - [Photos of 535 Maple Avenue](#)
- 6) Exhibit F - [Public Hearing Notice: 535 Maple Avenue, Conditional Use proposal](#)
- 7) Exhibit G - [Conditions of Approval](#)

Report continued on the next page





APPLICATION INFORMATION	
Applicant/Property Owner	Faisil Khan on behalf of Midwest Developers, LLC., Property Owner
Property Location	535 Maple Avenue
Size of Property	3049 Square Feet
Current Zoning	I-1 (Limited Industrial)
Proposed Request:	Conditional Use Certificate to allow the reoccupation of an existing vacant two-story structure as a Single-Family Residence on a property located in an I-1 (Limited Industrial) zoning district. One (1) variance request pertaining to off street parking requirements from Section 1137.28 of the Hamilton Zoning Ordinance.
Petition Date	August 20, 2020

Conditions of Approval:

The Staff recommendations to the Planning Commission are as listed below in the document. Additionally, Staff Recommended Conditions are also listed in Exhibit E as a separate summary document. (Please see Exhibit E for the conditions).

Request 1: Conditional Use Certificate for single-family residential in an existing two-story building, on property zoned I-1 (Limited Industrial).

Staff recommends that the Planning Commission take action to recommend to City Council that they approve the Conditional Use Certificate for 535 Maple Avenue, to allow reoccupation of an existing structure with Single-Family residential, subject to the following conditions:

1. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments and future review requirements of the City of Hamilton Interdepartmental Review.
2. The total amount of residential units at the building shall not exceed one (1) unit.
3. The Conditional Use and single-family residential use shall adhere to the City of Hamilton Zoning Ordinance regulations, including abiding by the HZO’s definition of a family, which states that the dwelling units shall not be rented to more than four (4) unrelated individuals at the same time.
4. The Conditional Use and subject property shall adhere to all applicable building, health, public safety, and fire code regulations. If issues are identified, the City shall work with the property owner to remedy issues. If issues are not resolved in a timely manner, the Conditional Use shall be revoked.

Report continued on the next page



5. No light glare from any light source on the property shall extend beyond the property lines.
6. The four (4) residential units permitted will not exceed the space identified on the plan. None of the area identified on the plan as commercial will be utilized as residential.
7. The basement shall not be used for residential units, per State of Ohio Building Code. The storage units will not be built as rooms as shown on the building plans.
8. The building owner will make sure that the sidewalk remains in good condition and will repair any damage that occurs during construction.

Request 2: Request for one (1) variance from Section 1137.28 of the Hamilton Zoning ordinance pertaining to relief from two (2) required off street parking spaces.

Staff recommends that the Planning Commission take action to recommend to City Council that they approve the variance request for 535 Maple Avenue, to grant relief from two (2) required parking spaces from Section 1137.28 spaces, subject to the following conditions:

1. That the requested variance complies with Section 1155.31.D

Report continued on the next page



City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

RE: Recommendation Relative to an Enterprise Zone Application for Origin Venture LLC (dba Saica Group).

<input type="checkbox"/>	1 st Reading Date:
<input type="checkbox"/>	2 nd Reading Date:
<input checked="" type="checkbox"/>	Resolution Date: 9-9-2020
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The City of Hamilton and Origin Venture LLC (dba Saica Group) has been in discussions regarding their industrial project in the City at Hamilton Enterprise Park. Origin Venture has requested Enterprise Zone tax abatement for the project.

The total project is estimated at \$72 million. This involves the construction of an approximate 350,000 square foot industrial building. Saica Group anticipates creating sixty-four (64) jobs within three (3) years with an annual payroll of approximately \$4.7 million. City staff is recommending a 75% reduction of real property tax liability for ten (10) years.

Pursuant to the Ohio Revised Code, the Hamilton City School District is being provided the appropriate notice and project data.

The parties' application request has been reviewed. We have determined that the above entity meets the requirements of the Enterprise Zone laws, displays the necessary financial responsibility and business experience to create and preserve employment opportunities in the Enterprise Zone and improve the economic climate of the City of Hamilton. Therefore, it is the determination of this office that the local tax abatement is granted in order to create jobs in the city.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Joshua A. Smith
City Manager

Caucus Report Prepared By:

Jody Gunderson
Economic Development Director



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: Recommendation Relative to Saica Group – Local Job Creation Tax Credit

<input type="checkbox"/>	1 st Reading Date:
<input type="checkbox"/>	2 nd Reading Date:
<input checked="" type="checkbox"/>	Resolution Date: 9-9-2020
<input type="checkbox"/>	Public Hearing Date:

Dear Mayor and Members of Council:

The Economic Development Department is recommending the City enter a Local Job Creation Tax Credit (JCTC) Agreement with Saica Group (real property owner – Origin Venture LLC) for 75% for a period of eight (8) years. The State of Ohio has approved a similar JCTC at the state level for this project.

Saica Group will create 64 new jobs with an approximate payroll of \$4.7 million. The total project investment will be approximately \$72 million.

It is the recommendation of this office that Council receives this report, concurs in the recommendation, and directs the preparation of the necessary legislation.

Sincerely,

Caucus Report Prepared By:

Joshua A. Smith
City Manager

Jody Gunderson
Economic Development Director

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 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 approval to expand an existing self-storage facility at 1010 Cleveland Avenue located in an I-1 Limited Industrial Zoning District, situated in the First Ward, City of Hamilton, Ohio.

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input 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: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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): 7-22-2020 Caucus Report City Council Meeting Planning Commission: 7-2-2020</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	Budgeted: \$200.00 Expenditure: \$200.00 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 approve a Conditional Use Certificate, allowing 27 Property LLC, doing business as Key Storage, to expand an existing self-storage facility at 1010 Cleveland Avenue, Parcel #P6411046000073?

Policy Alternative(s)

Council may choose not to adopt such legislation to approve a Conditional Use Certificate, allowing 27 Property LLC, doing business as Key Storage, to expand an existing self-storage facility at 1010 Cleveland Avenue, Parcel #P6411046000073. Additionally, Council may choose to suggest additional conditions for approval.

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 27 Property LLC, doing business as Key Storage, to expand an existing self-storage facility at 1010 Cleveland Avenue, Parcel #P6411046000073, based on the Planning Commission's recommendation to approve from its July 2, 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, allowing 27 PROPERTY LLC, doing business as Key Storage, to expand an existing self-storage facility at 1010 Cleveland Avenue, Parcel #P6411046000073, is estimated at approximately \$200.00.

Background Information

The property is 1.78-acres with a pre-existing self-storage business. There are six (6) exiting storage buildings on the property. There is a separate office building located next to the gated entry at the southerly end of the property.

The entrance and all drive aisles between and around the buildings are paved with asphalt. A six-foot (6') high chain-link fence with barbed wire on top of it encloses the entire property.

Submission Details

The applicant proposes an on-site expansion of the self-storage business by adding twenty-four (24) prefabricated storage units. Each individual unit will be eight (8) feet high, eight (8) feet wide and twenty (20) feet deep; with roll up doors on one (1) end.

The applicant proposes installing twelve (12) of the units at the northerly end of the asphalt-paved lot just beyond the northern most existing building. There will be an additional twelve (12) units placed at the southern end of the asphalt-paved lot. Three will be on the east side of the southernmost exiting building and the other nine (9) units will be on the west side of the same building.

In addition to the proposed new units, the owners propose to repair and seal coat the entire asphalt paved area.

Statutes

Per Section 1123.39.11 Hamilton Zoning Ordinance, a self-storage facility requires a Conditional Use Approval from the Planning Commission and City Council.

Per Section 1155.30 (Conditional Uses – Application and Review, General Standards), Hamilton Zoning Ordinance, specific findings outlined for review and approval of a Conditional Use by the Planning Commission.

Interdepartmental Review:

The plans were circulated for Interdepartmental Review. There were no comments or objections.

Planning Commission Recommendation

At their July 2, 2020 meeting, the Planning Commission recommended that City Council approve the Conditional Use for the expansion of the self-storage business at 1010 Cleveland Avenue, subject to the following conditions:

Conditions of Approval:

1. There will be no expansion in the hours of operation.
2. The rusted areas of the fence, fence post and gate at the Cleveland Avenue frontage shall be painted.
3. Units shall not be stacked.
4. The number of new units is limited to twenty-four (24) the addition of any more units will require another conditional use approval.



5. All required permits and inspections shall be obtained prior to the new units being utilized.
6. All site improvements as proposed and all conditions shall be in compliance prior to the new units being placed on the property.
7. 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.

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 - Recommended Conditions of Approval
- 3) Exhibit C - Location Map
- 4) Exhibit D - Zoning Map
- 5) Exhibit E - Notice of Public Hearing Letter
- 6) Exhibit F - Planning Commission Staff Report

Copies Provided to:

N/A





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: 1010 Cleveland Ave, Hamilton OH 45013

Property Owner: Nathan Chamberlin

Owner's Mailing Address: 1867 Millville Oxford Rd

Email Address: nathan@extremeaudioandvideo.com Phone Number: 513-535-7000

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: Self Storage

Date Previous Use Discontinued: _____


Proposed New Use of Property: Self Storage

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: 6/12/2020

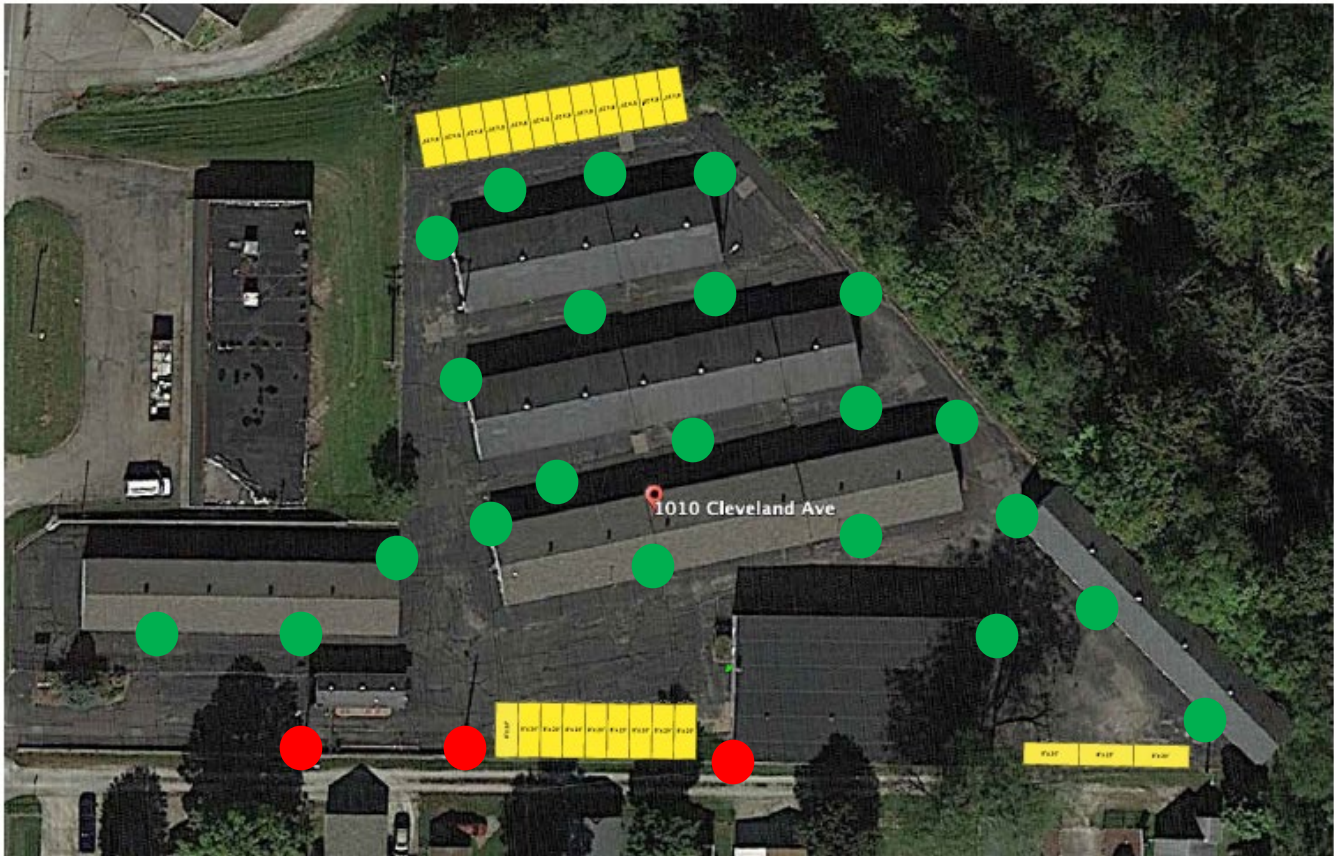
Property Owner's Signature:  Date: 6/12/2020

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

Key Storage
1010 Cleveland Ave
Hamilton, Ohio 45013

Conditional Use Application for 24 Portable Storage Units

1. Please see attached document.
2. The daily access hours are 6 a.m. until 10:00p.m. The manager is on site approximately 20 hours per week and is available by cell.
3. The lot is scheduled for the cracks to be filled and seal coated within the coming weeks. Painting of the buildings is in the works for this year.
4. The portable units will be at least 5-ft from the property line.
5. The existing grade of dirt will change on the north side and the area near the entrance gate will consist of an Allan block wall.
6. Please see attached document. The lights on the facility are aimed so as not to cause any issues with the neighbors around the facility.
7. 20 security cameras, 6ft chain link fencing with barbed wire at the top. A keypad that each customer has to have a code to enter or exit. Updated LED lighting thru out the facility.



● Exterior Building Lights

● Exterior Pole lights





EXHIBIT B




APPLICATION INFORMATION	
Applicant/Property Owner	27 Properties LLC dba Key Storage - Nathan Chamberlin
Property Location	1010 Cleveland Avenue
Size of Property	1.78 Acres
Current Zoning	I-1 (Limited Industrial) District
Proposed Request:	Request for a Conditional Use to Expand an existing Self-Storage Facility by adding 24 prefabricated storage units.
Petition Date	06/12/2020

Request: Request for a Conditional Use to expand an existing self-storage facility.

Revised Conditions of Approval:

1. There will be no expansion in the hours of operation.
2. The rusted areas of the fence, fence post and gate at the Cleveland Avenue frontage shall be painted.
3. Units shall not be stacked.
4. The number of new units is limited to twenty-four (24) the addition of any more units will require another conditional use approval.
5. All required permits and inspections shall be obtained prior to the new units being utilized.
6. All site improvements as proposed and all conditions shall be in compliance prior to the new units being placed on the property.
7. 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.




Lines
 Override 1
 Site Address Points
 Owner Parcels

1010 Cleveland Ave





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

Lines

- Override 1
- Site Address Points

1010 Cleveland Zoning Map





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

EXHIBIT E

June 16, 2020

NOTICE OF PUBLIC HEARING

LOCATION: 1010 Cleveland Avenue
APPLICANT: Key Storage - Nathan Chamberlin

REQUEST: The applicant is requesting a Conditional Use Approval to expand an existing self-storage facility by adding twenty-four (24) eight feet wide and twenty feet long prefabricated storage units. The site is located within an I-1, Limited Industrial Zoning District.

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday, July 2, 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,

LJ Bagford

Larry Bagford, CFM
Planning & Zoning Specialist



See Reverse Side for Public Hearing Notification Map

EXHIBIT F

For the Planning Commission Meeting of July 2, 2020

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

Date: June 15, 2020

Subject: AGENDA ITEM # 1–New Business
APPLICANT: Key Storage
LOCATION: 1010 Cleveland Avenue – Parcel # P6411046000073
REQUEST: Request for a Conditional Use to expand an existing self-storage facility.

BASIC INFORMATION		
Applicant/Property Owner	27 Properties LLC dba Key Storage – Nathan Chamberlin	
Architect/Engineer/Consultant	N/A	
Size of Property	1.78 Acres	
Current Zoning	I-1 Limited Industrial District	
Requests	Request for a Conditional Use to Expand an existing Self-Storage Facility by adding 24 prefabricated storage units.	
Size of Revision	24 - 20'X8' units	
ADJACENT LAND USE/ZONING INFORMATION		
<i>Direction</i>	<i>Land Use</i>	<i>Zoning</i>
North	Automotive Repair Business and a Cell Tower	I-1 Limited Industrial Zoning District
South	Single- Family Residence	R-2 Single-Family Residence Zoning District
East	Beltline Bikeway and Public Park	R-1 Single-Family Residence Zoning District
West	Wilson Park	R-2 Single-Family Residence Zoning District

Section A: Introduction and Background

Section A.1: Project Overview

Report continued on the next page





27 PROPERTY LLC, doing business as Key Storage, represented by Mr. Nathan Chamberlin, is requesting a Conditional Use Approval to expand an existing self-storage facility at 1010 Cleveland Avenue, Parcel #P6411046000073. This property is located in an I-1 Limited Industrial Zoning District. Per Section 1134.39.11 of the Hamilton Zoning Ordinance (HZO), a self-storage facility requires a Conditional Use Approval in the I-1, Limited Industrial Zoning District.

Section A.2: Existing Site Conditions

The property is 1.78-acres with a pre-existing self-storage business. There are six (6) exiting storage buildings on the property. There is a separate office building located next to the gated entry at the southerly end of the property.

The entrance and all drive aisles between and around the buildings are paved with asphalt. A six-foot high chain-link fence with barbed wire on top of it encloses the entire property.

Section A.3: History

The Butler County Auditors records indicate s a storage business has operated at this location since 1948. There are no records of property maintenance complaints or zoning violations concerning this location.

Section B: Petition Review

Section B.1: Review of Applicant Submittal Materials

The applicant proposes an on-site expansion of the self-storage business by adding 24 prefabricated storage units. Each individual unit will be eight (8) feet high, eight (8) feet wide and twenty (20) feet deep; with roll up doors on one end. The applicant proposes installing twelve (12) of the units at the northerly end of the asphalt-paved lot just beyond the northern most existing building.

There will be an additional twelve (12) units placed at the southern end of the asphalt-paved lot. Three will be on the east side of the southernmost exiting building and the other nine (9) units will be on the west side of the same building.

In addition to the proposed new units, the owners propose to repair and seal coat the entire asphalt paved area.

Section B.3: Submitted Request

27 Properties LLC is requesting a Conditional Use Approval in order to expand the self-storage facility 1010 Cleveland Avenue, Parcel #P6411046000073.

Report continued on the next page





Section C: Statutes

Section C.1: Conditional Use

Per Section 1123.39.11 HZO; a self-storage facility 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.

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.

Report continued on the next page





- (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.

Section C.2: 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.

The fact that this business has been here for years is testimony to its harmonious operation in this neighborhood setting.

While the existing use does not align perfectly with Plan Hamilton's land use map, the ability to have a self-storage facility adjacent to this area allows the residents in the area to have a secure facility close by to store excess household goods and furniture.

Section D: Notification

Notices were sent to 95 property owners within 500 feet of the subject property. As of the printing of this report, we have had no responses.

Section E: Recommendation:

A conditional use approval for the expansion of an existing self-storage facility at 1010 Cleveland Avenue, Parcel # P6411046000073

Staff recommends that Planning Commission provide a recommendation to City Council to approve the Conditional Use for the expansion of the self-storage business on the site in question, subject to the following conditions:

Conditions of Approval:

1. There will be no expansion in the hours of operation.
2. All the new units shall be placed a minimum of five feet from any property line in order for the areas around the units to be maintained free of tall grass, weeds and litter.

Report continued on the next page





3. The rusted areas of the fence, fence post and gate at the Cleveland Avenue frontage shall be painted.
4. Units shall not be stacked.
5. The number of new units is limited to twenty-four (24) the addition of any more units will require another conditional use approval.
6. All required permits and inspections shall be obtained prior to the business commencing operation.
7. All site improvements as proposed and all conditions shall be in compliance prior to the new units being placed on the property.
8. 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.

Section F: Staff Basis / Comments

1. The proposed Conditional Use will allow a moderate expansion of an existing business that has operated at this location for decades with no adverse effects on the existing character of the general vicinity, and such use has not changed the essential character of the same area.
2. The 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.
3. The use is not hazardous to nor will it have a negative impact on existing or future neighboring uses.
4. The use does not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
5. The proposed site improvements ensure this property retains its value and usefulness to the community.

Report continued on the next page





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 APPROVAL TO EXPAND AN EXISTING SELF-STORAGE FACILITY AT 1010 CLEVELAND AVENUE LOCATED IN AN I-1 LIMITED INDUSTRIAL ZONING DISTRICT, SITUATED IN THE FIRST WARD, CITY OF HAMILTON, OHIO.

WHEREAS, the Administration of the City of Hamilton, Ohio received an application for a Conditional Use request from 27 Property LLC, doing business as Key Storage, to expand an existing self-storage facility at 1010 Cleveland Avenue, Parcel Number P6411046000073; and

WHEREAS, Section 1123.39.11 Hamilton Zoning Ordinance, requires a Conditional Use Approval for a self-storage facility in the I-1 (Limited 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 approval to expand an existing self-storage facility at 1010 Cleveland Avenue – Parcel Number P6411046000073 - located in an I-1 limited industrial zoning district., situated in the sixth ward, City of Hamilton, Ohio, held at the Hamilton Planning Commission meeting of July 2, 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 allowing 27 Property LLC, doing business as Key Storage, to expand an existing self-storage facility at 1010 Cleveland Avenue in Exhibit A as proposed and with the conditions as listed in Exhibit B, 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 expand an existing Self-Storage Facility At 1010 Cleveland Avenue – Parcel Number P6411046000073 - located In an I-1 Limited Industrial Zoning District in the First 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 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.

Ordinance No. _____ (cont'd)

- 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.

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

PASSED: _____

Effective Date: _____

Mayor

ATTEST: _____
City Clerk

CERTIFICATE

I, 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

Conditions of Approval for 1010 Cleveland Avenue

1. There will be no expansion in the hours of operation.
2. The rusted areas of the fence, fence post and gate at the Cleveland Avenue frontage shall be painted.
3. Units shall not be stacked.
4. The number of new units is limited to twenty-four (24) the addition of any more units will require another conditional use approval.
5. All required permits and inspections shall be obtained prior to the new units being utilized.
6. All site improvements as proposed and all conditions shall be in compliance prior to the new units being placed on the property.
7. 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.

City Council Meeting Staff Report

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

Report From: Liz Hayden, Planning Director

Agenda Item: An ordinance approving a request for a conditional use certificate to operate an automotive service and minor repair business at 3000 Dixie Highway, property zoned I-1 Limited Industrial Zoning District, situated in the Sixth Ward, City of Hamilton, Ohio.

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input checked="" type="checkbox"/> I Realize new investments <input type="checkbox"/> J Increase gross wages <input checked="" type="checkbox"/> P Increase property values <input checked="" 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: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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): 7-22-2020 Caucus Report City Council Meeting Planning Commission: 7-16-2020</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	Budgeted: \$1,000.00	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	Expenditure: \$1,000.00	
	Source Funds:	

Policy Issue

Does City Council wish to approve a Conditional Use Certificate, allowing Auto Express to operate an Automotive Service and Minor Repair business at 3000 Dixie Highway, Hamilton, Ohio?

Policy Alternative(s)

Council may choose not to adopt such legislation to approve a Conditional Use Certificate, allowing Auto Express to operate an Automotive Service and Minor Repair business at 3000 Dixie Highway. Council may also wish to add or amend conditions as part of Council's Conditional Use approval.

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 Auto Express to operate an Automotive Service and Minor Repair business at 3000 Dixie Highway.



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, work completed to establish a multiuse path easement, and real estate work to transfer City-owned property to Auto Express as part of this project, is estimated at approximately \$1,000.00.

Background Information

Auto Express currently operates automotive service and minor repair at 3000 Dixie Highway (See Exhibit A, Location Map). This project proposes demolition of the existing buildings to be replaced with a larger building that will be a similar design to the building Auto Express built in 2018 at 2980 Dixie Highway, directly north of this property.

The proposal includes acquiring an adjacent parcel that is owned by the City of Hamilton, which will be paved and used as a parking lot. The project also includes the applicant providing a six foot (6') easement to the City of Hamilton for a proposed future multimodal path. The regional Miami 2 Miami Trail is projected to use this route. The projected investment in the property is \$600,000. Auto Express needs a new Conditional Use approval because they are expanding the business operations onto a new parcel.

The building is 4,029 square feet and will face Dixie Highway. There are three (3) bay areas of the detailing garage area that will be used for detailing cars and preparing them for customers once the cars are purchased. There is an additional rinsing bay that is part of the detailing process and will not be open to the public as a car wash. The building will also contain office space and bathrooms. The hours of operation for Auto Express are 10am-7pm Monday-Friday and 9:30am-4:30pm on Saturdays.

Variance Requests

The proposed development requested five (5) variances from the Hamilton Zoning Ordinance's Commercial Design Standards and Regulations for Automotive Service and Minor Repair. The Planning Commission approved four (4) variances and denied one (1) variance. They are the following:

Denied Variance

1. Section 1111.20 Commercial Design Standards – Landscaping
 - a. Zoning Code Requirement – 4 trees and 12 bushes
 - b. Proposed Design – 12 bushes
 - c. Existing Conditions – No landscaping

Planning Commission requested that the property owner find a location for four (4) trees or the equivalent of four (4) trees, which would be twelve (12) more bushes or twenty-four (24) flowering plants.

Approved Variances

1. Section 1111.31 Commercial Design Standards – Exterior Materials
 - a. Zoning Code Requirement – “These types of materials may be used for trim, detailing, and incidental or secondary wall areas. These secondary materials may not exceed 25% of the exterior wall surface area. Permitted secondary materials include; architectural grade metals...”
 - b. Proposed Design – Architectural grade metal panels are 87% of the building material.
 - c. Existing Condition – Painted cinderblock buildings
2. Section 1111.31 Commercial Design Standards – Transparency
 - a. Zoning Code Requirement – “Side elevations that face a public roadway or which are highly visible from the right of way shall provide at least thirty (30) percent window or transparency at the pedestrian level.”
 - b. Proposed Design – 37% transparency using glass block windows instead of transparent glass. Because glass block is opaque, the proposal required a variance.
 - c. Existing Condition – Zero Percent Transparency



3. Section 1123.38.2 - Automotive Service and Minor Repair in I-1 (Limited Industrial) Zoning –10-foot setbacks
 - a. Zoning Code Requirement – “Automobiles awaiting repair, shall be located on a paved surface and shall have a minimum setback of ten (10) feet from any property line. The area for parking of vehicles shall comply with the side and rear building setback requirements set for the district in which the lot is located or be at least (10) feet, whichever is greater.”
 - b. Proposed Design –
 - i. Front yard setback – Zero (0) foot setback
 - ii. Side yard setback (North) – 12-foot setback
 - iii. Side yard setback (South) – Two (2) foot setback
 - iv. Rear yard setback – Zero (0) foot setback
 - c. Existing Conditions –
 - i. Front yard setback – Zero (0) foot setback
 - ii. Side yard setback (North) – Zero (0) foot setback
 - iii. Side yard setback (South) – Zero (0) foot setback
 - iv. Rear yard setback – Zero (0) foot setback

4. Section 1123.38.2 - Automotive Service and Minor Repair in I-1 (Limited Industrial) Zoning –Driveway and parking distance to property lines
 - a. Zoning Code Requirement – “Parking and related driveways and paved areas may be erected in a front yard, but not less than twenty (20) feet from any property line.”
 - b. Proposed Design – Two (2) foot setback
 - c. Existing Design – Zero (0) foot setback to property line

Statutes

Section 1123.38.2 of the Hamilton Zoning Ordinance (HZO) governs Automotive Service and Minor Automotive Repair in the I-1 Limited Industrial Zoning District. The purpose is to establish requirements for this use in this Zoning District.

The purpose of Section 1111.00 Commercial Design Standards is to “establish architectural, landscaping, design, building and site development regulations that encourage higher quality development and function in order to protect property values, provide safe and efficient access for the pedestrian and automobile, and protect real estate from impairment or destruction of value.”

Interdepartmental Review:

The plans were circulated for Interdepartmental Review. No objections were received.

Planning Commission Recommendation

On July 16, 2020, the Planning Commission recommended Council approve a conditional use allowing Auto Express to operate an Automotive Service and Minor Repair business at 3000 Dixie Highway with the following conditions of approval:

Conditions of Approval:

1. The project shall be compliant with the Commercial Design Standards set forth in Section 1111.00 of the Hamilton Zoning Ordinance with the exceptions noted in the variance requests and as approved by Planning Commission and City Council.
 - a. Planning Commission voted to approve the following variances at their July 16th, 2020 meeting:
 - i. Variance to the Commercial Design Standards for a building materials variance to allow for architectural grade metal panels for 87% of the building material.



- ii. Variance to the Commercial Design Standards to allow Auto Express to use glass block windows to meet the transparency requirements for the side building elevation facing Bobmeyer Road.
 - iii. Variance to the Automotive Service and Minor Repair regulations to allow for a zero (0) foot setback from the property lines for parking of vehicles.
 - iv. Variance to the Automotive Service and Minor Repair regulations to allow for a zero (0) foot setback for driveway and parking distances from adjacent property lines.
- b. Planning Commission voted to deny the following variance at their July 16th, 2020 meeting:
- i. Variance to the Commercial Design Standards to reduce the landscaping requirement by four (4) trees or the equivalent of four (4) trees is denied.
2. There shall be no window signs or other obstructions in the building. All windows will have an opacity maximum of 35% except for the glass block window on the side elevation facing Bobmeyer Road.
 3. The HVAC equipment will be screened per the Commercial Design Standards.
 4. All proposed and future signage (permanent or temporary) on site shall comply with the regulations of the Hamilton Zoning Ordinance.
 5. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments, and future review requirements of the City of Hamilton Interdepartmental Review.
 6. All landscaping, site improvements, exterior finishes and other improvements shall be installed and maintained in good repair and replaced as necessary to remain in compliance with the relevant City of Hamilton codes.
 7. All automotive service or repair shall occur indoors.
 8. No exterior storage or exterior sales of merchandise or material on the site in question, including but not limited to auto parts and tires.
 9. No salvaging of parts of vehicles shall occur on site.
 10. No vehicles shall be parked on gravel, grass, or unpaved surfaces.
 11. That a lot combination of Parcel P6462006000079 and the future parcel currently owned by the City of Hamilton shall be completed prior to any new construction work being done on the site in question.
 12. No vehicles shall be parked on the multiuse path easement. When the multiuse path is built, vehicles will be setback from the multiuse path at a safe distance.
 13. All fluids, tires, batteries, and other discarded hazardous materials shall be recycled or removed in accordance with local, state, and federal standards.
 14. The dumpster shall be enclosed by a solid wooden fence to be sufficiently screened from view from right-of-way, in accordance with the Commercial Design Standards.
 15. The City of Hamilton shall track public safety calls and nuisance complaints associated with the applicant and the property. If issues are identified, the property owners and business operators will work with the City to rectify issues. If issues are not resolved in a timely manner, the Conditional Use may be revoked.



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

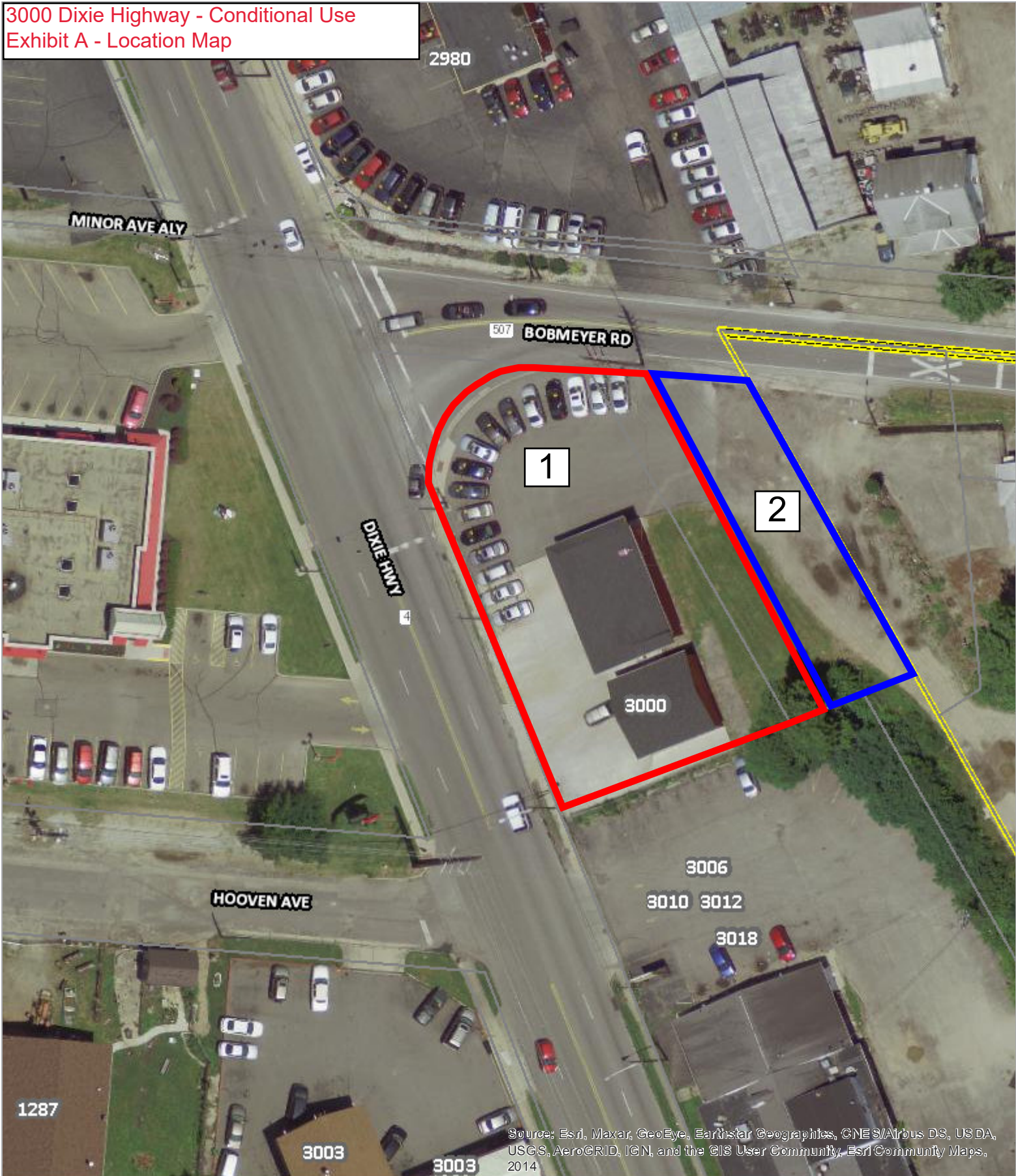
- 1) Exhibit A – Location Map
- 2) Exhibit B – Application and Project Details
- 3) Exhibit C - Zoning Map
- 4) Exhibit D – Public Hearing Notice
- 5) Exhibit E – Planning Commission Report
- 6) Exhibit F – Conditions of Approval

Copies Provided to:

N/A



3000 Dixie Highway - Conditional Use
Exhibit A - Location Map



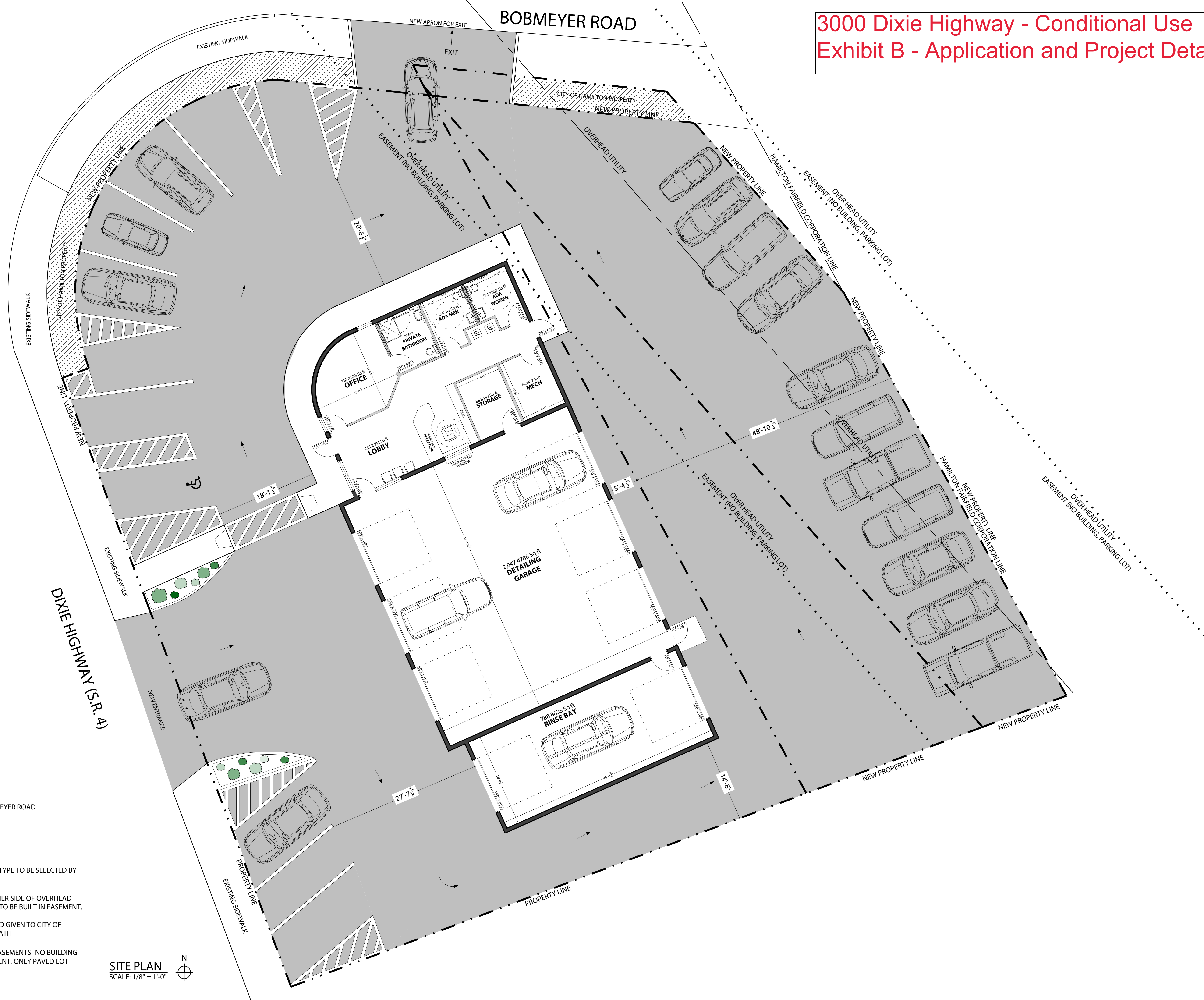
Site Address Points

- 1. 3000 Dixie Hwy (Red)
- 2. City-Owned Parcel (Blue)

3000 Dixie Hwy



3000 Dixie Highway - Conditional Use
Exhibit B - Application and Project Details



NOTES
- ENTIRE LOT TO BE PAVED
- NEW DRIVE APRON/ENTRY AT RT4 AND BOBMEYER ROAD
- NEW PARKING LAYOUT AND NEW BUILDING

NOTES

- MEDIUM SIZED BUSH. TYPE TO BE SELECTED BY CITY ARBORIST.
- 25'0" SETBACK ON EITHER SIDE OF OVERHEAD UTILITY. NO BUILDING TO BE BUILT IN EASEMENT.
- 10'0" SETBACK OF LAND GIVEN TO CITY OF HAMILTON FOR BIKE PATH
- OUTLINE OF UTILITY EASEMENTS- NO BUILDING TO BE BUILT IN EASEMENT, ONLY PAVED LOT
- PROPERTY LINE
- NEW PROPERTY LINE
- OVERHEAD UTILITY TRANSMISSION LINES

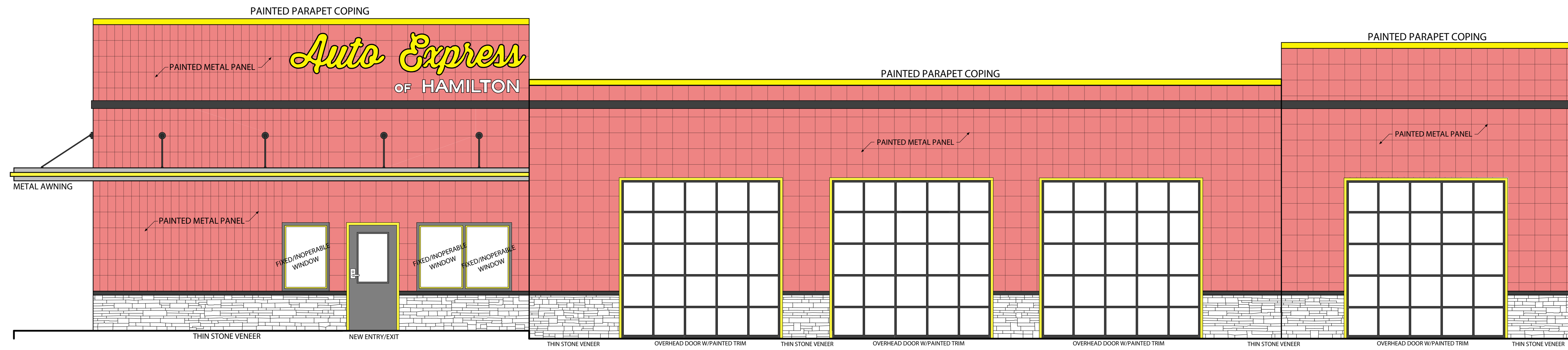
SITE PLAN
SCALE: 1/8" = 1'-0"



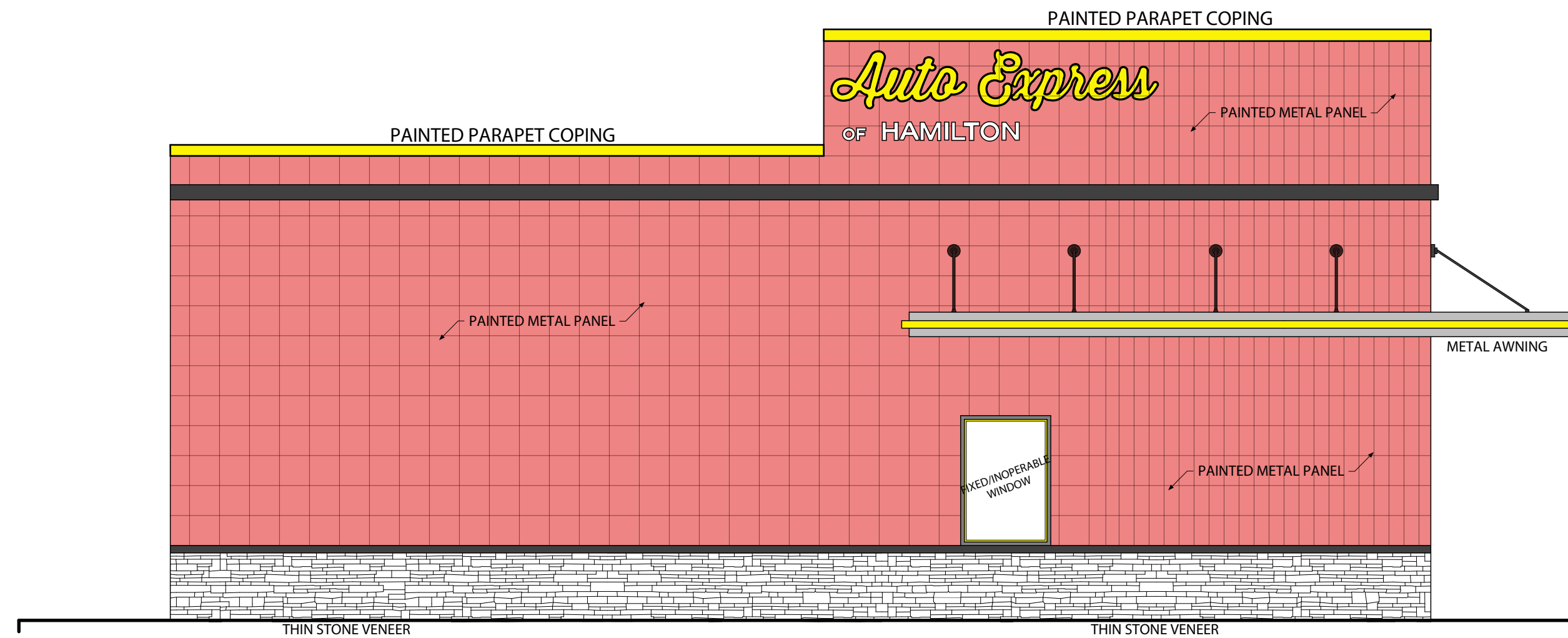
Auto Express
OF HAMILTON

3000 DIXIE HIGHWAY
HAMILTON, OHIO 45011

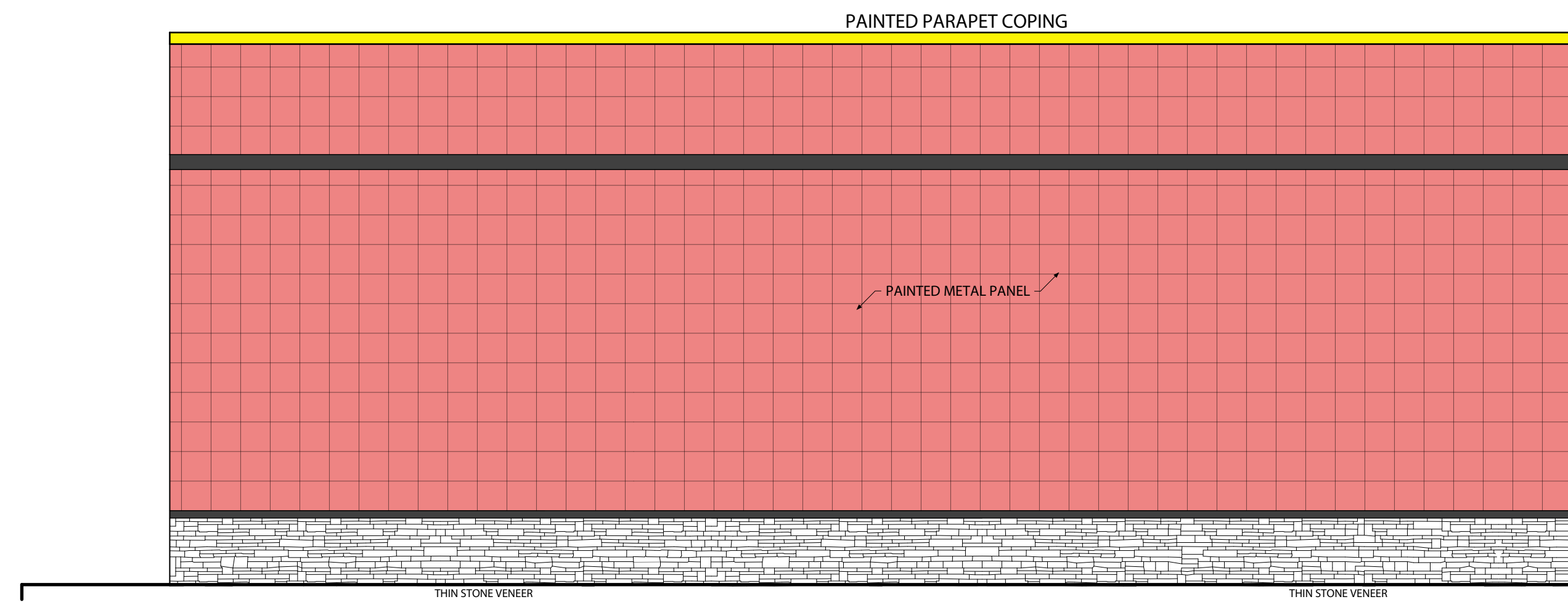
SITE PLAN
DATE: JUNE 25, 2020
SHEET NO.



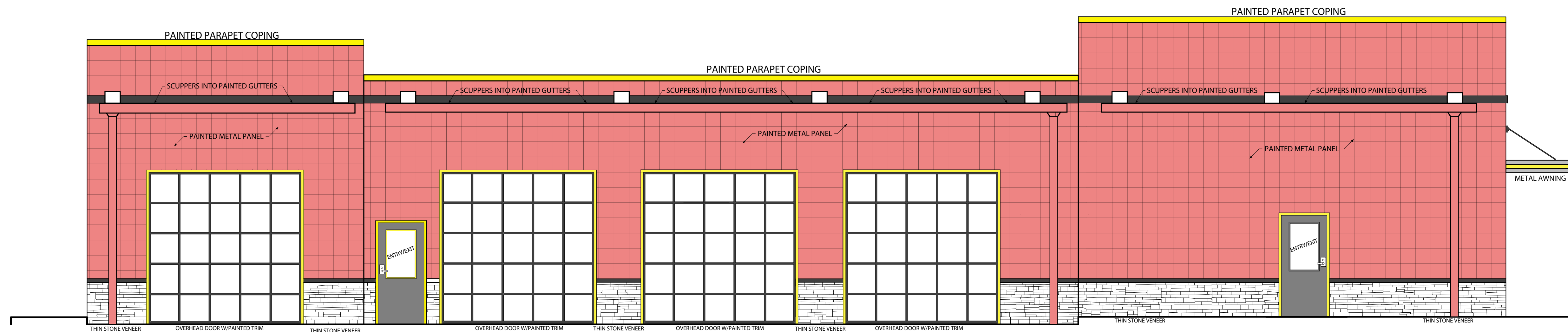
ROUTE 4 ELEVATION
NEW WEST ELEVATION
SCALE: 1/4" = 1'-0"



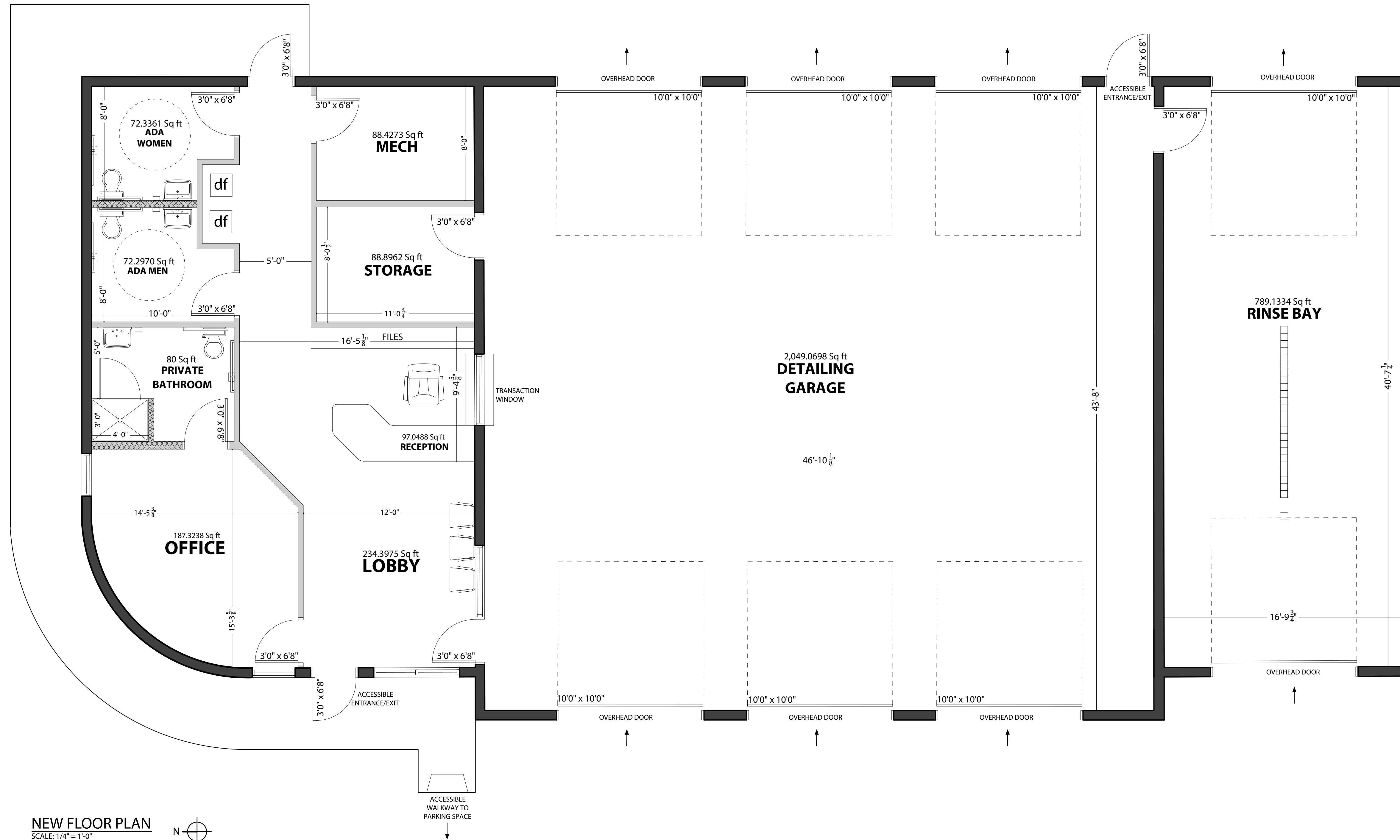
BOBMEYER ROAD ELEVATION
NEW NORTH ELEVATION
SCALE: 1/4" = 1'-0"



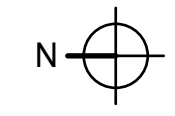
ELEVATION FACING NEIGHBORS
NEW SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



UTILITY EASEMENT ELEVATION
NEW EAST ELEVATION
SCALE: 1/4" = 1'-0"



NEW FLOOR PLAN
SCALE: 1/4" = 1'-0"





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: 3000 Dixie Highway

Property Owner: Josh Sellers Auto Express of Hamilton

Owner's Mailing Address: 2980 Dixie Highway, Hamilton, OH 45015

Email Address: js@autoexpressofhamilton.com Phone Number: (513) 863-2277

Applicant's Name (if different from owner): Community Design Alliance Attn: Steven Gebhart

Applicant's Mailing Address: 236 High Street, Hamilton, OH 45011

Email Address: steven@cdalliance.net Phone Number: (513) 275-1740

Architect / Engineer: Community Design Alliance Attn: Mike Dingeldein

Mailing Address: 236 High Street, Hamilton, OH 45011

Email Address: mike@cdalliance.net Phone Number: (513) 275-1740

Previous Legal Use of Property: Motor Vehicle Sales

Date Previous Use Discontinued: still in use

Proposed New Use of Property: Motor Vehicle Sales

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:

Steven Gebhart

Date: 6/24/20

Property Owner's Signature:

Josh Sellers

Date: _____

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

Auto Express of Hamilton

3000 Dixie Highway
Conditional Use Application
June 25, 2020

Any new or modified motor vehicle related use is required to get approval through a conditional use process. The site at 3000 Dixie Highway, which is zoned I-1 light industrial, is currently a motor vehicle sales center and will continue to remain this use after building and site improvements. The existing building will be razed and a new larger building will be built on parcel P6462006000079 owned by Auto Express of Hamilton. The back portion of the property will exchange hands from the City of Hamilton to Auto Express of Hamilton. This portion of land is a utility easement parcel number P6462006000073, in which only parking will be allowed. A portion of land will exchange hands from Auto Express of Hamilton to The City of Hamilton along Bobmeyer Road. This 10'0" wide strip of land will be used in the future for a bike path. The parking arrangement and building location will vary from the current conditions and are shown on the attached plans. The new building will be larger and merge functions of both current buildings into one. Facing Route 4, the building will consist of an office space with restrooms and storage, three garage bays to do detailing work, and a rinse bay.

The hours of operation for Auto Express will be 10 am – 7 pm Monday through Friday and 9:30 am – 4:30 pm on Saturdays, which will not affect neighboring lots. There aren't any residential lots neighboring the property. Behind the building is a small auto sales building next to the railroad tracks along the Fairfield-Hamilton Corporation line. The neighbor to the south is a liquor store. With the building continuing its current use there will be no additional uses or nuisances on the property. It will solely be an improvement through a new building and new paved lot. Security lights will be placed around the building and current streetlights will remain in place. There are currently two lights shining on the parking lot from the electric poles along Rt. 4 and one light on an existing electric pole on Bobmeyer.

There is currently a gravel lot behind the building used as a utility easement. As mentioned, the City of Hamilton's utility easement will become a part of Auto Express' property. Duke Energy also has a utility easement in the back. This will also be a part of the property, however, no building can be built within these easements. We are able to pave this gravel lot and use it to park cars. The owner will pave the lot and a new drive apron into the lot from Bobmeyer Road. This will allow cars to exit onto Bobmeyer after entering from Route 4. Traffic will flow one way around the building except for cars parked around back that need to be brought to the front of the lot (will be operated by employees only).

The building will be upgraded with new construction. The finishes will resemble that of its counterpart building across Bobmeyer at 2980 Dixie Highway. The colors and materials will match. There will be red painted metal panels with yellow trim/coping and

stone veneer up to sill height. The stone veneer will match the 2980 building, which is Boral Cultured Stone Black Mountain Pro-Fit Alpine Ledgestone. There will be a metal overhang over the entrance at the office end of the building. The roof will be a flat/low slope roof (sloping to the back of the building) with a parapet of varying height. Scuppers emptying into a gutter system will shed the roof of water in the back of the building only. The entryway will be along Rte. 4 and the bays of the building will face Rte.4. Two cars can be in each bay at a time with doors on both sides of the building. The south end of the building is a rinse bay that will clean cars after sale preparing them for the customer. The three main bays will not house any major repair, which will be done in another building. These bays will serve to detail cars and preparing them for the customer after purchase. Auto Express is planning on expanding and this new building, which is larger, will allow for that to happen as well as giving the employees a much improved place to work. The current owner has made great strides in making his other properties much improved and nicer spaces for customers and employees. The building across Bobmeyer was a major improvement to the corner and the repair garage behind the building off of Ramona Lane keeps much of the repair work out of site from Rte. 4. With the two corresponding buildings at the corner, it will be a great improvement to the entry into Hamilton from Fairfield on Bobmeyer as well as improved look on Rte. 4.

Variance Conditions.

Below is a list of requested variances from the required conditions of the City of Hamilton Zoning Ordinance.

1. A minimum lot size of 20,000 square ft. is required for motor vehicle uses in accordance with the City of Hamilton Zoning Ordinance. Our lot size is maximum 15,383 square ft. This lot is currently operating as a motor vehicle use. There will be a new building on the site, but continue with the same use.
2. We are requesting the required setback of 10'-0" for parking cars be waived. We are in need of the cars along Route 4 and the rear of the lot to be parked along the property line. The site is limited due to a utility setback placing the new building closer to Rte. 4 than it would have been. This will limit the amount of frontage space preventing cars from being parked in front of building due to space requirements. With the removal of the 10'0" setback cars will be able to be parked along Rte. 4 and there still be room for a driving lane around the building. Cars will also be able to be parked in the back of the building.
3. Concerning landscaping, we are requesting a variance to approve (6) medium bushes on either side of the entrance off of Route 4. The Bobmeyer side of the property has a 10'0" easement that will become the City of Hamilton's property. This will be landscaped by the city. The rest of the frontage will need to be paved to allow for proper clearances and to get cars access around the site. Currently there is no landscaping on the site.
4. Land is being transferred to the City of Hamilton for a bike path. And a utility easement is being transferred to Mr. Sellers from the City of Hamilton/Duke. These lots will change the dimensions of the lot giving less frontage along Bobmeyer drive and more parking behind the building.

Variance Application Questions

- (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.
 - a. Motor Vehicle Uses are allowed according to the Zoning Ordinance 1121.39.27 with a conditional use approval.
- (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.
 - a. The neighboring properties are similar in use with Auto sales behind and across the street. There will be no detrimental features to the property that will inhibit the other uses of surrounding buildings. The use is existing and operating currently without any inhibitions to the neighbors. The nicer facility and new paved lot will only improve conditions for the neighboring properties.
- (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.
 - a. Car dealerships have a large presence on Route 4 from the fairgrounds all the way to the Fairfield Border. The nature of the street is high traffic with shopping, services, and other commercial uses. There is not a residential property behind the building. Once one crosses into Fairfield in the back of the property it is an industrial area. There are businesses across Rte. 4 that block the view of the residential areas from this property. No additional noises will be present on the property or light pollution. The building/business owner owns the property across the street and a lot along Ramona Lane behind 3000 Dixie and has made considerable upgrades to those facilities in the past few years. He has shown he is committed to running a business that will improve the area and maintain his properties/facilities. This building will be an improvement to the existing condition of the site and the new conditions will be nicer than that of surrounding aged properties.
- (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.
 - a. The existing infrastructure to the site is in place considering the same use is functioning at the site at this time. The building owner will take care of a drive apron and paving the whole lot.
- (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.

Improvements are being made to approach of parking lot and exit. This will only create a safer and better road condition. Currently there is an entry and exit in the same locations. We will create new curbs to improve those entry/exits and make them more visible/clear.

- (6) The proposed Conditional Use will comply with all applicable development standards, except as specifically altered in the approved Conditional Use.
 - a. Correct. Conditions that don't comply with developments standards are listed in application as a request for a variance.
- (7) The proposed Conditional Use will not be hazardous to or have a negative impact on existing or future neighboring uses.
 - a. Existing use will continue on site. Paving existing gravel lot will increase accessibility to utility easement. Area will only improve from new building.
- (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.
 - a. No additional conditions detrimental to the site will occur. The building will house the garage to prep vehicles after sale.
- (9) The proposed Conditional Use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
 - a. Development is completely within the site and will not impede any neighbor from future development or improvement.
- (10) State how the proposal relates to existing land use of the vicinity, or to the City of Hamilton Comprehensive Plan. If the proposed use is inconsistent with the land uses in the surrounding area justify the proposed deviation.
 - a. The land use will not be changing.

3000 Dixie Highway - Conditional Use
Exhibit C - Zoning Map



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

-  Site Address Points
-  Owner Parcels
-  Municipal Boundaries

3000 Dixie, Zoning Map





July 1, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, July 16, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/91172580559>. Webinar ID: 911 7258 0559.

The agenda for this hearing includes the following item:

- LOCATION:** 3000 Dixie Highway – (Corner of Route 4 & Bobmeyer Road)
- APPLICANT:** Steven Gebhart, per Community Design Alliance
- REQUEST:** The applicant is seeking a Conditional Use certificate approval, with variances, to allow the construction of a new one-story building for a motor vehicle sales use (Automobile Sales). The site is zoned I-1 (Limited Industrial) Zoning District.

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 (site plan, images) 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-oh.gov/planningcommission>

The Planning Commission Agenda containing the staff report, application, and site plans will be updated as we approach the date of the Planning Commission meeting: Agenda link - <https://tinyurl.com/pc07162020>.

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205-6099 and when prompted dial the Webinar ID: 911 7258 0559

Or use this website link to access the online meeting: <https://zoom.us/j/91172580559>

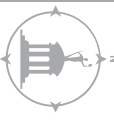
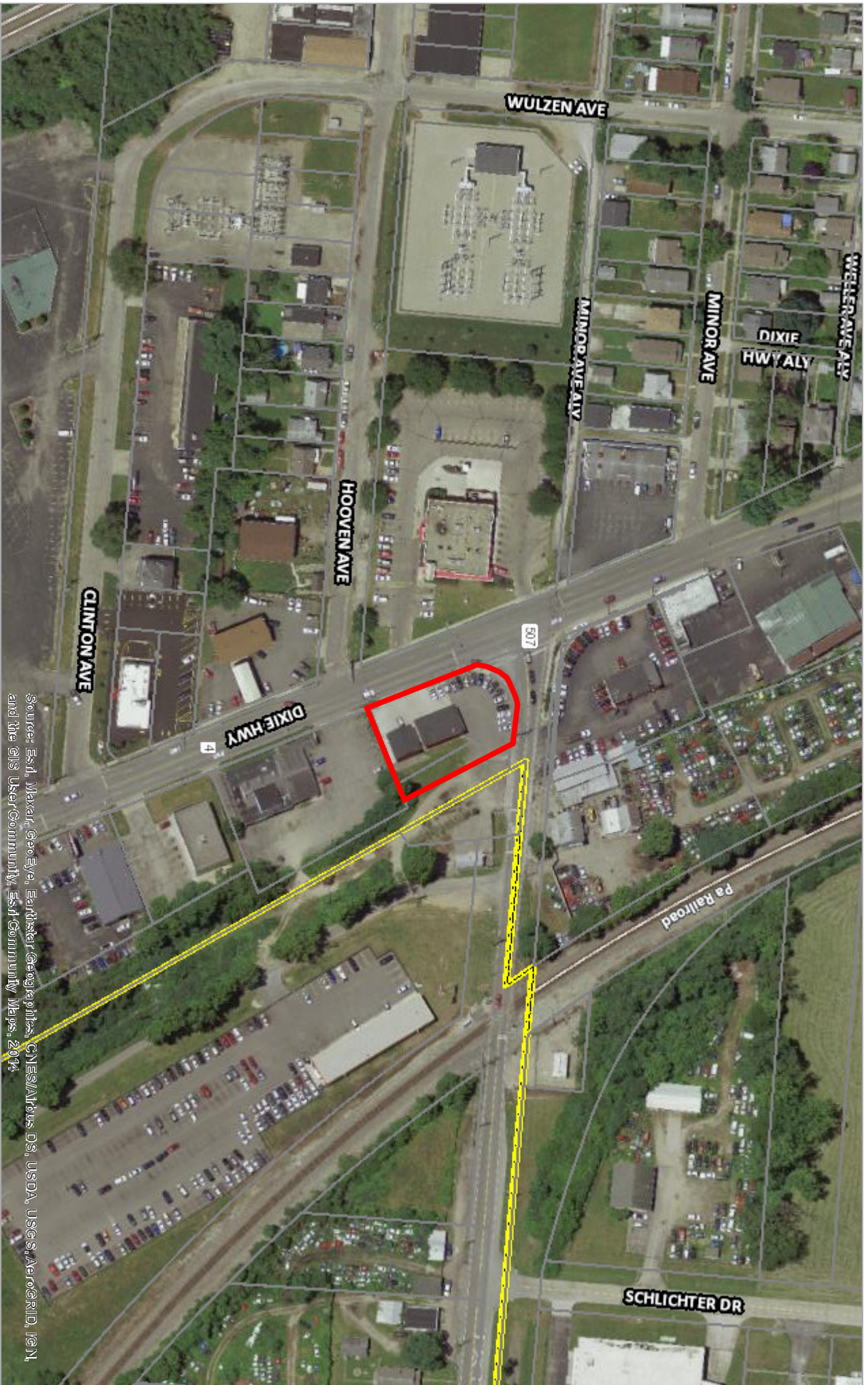
If you have any questions or comments concerning this matter, please forward your comments in writing for presentation at the meeting, or, please contact the Planning Department via email at planning@hamilton-oh.gov or contact **Ed Wilson, AICP** or **Liz Hayden, Planning Director** of the City of Hamilton Planning Department at (513) 785-7350.

Sincerely,

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification Map



- Owner Parcels
- Municipal Boundaries

3000 Dixie Hwy

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



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 to the content, accuracy or completeness of the information contained here and assumes no liability for any errors. Any reliance on this information is the exclusive risk of the user.



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

Agenda Item #2
3000 Dixie Hwy.

For the Planning Commission Meeting of July 16, 2020

To: Planning Commission
From: Liz Hayden, Planning Director
Ed Wilson, AICP Associate Planner II
Date: July 16, 2020

Subject: AGENDA ITEM #2 – New Business
3000 Dixie Highway – Conditional Use Application

APPLICANT: Community Design Alliance on behalf of Josh Sellers/Auto Express of Hamilton, Property Owner

LOCATION: 3000 Dixie Highway, Hamilton, Ohio (Parcel Numbers # P6462006000079 and P6462006000073)

REQUEST: The applicant has submitted an application for a Conditional Use approval for Automotive Service and Minor Repair and five (5) variances. The variances to the Hamilton Zoning Ordinance are:

Section 1111 – Commercial Design Standards

1. Exterior materials
2. Landscaping
3. Transparency

Section 1123.38.2 - Automotive Service and Minor Repair in Industrial-1 (I-1 Limited Industrial) Zoning

4. Ten (10) foot setback
5. Driveway distance to property lines

BASIC INFORMATION		
Size of Property	0.46 acres (19,884 square feet)	
Zoning	Limited Industrial – I-1 Zoning District	
ADJACENT LAND USE/ZONING INFORMATION		
Direction	Land Use	Zoning
North	Commercial	I-1 (Limited Industrial) Zoning District
South	Commercial	I-1 (Limited Industrial) Zoning District
East	Commercial	City of Fairfield
West	Commercial	B-2 (Community Business) Zoning District

Report continued on the next page

Section A: Introduction and Background

Section A.1: Project Overview

Auto Express currently operates automotive service and minor repair at 3000 Dixie Highway (See Exhibit A, [Location Map](#)). This project proposes to raze the existing buildings to be replaced with a larger building that will be a similar design to the building Auto Express built in 2018 at 2980 Dixie Highway, directly north of this property. The property in question is zoned I-1 (Limited Industrial) zoning district (please refer to Exhibit C, [Zoning Map](#)). Per the Hamilton Zoning Ordinance (HZO), Section [1123.28.2](#), Automotive Service and Minor Repair requires a Conditional Use review and approval.

The proposal includes acquiring an adjacent parcel that is owned by the City of Hamilton, which will be paved and used as a parking lot. The project also includes the applicant providing a 6-foot easement to the City of Hamilton for a proposed future multimodal path. The regional Miami 2 Miami Trail is projected to use this route.

Section A.2: Existing Site Conditions

The original building on site was built in 1950. The parking lot is currently not striped. The gravel lot currently owned by the City of Hamilton has been a challenging spot for trespassing and dumping.

Section A.3: History

The site in question currently operates the same business as proposed in the plan. Auto Express purchased the property in 2012 and received Conditional Use approval to operate an Automotive Service and Minor Auto Repair business at 3000 Dixie.

City staff has been in conversation with the property owner about possible redevelopment of the site since 2018. The discussions primarily focused on Auto Express acquiring the City parcel and Auto Express granting a trail easement but has evolved into a full site redevelopment proposal.

Report continued on the next page



Section B: Development Plan Review

Section B.1: Development Plan Overview

New Building

The building is 4,029 square feet and will face Dixie Highway. There are three bay areas of the detailing garage area that will be used for detailing cars and preparing them for customers once the cars are purchased. There is an additional rinsing bay that is part of the detailing process and will not be open to the public as a car wash. The building will also contain office space and bathrooms. The hours of operation for Auto Express are 10am-7pm Monday-Friday and 9:30am-4:30pm on Saturdays.

Section B.1.1 Building Materials & Windows Transparency

The submitted Development Plans indicate the following:

- **Building Materials** - The building will resemble Auto Express' building at 2980 Dixie Highway in materials and color. The proposal is for the primary material to be red painted metal panels with yellow trim/coping and stone veneer up to sill height. A metal awning is proposed over the office area. According to the Commercial Design Standards, no more than 25% of the building materials can be metal panels, so the proposed design would require a variance. The applicant is still working on providing the final percentage that is metal paneling, but it is estimated to be at least 75% of the building material. The remaining material is a stone accent.
 - Metal Panel: 87%
 - Stone Veneer: 13%
- **Transparency** - According to the Commercial Design Standards, the primary façade must have 35% transparency and any additional building sides that are highly visible from the right-of-way must have 30% transparency. The applicant exceeds the transparency requirements on the front façade but only meets the side transparency requirement with glass block. Since glass block is opaque, it requires a variance.
 - **Front façade transparency: 57%**
 - The top three panels of the overhead doors will be transparent, so they are considered part of meeting the transparency requirement.
 - **Side façade transparency: 37%** including the glass block windows
 - The applicant cited building design, including the fact that this wall is mostly bathrooms and the curved wall design in the office area as reasons for the transparency variance request.
- The proposed building design meets the Commercial Design Standards except for the noted variance requests.

Report continued on the next page

Section B.1.2: Landscaping

Per the Commercial Design Standards, the site should have four (4) trees and twelve bushes. The proposal shows 12 medium sized bushes at the Dixie Highway entrance to the site. This proposal would require a variance for the four (4) trees.

- The proposal states that the Municipal Arborist can choose the type of bushes.

Section B.1.3: Lighting

Security lights will be placed around the building to improve the lighting. No new pole lights are proposed.

Section B.1.4 Signage

The site design proposes two wall signs, one on the Dixie Highway elevation and one on the Bobmeyer elevation. Details about the wall signs were not provided with the Conditional Use submission but they will conform to the signage regulations set forth in the Hamilton Zoning Ordinance.

The applicant stated that he does not intend to have a freestanding sign on site and will not put any window signage in the transparent area of the overhead doors.

Section B.1.5 Off-Street Parking & Access Controls

Parking

The site design includes paving and striping the parking lot, including the parcel currently owned by the City of Hamilton which is currently gravel. Auto Express' current parking lot is not striped. Five (5) parking spaces will be added to the area currently owned by the City behind the new building. The site plan shows ten (10) parking spaces along the parcel frontage. A pedestrian path to the building from Dixie Highway is shown through the parking lot as well.

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Site Access

The site plan shows the existing curb cut onto Dixie Highway and a curb cut with a new concrete apron onto Bobmeyer Road. Currently, the Bobmeyer side has no curbs so it is a continuous curb cut. The proposal will better designate the access point to the site.

The proposed site design will require a variance from the HZO regulation that states that parking and related driveway shall be twenty feet from a property line. The parking spaces within twenty feet of the property line on Dixie Highway is an existing condition and the City of Hamilton requested that the access drive on Bobmeyer be located as far away from the intersection as possible for safety reasons.

Section B.1.6: Refuse Storage Area

The dumpster will be enclosed with a wooden fence. It is a small mobile dumpster so it will move around site, but when it is not in use, it will be stored within the wooden enclosure.

Section B.1.7: Miscellaneous

1. No fencing is proposed on site.

Section C: Interdepartmental Review

The City's Interdepartmental Review Committee evaluated the proposed development and no objections were submitted.

Section D: Submitted Request

In order to accomplish the development project as reflected in Section B of this report, the applicant proposes the following requests.

Request 1: Conditional Use to allow Automotive Service and Minor Auto Repair on property zoned I-1 (Limited Industrial).

As a conditional use, this request requires review and a recommendation from the Planning Commission and approval by the City Council.

Report continued on the next page

***Request 2: Five (5) variances to the Hamilton Zoning Ordinance
pertaining to the Conditional use Request***

This request requires review and approval by the Planning Commission. The variances are:

1. [Section 1111.20](#) Commercial Design Standards – Landscaping
 - a. Zoning Code Requirement – 4 trees and 12 bushes
 - b. Proposed Design – 12 bushes
 - c. Existing Conditions – No landscaping

2. [Section 1111.31](#) Commercial Design Standards – Exterior Materials
 - a. Zoning Code Requirement – “These types of materials may be used for trim, detailing, and incidental or secondary wall areas. These secondary materials may not exceed 25% of the exterior wall surface area. Permitted secondary materials include; architectural grade metals...”
 - b. Proposed Design – Final percentages will be presented at Planning Commission, but the metal panels are estimated to be at least 87% of the building material.
 - c. Existing Condition – Painted cinderblock buildings

3. [Section 1111.31](#) Commercial Design Standards – Transparency
 - a. Zoning Code Requirement – “Side elevations that face a public roadway or which are highly visible from the right of way shall provide at least thirty (30) percent window or transparency at the pedestrian level.”
 - b. Proposed Design – 37% transparency using glass block windows instead of transparent glass
 - c. Existing Condition – Zero Percent Transparency

4. [Section 1123.38.2](#) - Automotive Service and Minor Repair in I-1 (Limited Industrial) Zoning – 10-foot setbacks
 - a. Zoning Code Requirement – “Automobiles awaiting repair, shall be located on a paved surface and shall have a minimum setback of ten (10) feet from any property line. The area for parking of vehicles shall comply with the side and rear building setback requirements set for the district in which the lot is located or be at least (10) feet, whichever is greater.”
 - b. Proposed Design –
 - i. Front yard setback – Zero (0) foot setback
 - ii. Side yard setback (North) – 12 foot setback
 - iii. Side yard setback (South) – Two (2) foot setback
 - iv. Rear yard setback – Zero (0) foot setback
 - c. Existing Condition –
 - i. Front yard setback – Zero (0) foot setback
 - ii. Side yard setback (North) – Zero (0) foot setback
 - iii. Side yard setback (South) – Zero (0) foot setback
 - iv. Rear yard setback – Zero (0) foot setback

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5. [Section 1123.38.2](#) - Automotive Service and Minor Repair in I-1 (Limited Industrial) Zoning –Driveway and parking distance to property lines
 - a. Zoning Code Requirement – “Parking and related driveways and paved areas may be erected in a front yard, but not less than twenty (20) feet from any property line.”
 - b. Proposed Design – Two (2) foot setback
 - c. Existing Design – Zero (0) foot setback to property line

Section E: Statutes:

Section E.1. Zoning District Regulations

[Section 1123.38.2](#) of the Hamilton Zoning Ordinance (HZO) governs Automotive Service and Minor Automotive Repair in the I-1 Limited Industrial Zoning District. The purpose is to establish requirements for this use in this Zoning District.

The purpose of [Section 1111.00](#) Commercial Design Standards is to “establish architectural, landscaping, design, building and site development regulations that encourage higher quality development and function in order to protect property values, provide safe and efficient access for the pedestrian and automobile, and protect real estate from impairment or destruction of value.”

Section E.2. Conditional Use Approval

[Section 1108.00](#) of the Hamilton Zoning Ordinance (HZO) defines Automotive Service and Minor Repair as a conditional use in an I-1 Limited Industrial zoning district.

Conditional Use Criteria

[Section 1155.00](#) of the Hamilton Zoning Ordinance (HZO) outlines the processes and requirements for review of a Conditional Use. Section 1155.30 specifies the criteria and general standards for a proposed Conditional Use, including nine (9) criteria for consideration of the proposal.

(Continued)

Report continued on the next page

Conditional Use Criteria (Continued)

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.

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Section E.3. Variance Approval Criteria

Per Section 1170.63 HZO no such variance to the provisions or requirements of the zoning ordinance shall be authorized by the Planning Commission unless the Commission finds that all of the following facts and conditions exist.

- 1. 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.
- 2. 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.
- 3. 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 of the public interest.
- 4. 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 of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such conditions or situation.

Section E.4. Plan Hamilton

Plan Hamilton is the City of Hamilton's updated Comprehensive Plan meant to guide land use, planning and zoning decisions for the city. The plan recommends Regional Commercial for 3000 Dixie Highway. This land use is characterized by a variety of building sizes that incorporate commercial retail, services, and office uses that typically have on-site parking, most often located in front of and around the buildings. Regional Commercial areas typically contain the largest scale commercial and office uses that attract local residents as well as people from the surrounding region.

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Section F: Notification

The Planning Department mailed Public Hearing Notices to the owners of 35 properties within 500 feet of the subject property per statute requirements. Staff posted a sign at the site advertising the public hearing for the conditional use requests for 3000 Dixie Highway.

As of the writing of this report, the Planning Department received no phone calls or inquiries pertaining to the proposal for a Conditional Use.

Section G: Recommendations

The Planning Commission can recommend to City Council to approve or deny the Conditional Use Application for Automotive Service and Minor Repair and can approve or deny the five (5) variance requests.

If Planning Commission decides to approve the Conditional Use application and Variance requests, the Planning Department recommends the following motions:

1. That the Planning Commission take action to recommend to City Council to approve of the Conditional Use application for Automotive Service and Minor Repair), subject to the recommended conditions of approval.
2. That the Planning Commission take action to approve the variance request to the landscaping requirements in the Commercial Design Standards.
3. That the Planning Commission take action to approve the variance request to the materials requirements in the Commercial Design Standards.
4. That the Planning Commission take action to approve the variance request to the transparency requirements in the Commercial Design Standards.
5. That the Planning Commission take action to approve the variance request to the 10-foot setback requirement in Section 1123.38.2 of the HZO.
6. That the Planning Commission take action to approve the variance request to the parking and access drive setback requirement in Section 1123.38.2 of the HZO.

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Conditions of Approval:

1. The project shall be compliant with the Commercial Design Standards set forth in Section 1111.00 of the Hamilton Zoning Ordinance with the exceptions noted in the variance requests and as approved by Planning Commission and City Council.
2. There shall be no window signs or other obstructions in the building. All windows will have an opacity maximum of 35% except for the glass block window on the side elevation facing Bobmeyer Road.
3. The HVAC equipment will be screened per the Commercial Design Standards.
4. All proposed and future signage (permanent or temporary) on site shall comply with the regulations of the Hamilton Zoning Ordinance.
5. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments, and future review requirements of the City of Hamilton Interdepartmental Review.
6. All landscaping, site improvements, exterior finishes and other improvements shall be installed and maintained in good repair and replaced as necessary to remain in compliance with the relevant City of Hamilton codes.
7. All automotive service or repair shall occur indoors.
8. No exterior storage or exterior sales of merchandise or material on the site in question, including but not limited to auto parts and tires.
9. No salvaging of parts of vehicles shall occur on site.
10. No vehicles shall be parked on gravel, grass, or unpaved surfaces.
11. That a lot combination of Parcel P6462006000079 and the future parcel currently owned by the City of Hamilton shall be completed prior to any new construction work being done on the site in question.
12. No vehicles shall be parked on the multiuse path easement. When the multiuse path is built, vehicles will be setback from the multiuse path at a safe distance.
13. All fluids, tires, batteries, and other discarded hazardous materials shall be recycled or removed in accordance with local, state, and federal standards.
14. The dumpster shall be enclosed by a solid wooden fence to be sufficiently screened from view from right-of-way, in accordance with the Commercial Design Standards.

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15. The City of Hamilton shall track public safety calls and nuisance complaints associated with the applicant and the property. If issues are identified, the property owners and business operators will work with the City to rectify issues. If issues are not resolved in a timely manner, the Conditional Use may be revoked.

Section H: Staff Basis / Comments

Staff provided the following basis / comments for consideration of approval of the Conditional Use application:

1. The site is already being used for Automotive Service and Minor Repair. The proposed expansion represents a \$600,000 investment on Route 4 that will improve aesthetics and site access.
2. The proposed expansion will make productive use out of a parcel that has issues with trespassing and dumping.
3. The project includes a multiuse path easement to be used for the future Miami 2 Miami trail.
4. The proposed use and development will comply with regulations set forth by applicable City departments.

Staff provided the following basis / comments for consideration of approval of the Variance requests:

1. Variance request to the landscaping requirements in the Commercial Design Standards.
 - a. Exceptional Circumstances: The property owner has agreed to an easement for a multiuse path in the area best suited for landscaping.
 - b. Preservation of Property Rights: The proposed design allows the property owner to make an overall improvement on the site that includes enough parking to make the redevelopment project feasible for the business operations.
 - c. Absence of Detriment: The project will add landscaping to a site that currently does not have any landscaping, which will improve the aesthetics on this corridor.
 - d. Not of a General Nature: The easement for the multiuse path is a unique situation. The Miami 2 Miami Regional trail will be along this route, and this is a key connection to Dixie Highway/Route 4.

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2. Variance request to the materials requirements in the Commercial Design Standards.
 - a. Exceptional Circumstances: While they are on different sides of Bobmeyer Road, Auto Express operates 2980 and 3000 Dixie as a single campus. This variance allows Auto Express to maintain a similar design on both sites. 2980 Dixie Highway was approved prior to the 2017 update to the Hamilton Zoning Ordinance that restricted metal panels to 25% maximum of the building materials.
 - b. Preservation of Property Rights: The variance allows the property owner to make an improvement to his property.
 - c. Absence of Detriment: The metal panels are an improvement on the painted cinderblock buildings that are currently on site.
 - d. Not of a General Nature: Auto Express' desire to coordinate the design of its buildings is not of a general nature. Auto Express' new building at 2980 Dixie Highway has been built in the last three years. It is a unique situation that the Commercial Design Standards have been changed within three years of redevelopment work by Auto Express.

3. Variance request to the transparency requirements in the Commercial Design Standards.
 - a. Exceptional Circumstances: The layout of the site and the requirements of the business operation made the most appropriate place for bathrooms to be at the north side of the property. Glass block windows are proposed for the bathrooms for privacy reasons.
 - b. Preservation of Property Rights: The variance allows the property owner to build a new building that includes all of the uses desired by the property owner within the context of the site constraints.
 - c. Absence of Detriment: The transparency of the north elevation increases from the current building's transparency. The front façade facing Dixie Highway's transparency exceeds the transparency requirements.
 - d. Not of a General Nature: 3000 Dixie is a smaller site with utility easements that dictate where a building can be built. Given the site constraints and drive-through nature of the detailing facility, the bathroom location on the north side of the building is the best location to allow for safe site circulation.

4. Variance request to the 10 foot setback requirement in Section 1123.38.2 of the HZO.

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- a. Exceptional Circumstances: Auto Express is providing a six (6) foot easement for a multiuse path to the City of Hamilton along Bobmeyer Road. The easement is in addition to the existing sidewalk area, meaning that the setback from Bobmeyer is approximately 12 foot. Given the unique need for the easement along Bobmeyer, the property owner would like to have a reduced setback along Dixie Highway.
 - b. Preservation of Property Rights: The variance allows the property owner to make an improvement to his property while continuing to have some parking spaces in front of the building, which is a typical site layout for Route 4.
 - c. Absence of Detriment: Removing the gravel area on the property currently owned by the City of Hamilton that is often a dumping ground and replacing it with parking is an improvement to the area. The multiuse path easement will be a community improvement.
 - d. Not of a General Nature: The multiuse path easement and the improvement to the City-owned property are both unique situations to 3000 Dixie.
5. Variance request to the parking and access drive setback requirement in Section 1123.38.2 of the HZO.
- a. Exceptional Circumstances: The City of Hamilton Engineering staff have requested that the new access drive on Bobmeyer Road be as far away from the Bobmeyer/Dixie Highway intersection as possible for safety concerns.
 - b. Preservation of Property Rights: Maintaining the existing parking space adjacent to the south property line preserves the owner's ability to park cars on site. The curved nature of the property frontage limits the ability to park cars on site.
 - c. Absence of Detriment: The proposed site design replaces a continuous curb cut on Bobmeyer with a more defined entrance further away from the intersection. This will be a safety improvement.
 - d. Not of a General Nature: This is a corner lot that due to site distance issues, has parking and access restraints.

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Section I: Attachments:

- 1) Exhibit A - [Location Map](#)
- 2) Exhibit B - [Application and Project Details](#)
- 3) Exhibit C - [Zoning Map](#)
- 4) Exhibit D - [Public Hearing Notice](#)
- 5) Exhibit E - [Recommended Conditions of Approval](#)

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3000 Dixie Highway - Conditional Use
Exhibit F - Conditions of Approval

3000 Dixie Highway, Conditional Use w Variances – Recommended Conditions of Approval

BASIC INFORMATION	
Applicant/Property Owner	Steven Gebhart, for Community Design Alliance, applicant Josh Sellers / Auto Express of Hamilton, property owner
Architect/Engineer/Consultant	Community Design Alliance
Size of Property	0.46
Current Zoning	I-1 (Limited Industrial) Zoning District
Requests	Conditional Use request for automotive service and minor repair; and five (5) variances to the Hamilton Zoning Ordinance associated with the CU request
Size of Revision	0.46 acres

Conditions of Approval

1. The project shall be compliant with the Commercial Design Standards set forth in Section 1111.00 of the Hamilton Zoning Ordinance with the exceptions noted in the variance requests and as approved by Planning Commission and City Council.
 - a. Planning Commission voted to approve the following variances at their July 16th, 2020 meeting:
 - i. Variance to the Commercial Design Standards for a building materials variance to allow for architectural grade metal panels for 87% of the building material.
 - ii. Variance to the Commercial Design Standards to allow Auto Express to use glass block windows to meet the transparency requirements for the side building elevation facing Bobmeyer Road.
 - iii. Variance to the Automotive Service and Minor Repair regulations to allow for a zero (0) foot setback from the property lines for parking of vehicles.
 - iv. Variance to the Automotive Service and Minor Repair regulations to allow for a zero (0) foot setback for driveway and parking distances from adjacent property lines.
 - b. Planning Commission voted to deny the following variance at their July 16th, 2020 meeting:
 - i. Variance to the Commercial Design Standards to reduce the landscaping requirement by four (4) trees or the equivalent of four (4) trees is denied.

2. There shall be no window signs or other obstructions in the building. All windows will have an opacity maximum of 35% except for the glass block window on the side elevation facing Bobmeyer Road.
3. The HVAC equipment will be screened per the Commercial Design Standards.
4. All proposed and future signage (permanent or temporary) on site shall comply with the regulations of the Hamilton Zoning Ordinance.
5. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments, and future review requirements of the City of Hamilton Interdepartmental Review.
6. All landscaping, site improvements, exterior finishes and other improvements shall be installed and maintained in good repair and replaced as necessary to remain in compliance with the relevant City of Hamilton codes.
7. All automotive service or repair shall occur indoors.
8. No exterior storage or exterior sales of merchandise or material on the site in question, including but not limited to auto parts and tires.
9. No salvaging of parts of vehicles shall occur on site.
10. No vehicles shall be parked on gravel, grass, or unpaved surfaces.
11. That a lot combination of Parcel P6462006000079 and the future parcel currently owned by the City of Hamilton shall be completed prior to any new construction work being done on the site in question.
12. No vehicles shall be parked on the multiuse path easement. When the multiuse path is built, vehicles will be setback from the multiuse path at a safe distance.
13. All fluids, tires, batteries, and other discarded hazardous materials shall be recycled or removed in accordance with local, state, and federal standards.
14. The dumpster shall be enclosed by a solid wooden fence to be sufficiently screened from view from right-of-way, in accordance with the Commercial Design Standards.
15. The City of Hamilton shall track public safety calls and nuisance complaints associated with the applicant and the property. If issues are identified, the property owners and business operators will work with the City to rectify issues. If issues are not resolved in a timely manner, the Conditional Use may be revoked.

ORDINANCE NO. _____

AN ORDINANCE APPROVING A REQUEST FOR A CONDITIONAL USE CERTIFICATE TO OPERATE AN AUTOMOTIVE SERVICE AND MINOR REPAIR BUSINESS AT 3000 DIXIE HIGHWAY, PROPERTY ZONED I-1 LIMITED 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 Auto Express to expand their automotive service and minor repair business at 3000 Dixie Highway, Parcel Numbers P6462006000079 and P6462006000073, as referenced in Exhibit No. 1; and

WHEREAS, 1123.38.2 of the Hamilton Zoning Ordinance (HZO), Classifies Automotive Service and Minor Repair as a Conditional Use Approval in the "I-1", (Limited 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, Auto Express currently operates a business for automotive service and minor repair at 3000 Dixie Highway but is proposing to demolish the existing buildings, build a new building for automotive service and minor repair, and expand the parking lot to include a portion of Parcel P6462006000073 currently owned by the City of Hamilton; and

WHEREAS, Auto Express requested five (5) variances to the regulations for Automotive Service and Minor Repair and the Commercial Design Standards of the HZO in conjunction with the Conditional Use application; and

WHEREAS, Planning Commission approved four (4) variances and denied one (1) to the regulations for Automotive Service and Minor Repair and the Commercial Design Standards of the HZO; and

WHEREAS, Planning Commission approved the variances for transparency, building materials, and two (2) setback variances; and

WHEREAS, Planning Commission denied the landscaping variance request, therefore Auto Express will have to fulfill the landscaping requirements of the Commercial Design Standards if the Conditional Use is approved; 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 automotive service and minor repair at 3000 Dixie Highway, held at the Hamilton Planning Commission meeting of July 16, 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 Auto Express to operate an automotive service and minor repair business at 3000 Dixie Highway zoned "I-1" (Limited 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;

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 an automotive service and minor repair business at 3000 Dixie Highway, as indicated in Exhibit No.1, subject to the conditions of approval outlined in Exhibit No. 2; for the following rationale:

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

1. The site is already being used for Automotive Service and Minor Repair. The proposed expansion represents a \$600,000 investment on Route 4 that will improve aesthetics and site access.
2. The proposed expansion will make productive use out of a parcel that has issues with trespassing and dumping.
3. The project includes a multiuse path easement to be used for the future Miami 2 Miami Trail.
4. The proposed use and development will comply with regulations set forth by applicable City departments.

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: _____

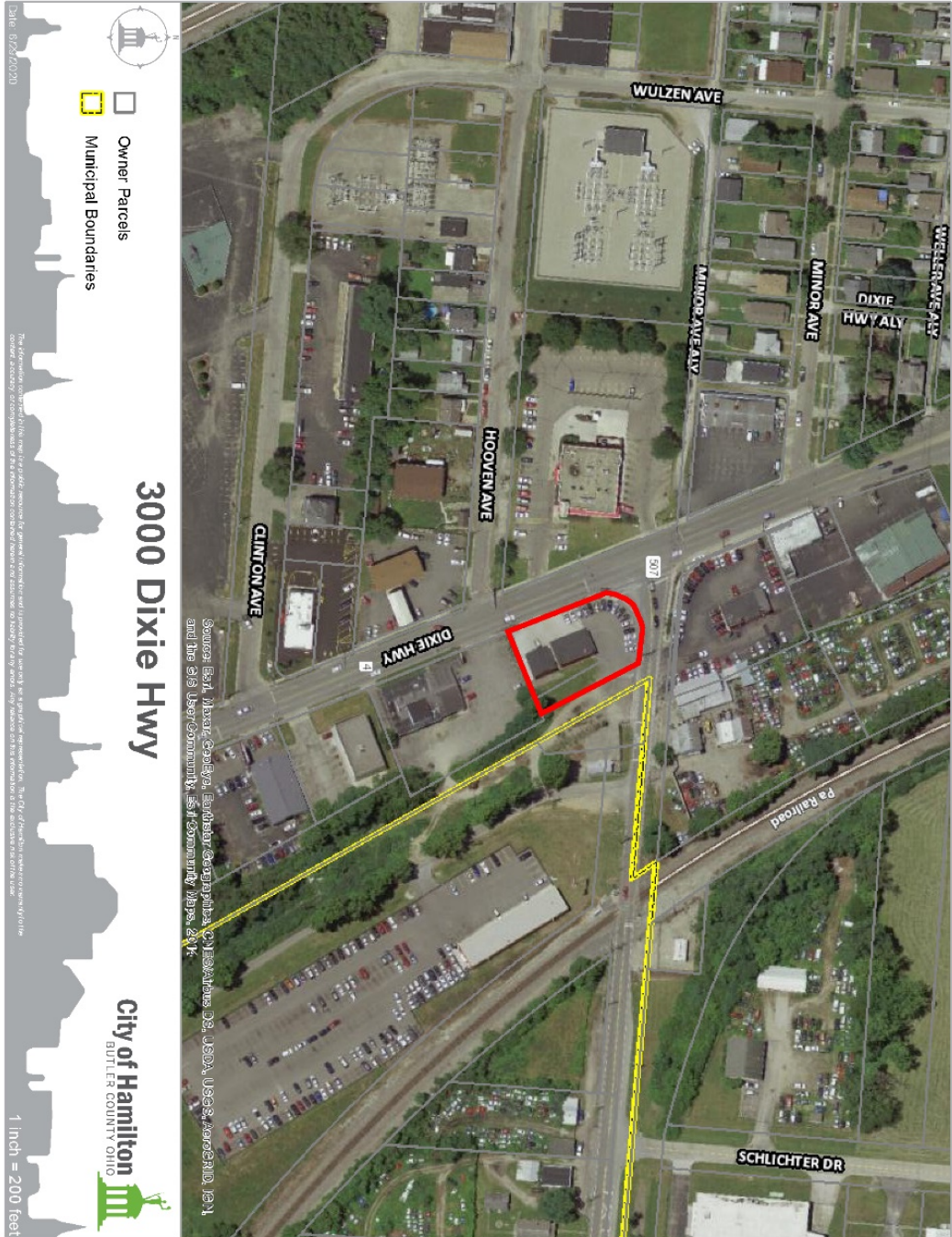
ATTEST: _____
City Clerk

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

Conditions of Approval (3000 Dixie Highway, Conditional Use)

1. The project shall be compliant with the Commercial Design Standards set forth in Section 1111.00 of the Hamilton Zoning Ordinance with the exceptions noted in the variance requests and as approved by Planning Commission and City Council.
 - a. Planning Commission voted to approve the following variances at their July 16th, 2020 meeting:
 - i. Variance to the Commercial Design Standards for a building materials variance to allow for architectural grade metal panels for 87% of the building material.
 - ii. Variance to the Commercial Design Standards to allow Auto Express to use glass block windows to meet the transparency requirements for the side building elevation facing Bobmeyer Road.
 - iii. Variance to the Automotive Service and Minor Repair regulations to allow for a zero (0) foot setback from the property lines for parking of vehicles.
 - iv. Variance to the Automotive Service and Minor Repair regulations to allow for a zero (0) foot setback for driveway and parking distances from adjacent property lines.
 - b. Planning Commission voted to deny the following variance at their July 16th, 2020 meeting:
 - i. Variance to the Commercial Design Standards to reduce the landscaping requirement by four (4) trees or the equivalent of four (4) trees is denied.
2. There shall be no window signs or other obstructions in the building. All windows will have an opacity maximum of 35% except for the glass block window on the side elevation facing Bobmeyer Road.
3. The HVAC equipment will be screened per the Commercial Design Standards.
4. All proposed and future signage (permanent or temporary) on site shall comply with the regulations of the Hamilton Zoning Ordinance.
5. Construction drawings and documents for the proposed improvements and work shall be revised subject to any current interdepartmental review comments, and future review requirements of the City of Hamilton Interdepartmental Review.
6. All landscaping, site improvements, exterior finishes and other improvements shall be installed and maintained in good repair and replaced as necessary to remain in compliance with the relevant City of Hamilton codes.
7. All automotive service or repair shall occur indoors.
8. No exterior storage or exterior sales of merchandise or material on the site in question, including but not limited to auto parts and tires.

Ordinance No. _____ (Cont'd)

9. No salvaging of parts of vehicles shall occur on site.
10. No vehicles shall be parked on gravel, grass, or unpaved surfaces.
11. That a lot combination of Parcel P6462006000079 and the future parcel currently owned by the City of Hamilton shall be completed prior to any new construction work being done on the site in question.
12. No vehicles shall be parked on the multiuse path easement. When the multiuse path is built, vehicles will be setback from the multiuse path at a safe distance.
13. All fluids, tires, batteries, and other discarded hazardous materials shall be recycled or removed in accordance with local, state, and federal standards.
14. The dumpster shall be enclosed by a solid wooden fence to be sufficiently screened from view from right-of-way, in accordance with the Commercial Design Standards.
15. The City of Hamilton shall track public safety calls and nuisance complaints associated with the applicant and the property. If issues are identified, the property owners and business operators will work with the City to rectify issues. If issues are not resolved in a timely manner, the Conditional Use may be revoked.

City Council Meeting Staff Report

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

Report From: Edward Wilson III, AICP, Associate Planner II

Agenda Item: An ordinance vacating a portion of Arch Street Alley “A”, located between South C Street and South D Street, situated in the First Ward, South Side, City of Hamilton, Ohio. (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: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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 Council Meeting 7-22-2020 Planning Commission: 7-16-2020</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 vacate one (1) portion of right of way, a portion of Arch Street Alley A, located between South C Street and South D Street, situated in the First Ward, South Side, City of Hamilton, Ohio?

Policy Alternative(s)

Council may choose not to adopt an ordinance to vacate one (1) portion of right of way, a portion of Arch Street Alley A, located between South C Street and South D Street, situated in the First Ward, South Side, City of Hamilton, Ohio.

Staff Recommendation

Staff recommends that Council receives this report, concurs in the recommendation of the Planning Commission, and adopts the necessary legislation to vacate one (1) portion of right of way, a portion of Arch Street Alley A, located between South C Street and South D Street, situated in the First Ward, South Side, City of Hamilton, Ohio, based on the Planning Commission’s recommendation to approve from its July 16, 2020 meeting.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Chapter 167.07 of the Hamilton Codified Ordinances.

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the preparation of the documentation for the proposed vacation one (1) portion of right of way, a portion of Arch Street Alley A, located between South C Street and South D Street, situated in the First Ward, South Side, City of Hamilton, Ohio, estimated at approximately \$200.00.

Background Information

This submitted request is for the vacation of a portion of Arch Street Alley A. The specific portion of alley is an unimproved, vacant, east-west alley located at the 300 block of South C Street. The request for the alley vacation is part of a request from the owner of the abutting vacant properties, Hicks Blvd, LLC. Hicks Blvd, LLC. expressed an interest in complying with Health Department orders, cleaning up the property and clear out the honeysuckle. However, the Hicks Blvd LLC prefers vacation of the right-of-way as part of this proposal.

Please note that the vacation petition only pertains to the portion of Arch Street Alley "A", it does not include the adjacent "dog-leg" unnamed right-of-way (known as Arch Street Alley "B").

- Upon review, the Planning Staff and Planning Commission received concerns and objections from residents abutting Arch Street Alley "B", and thus the request to vacate was withdrawn.
- There was no objection to the proposed vacation of the subject alley: Arch Street Alley "A".

Arch Street Alley "A" Vacation:

The overall portion of alley in question measures 199.65 feet in length, is 10 feet in width, and contains right-of-way of approximately 1,996 square feet. The alley is unimproved, and contains no street curb-cut for vehicular access. This alley dead ends into the rear of 350 South D Street and serves no discernable access or right-of-way connection. Arch Street Alley "A" also contains no utilities within the right-of-way.

Specific information pertaining to the properties adjacent to the right-of-ways being proposed for vacation is as follows:

- Parcel: P6412113000031 – Owner: Hicks Blvd, LLC.
(City Lot No. 190 X 10 ADJ 1683)
- Parcel: P6412113000032 – Owner: Hicks Blvd, LLC.
(City Lot No. 1684 ENT)
- 350 South D Street – Owner: Joyce Ann Davin, TR
Parcel: P6412113000033, (City Lot No. OL 37 N 80 OF W 139.59)

Interdepartmental Review

The City's Interdepartmental Review Committee evaluated the proposed vacation of a portion of Arch Street Alley, "A". There were no objections to the proposal.

- Note that there are no utilities within the right-of-way in question.



Alley Vacation Process. / Codified Ordinance, Chapter 167.07

The City Council can approve or deny the request for an alley vacation and may modify or add any additional conditions to the alley vacation request.

The statutes of Chapter 167.07 of the City of Hamilton’s Codified Ordinances regulate vacation or abandonment of public right-of-way (alleys, streets, etc.).

- Planning Commission provides a favorable recommendation,
- The alley vacation proposal is forwarded to City Council.
- If the alley vacation is city-led and has no objections, it can proceed as an ordinance to vacate.

Typically, right-of-way vacations proceed with appraisal of the alley and Board of Revisions of Assessments. However, with the City of Hamilton as applicant, the petition to vacate may proceed to City Council as a resolution to vacate, followed by an ordinance to vacate the right-of-way.

Notification

The Planning Department mailed Public Hearing Notices to the owners of 18 properties within 200 feet of the subject property per statute requirements. This mailing also includes seven (7) owners of property abutting the alley in question.

Staff posted a sign at the site, advertising the public hearing for proposed vacation of a portion of Arch Street Alley “A”.

Planning Staff received no objections from the public in general or from the public hearing at the Planning Commission pertaining to the proposed vacation of Arch Street Alley “A”.

Planning Commission Recommendation:

After conducting a public hearing on July 16, 2020, the Planning Commission recommended Council approve the alley vacation of a portion of Arch Street Alley “A” with the following conditions:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

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, and directs the passage of the necessary legislation.



Attached Information

- 1) Exhibit A – Location Map
- 2) Exhibit B – Exhibit Map of Arch Street Alley “A”
- 3) Exhibit C – Petition to Vacate
- 4) Exhibit D – Existing Conditions
- 5) Exhibit E – Public Hearing Notice letters
- 6) Exhibit F – Planning Commission Staff Report, July 16, 2020
- 7) Exhibit G – Recommended Conditions of Approval

Copies Provided to:

- Rich Engle, P.E., Director of Engineering





Caucus Report
March 25, 2020

City Council Meeting Caucus Report

TO: The Honorable Mayor and Members of the City Council

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)

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

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 clear out the honeysuckle. However, the owner prefers vacation of the right-of-way as part of this proposal.

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, 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







July 1, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, July 16, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/91172580559>. Webinar ID: 911 7258 0559.

The agenda for this hearing includes the following item:

- LOCATION:** Two (2) unimproved/vacant alleys abutting four (4) vacant, undeveloped, properties at the corner of South C Street and Millikin Street. See map on the reverse side.
- APPLICANT:** City of Hamilton
- REQUEST:** The applicant petitioned to vacate two (2) portions of rights-of-way, situated in the First Ward, South Side.

The proposed alley vacation means that the portion of alley in question would no longer be public right-of-way, meaning that the public could not use the alley for public access (driving, vehicles, parking, or pedestrian use).

You are a property owner within 200 feet of the subject property and as such are required by statute to be notified of this public hearing.

An application for this project (revised site plan, images) 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-oh.gov/planningcommission>

The Planning Commission Agenda containing the staff report, application, and site plans will be updated as we approach the date of the Planning Commission meeting: Agenda link - <https://tinyurl.com/pc07162020>.

Due to recent state mandates, the Planning Commission meeting shall be held remotely. Staff will hold the meeting through an online service and allow citizens to call into the meeting or access the meeting via website. We encourage you to access the meeting through the options below.

Call: 1 (929) 205-6099 and when prompted dial the Webinar ID: 911 7258 0559

Or use this website link to access the online meeting: <https://zoom.us/j/91172580559>

If you have any questions or comments concerning this matter, please forward your comments in writing for presentation at the meeting, or, please contact the Planning Department via email at planning@hamilton-oh.gov or contact **Ed Wilson, AICP** or **Liz Hayden, Planning Director** of the City of Hamilton Planning Department at (513) 785-7350.

Sincerely,

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification Map



July 1, 2020

NOTICE OF PUBLIC HEARING

Attention Property Owner:

The City of Hamilton Planning Commission will hold a public hearing on **Thursday evening, July 16, 2020 at 6:00 P.M.** in the Council Chambers of the City Building located at 345 High Street, and via Zoom online webinar, at: <https://zoom.us/j/91172580559>. Webinar ID: 911 7258 0559.

The agenda for this hearing includes the following item:

- LOCATION:** Two (2) unimproved/vacant alleys abutting four (4) vacant, undeveloped, properties at the corner of South C Street and Millikin Street. See map on the reverse side.
- APPLICANT:** City of Hamilton
- REQUEST:** The applicant petitioned to vacate two (2) portions of rights-of-way, situated in the First Ward, South Side.

The proposed alley vacation means that the portion of alley in question would no longer be public right-of-way, meaning that the public could not use the alley for public access (driving, vehicles, parking, or pedestrian use).

You are an owner of property that directly abuts the alley proposed for vacation/abandonment.

Per Chapter 167.07 of the City of Hamilton's Codified Ordinances, if you do not participate this public hearing to voice objection or do not object to the Planning Commission in writing, this shall be considered agreement with the proposed alley vacation.

An application for this project (revised site plan, images) 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-oh.gov/planningcommission>

The Planning Commission Agenda containing the staff report, application, and site plans will be updated as we approach the date of the Planning Commission meeting: Agenda link - <https://tinyurl.com/pc07162020>.

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Sincerely,

Edward Wilson III, AICP

Mr. Ed Wilson, AICP
Associate Planner II

See Reverse Side for Public Hearing Notification Map



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

For the Planning Commission Meeting of July 16, 2020

To: Planning Commission
From: Ed Wilson, AICP, Associate Planner II
Date: July 7, 2020

Note: Only Arch St Alley A is proposed for vacation

Unnamed, Alley B has been withdrawn

Subject: **AGENDA ITEM #4 – New Business**
Arch Street Alley A & an Un-named Right-of-Way (at 366 South C Street) – Alley Vacation

APPLICANT: City of Hamilton
LOCATION: A portion of Arch Street Alley “A” and an un-named right-of-way (at 366 South C Street)
REQUEST: To vacate a portion of Arch Street Alley “A” and an un-named right-of-way situated in the First Ward, South Side, City of Hamilton, Ohio.

BASIC INFORMATION		
Applicant/Property Owner	City of Hamilton, applicant & property owner	
Architect/Engineer/Consultant	N/A	
Size of Property	Arch Street Alley - 199.65 Feet of alley Unnamed Right-of-Way - 257.90 Feet of alley	
Current Zoning	N/A	
Requests	Vacate a portion of Arch Street Alley “A” and an un-named right-of-way.	
Size of Revision	Arch Street Alley - 199.65 Feet of alley Unnamed Right-of-Way - 257.90 Feet of alley	
ADJACENT LAND USE/ZONING INFORMATION		
Direction	Land Use	Zoning
North	N/A	N/A
South	N/A	N/A
East	N/A	N/A
West	N/A	N/A

Staff Report Contents:

Section A: Introduction and Background..... 117
 Section B: Petition Review 117
 Section C: Statutes: 120
 Section D: Notification..... 120
 Section E: Recommendations..... 121
 Section F: Staff Basis / Comments..... 122
 Section G: Attachments..... 122

The City of Hamilton is pleased to provide accommodations to disabled individuals and encourage their participation in city government. Should special accommodations be required, please contact Community Development's office at 513-785-7350 (24) hours before the scheduled meeting.



Agenda Item #4
Arch St Alley A&B



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

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Report continued on the next page





Section A: Introduction and Background

Section A.1: Project Overview

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). 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 clear out the honeysuckle. However, the Hicks Blvd LLC prefers vacation of the right-of-way as part of this proposal.

Section A.2: Existing Site Conditions

Arch Street Alley is an unimproved, vacant, east-west alley. The property dead ends at the rear of 350 South D Street, and has no corresponding curb cut apron or other point of public access from South C Street.

The Unnamed Alley (informally referred to as Arch Street Alley “B”) is a partially improved alley; the eastern portion connecting to South C Street is paved but deteriorated, while the western portion of alley is typically overtaken by weeds and other foliage.

Both subject rights-of-way abut four (4) contiguous vacant properties owned by Hicks Blvd, LLC. The unnamed alley abuts the rear of five (5) residential properties (see Section B). Please refer to Exhibit A, [Location Map](#); and Exhibit B, [Exhibit Map](#).

Section B: Petition Review

Section B.1: Submitted Request

The City of Hamilton submitted a petition proposing vacation (abandonment) of the public right-of-way for a portion of Arch Street Alley A and a nearby unnamed right-of-way; both rights-of-way are located between South C Street and South D Street.

An alley vacation is a process in which an alley is reviewed for transference from public use to private property. Approval of an alley vacation means that the vacated portion of street will no longer be public right-of-way and the public could not use the alley for public access such as driving, parking, or walking.



In the event that any right-of-way vacation is approved, the land currently designated as right-of-way would be split down the centerline and each half (1/2) would be transferred to the adjacent property owners of record.

Specific information pertaining to the proposed alley for vacation is as follows:

Section B.2: Petitions to Vacate Right-of-Way

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

Arch Street Alley “A”

Between parcels #P6412113000031 & 32, and abuts 350 South D Street to the rear.

- Length: 199.65 feet
- Width: Ten (10') feet

Adjacent Property Owners:

Specific information pertaining to the properties adjacent to the right-of-way proposed for vacation is as follows:

- Parcel: P6412113000031 – Owner: Hicks Blvd, LLC.
(City Lot No. 190 X 10 ADJ 1683)
- Parcel: P6412113000032 – Owner: Hicks Blvd, LLC.
(City Lot No. 1684 ENT)
- 350 South D Street – Owner: Joyce Ann Davin, TR
Parcel: P6412113000033, (City Lot No. OL 37 N 80 OF W 139.59)

(Continued on next page)





Alley Vacation Request (Continued)

Unnamed Right-of-Way (“Arch Street Alley “B””)

Abuts properties 372, 374, & 376 South D Street and 220 & 222 Millikin Street to the rear

- Length: 257 feet
 - 182.90 feet, east-west | thence 75 feet, north-south
- Width: Variable – Average is approximately 13.83 feet width.

Adjacent Property Owners:

Specific information pertaining to the properties adjacent to the right-of-way proposed for vacation is as follows:

- Parcel: P6412121000040 – Owner: Hicks Blvd, LLC.
(City Lot No. OL37 SE99.5 X N176.26)
- Parcel: P6412121000038 – Owner: Hicks Blvd, LLC.
(City Lot No. OL37 NE199.65)
- 220 Millikin Street – Owners: Sherri & Steve Dishon
Parcel: P6412121000039, (City Lot No. OL 37 W 70 OF S 170 OF E 1/2)
- 222 Millikin Street – Owners: Danny Davidson
Parcel: P6412121000031, (City Lot No. OL 37 E35 OF W166 1/2 OF S 170)
- 376 South D Street – Owners: Michael D. Wiley
Parcel: P6412121000035, (City Lot No. 37 OL N39 OF S175 OF W131.59)
- 374 South D Street – Owner: Sally A. Mills
Parcel: P6412121000036, (City Lot No. OL 37 N35 OF S210 OF E 139.59)
- 372 South D Street – Owners: William F Huber, TR
Parcel: P6412121000037, (City Lot No. OL 37 N 40 OF S 250 OF E 139.59)



Section B.3: Interdepartmental Review

The city's Interdepartmental Review Committee evaluated the proposed vacation of a portion of Arch Street Alley, "A", and an unnamed right-of-way ("Alley B"). There were no objections to the proposal.

- Note that there are no utilities within the rights-of-way in question.

Section C: Statutes:

Alley Vacation Process.

The Planning Commission can approve or deny the request for an alley vacation and may modify or add any additional conditions to the street vacation request.

The statutes of Chapter 167.07 of the City of Hamilton's Codified Ordinances regulate vacation or abandonment of public right-of-way (alleys, streets, etc.).

- Planning Commission may vote on the street vacation, for or against.
- If the Planning Commission provides a favorable recommendation, the street vacation proposal is forwarded to City Council.
- If approved by City Council, the council adopts a resolution of intent to vacate.

Typically, right-of-way vacations proceed with appraisal of the alley and Board of Revisions of Assessments. However, with the City of Hamilton as applicant, the petition to vacate may proceed to City Council as a resolution to vacate, followed by an ordinance to vacate the right-of-way.

Section D: Notification

The Planning Department mailed Public Hearing Notices to the owners of 18 properties within 200 feet of the subject property per statute requirements. This mailing also includes seven (7) owners of property abutting the alley in question (as noted in Section B of this report). Staff posted a sign at the site, advertising the public hearing for proposed vacation of a portion of Arch Street Alley "A" and the adjacent unnamed right-of-way.

The Planning Department received one (1) phone calls pertaining to the proposal.

(Continued)

Report continued on the next page





Notification (Continued)

- Ms. Sherri Dishon, at 220 Millikin Street.

Ms. Dishon noted that she utilizes the unnamed right-of-way at the rear of her property to walk to the bottom of her back yard easier. Ms. Dishon also uses the right-of-way as a smoother surface to roll her garbage can around the block.

Staff investigated the unnamed right-of-way, noting an uneven terrain and a physical barrier of foliage. Staff reached out to Ms. Dishon for clarification and Ms. Dishon explained that due to the topography the alley is the only way to access the rear yard of her property.

Section E: Recommendations

The Planning Commission can provide a favorable recommendation to City Council for the alley vacation, or recommend denial of each alley vacation or both alley vacation proposals. The Planning Department recommends the following motion to City Council:

That the Planning Commission take action to recommend that City Council adopt the necessary legislation to vacate the portion of Arch Street Alley "A" & the described unnamed right-of-way, situated in the First Ward, South Side, as displayed on the street vacation exhibit. The recommendation includes the following conditions:

Conditions for Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.



Section F: Staff Basis / Comments

Staff finds the proposed alley vacation to be consistent with the intent and purpose of right-of-way vacation and abandonment in the following ways:

1. Arch Street Alley “A” is an unimproved alley, consisting of vacant land, and no defined connections. The alley is also a dead-end alley and this proposed vacation would not result in a loss of connectivity or access to property.
2. The unnamed right-of-way is a partially improved alley way overtaken by growth and vegetation. The site is also a site of dumping and trash, requiring cost and time to consistently rectify. Hicks Blvd, LLC has expressed an interest in cleaning up and maintaining the properties and clearing invasive vegetation on the condition of vacating this right-of-way and Arch Street Alley “A”.
3. There are no existing utilities within the rights-of-way in question, meaning no need for utility department or other city access for maintenance issues.
4. The proposed vacation will not adversely impact the public health, safety, or welfare. No vehicular access to any privately owned property will be closed as a result of the proposed vacation.

Section G: Attachments

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

1. Exhibit A – [Location Map](#)
2. Exhibit B – [Exhibit Map of Arch Street Alley “A” and Unnamed right-of-way \(Alley “B”\)](#)
3. Exhibit C – [Petition to Vacate](#)
4. Exhibit D – [Photos of existing conditions](#)
5. Exhibit E – [Public Hearing Notice letters](#)
6. Exhibit F – [Recommended Conditions of Approval](#)

Report continued on the next page



**Arch Street Alley Vacation
Exhibit G - Conditions of Approval**

Arch Street Alley Vacation – Recommended Conditions of Approval

BASIC INFORMATION	
Applicant/Property Owner	City of Hamilton, applicant & property owner
Architect/Engineer/Consultant	N/A
Size of Property	Arch Street Alley - 199.65 Feet of alley
Current Zoning	N/A
Requests	Vacate a portion of Arch Street Alley "A" .
Size of Revision	Arch Street Alley - 199.65 Feet of alley

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

ORDINANCE NO. _____

AN ORDINANCE VACATING A PORTION OF ARCH STREET ALLEY "A", LOCATED BETWEEN SOUTH C STREET AND SOUTH D STREET, SITUATED IN THE FIRST WARD, SOUTH SIDE, CITY OF HAMILTON, OHIO. (City of Hamilton, Applicant).

WHEREAS, the City of Hamilton requested vacation of a portion of Arch Street Alley "A", situated in the First Ward, South Side, City of Hamilton, Butler County, Ohio abutting Parcel Numbers P6412113000031 and P6412113000032; and

WHEREAS, said portion of Arch Street Alley "A" is an unimproved, vacant, east-west alley, 199.65 feet of length and 10 feet in width, containing approximately 1,996 square feet of right-of-way; and

WHEREAS, an adjacent owner of property expressed interest in cleaning up the vacant properties, and requests vacation of Arch Street Alley "A"; and

WHEREAS, the request for said vacation of a portion of Arch Street Alley "A", was reviewed by all City of Hamilton departments through Interdepartmental Review and was approved; and

WHEREAS, the Planning Department notified all of the owners of property located within 200 feet of the area in question of a public hearing on said request to be held at the Hamilton Planning Commission meeting of July 16, 2020, and there were no objections expressed to the proposed vacation of a portion of the Arch Street Alley "A" vacation; and

WHEREAS, the Hamilton Planning Commission considered the foregoing vacation request and did recommend that the above described a portion of Arch Street Alley "A", be vacated; and

WHEREAS, on July 16, 2020, the Planning Commission made the following motion and did recommend that City Council adopt an Ordinance of intent to vacate a portion of Arch Street Alley "A" located in the City of Hamilton, Butler County, Ohio, situated in the First Ward, South Side as drawn and depicted on the exhibit map, as indicated in Exhibit No.1; subject to the following conditions of approval outlined below and outlined in Exhibit No. 2:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review; and
- 2) That the City Council waive its right to a hearing before the Board of Revisions and Assessments because the petition for vacation has been submitted by the City of Hamilton; and,
- 3) That City Council waive the requirement for an Appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton; and,
- 4) The City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton; and

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

SECTION I: In consideration of the clauses set forth above, Council does hereby vacate the public's interest in that portion of Arch Street Alley "A" right-of-way, measuring 199.65 feet in length and 10 feet in width, containing approximately 1,999 square feet of right-of-way with a directional course east-west, between Parcel: #P6412113000031 (City Lot No. 190 X 10 ADJ 1683), and Parcel: #P6412113000032 (City Lot No. 1684 ENT), rear adjacent to 350 South D Street, (Parcel: #P6412113000033, City Lot No. OL 37 N 80 OF W 139.59), right-of-way situated in the First Ward, South Side of the City of Hamilton, Butler County, Ohio, as documented and designated on Exhibit No. 1 attached hereto, incorporated herein by reference and made a part hereof.

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

SECTION II: That said conditions of vacation include the conditions listed on Exhibit No. 2., Arch Street Alley "A" Vacation, Conditions of Approval attached hereto, incorporated herein by reference and made a part hereof.

SECTION III: That the Director of Finance shall cause notice of the passage of this Ordinance to be published as required by law unless all of the adjoining property owners have otherwise waived such notice.

SECTION IV: That said vacation shall be subject to the rights of any public utility pursuant to Section 723.041 of the Ohio Revised Code and to the rights of any lot owner pursuant to Section 723.08 of the Ohio Revised Code.

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



Ordinance No. _____ (Cont'd)

EXHIBIT NO. 2

Arch Street Alley Vacation – Recommended Conditions of Approval

BASIC INFORMATION	
Applicant/Property Owner	City of Hamilton, applicant & property owner
Architect/Engineer/Consultant	N/A
Size of Property	Arch Street Alley - 199.65 Feet of alley
Current Zoning	N/A
Requests	Vacate a portion of Arch Street Alley "A"
Size of Revision	Arch Street Alley - 199.65 Feet of alley

Conditions of Approval:

- 1) The construction drawings for the proposed work, including site/engineering plans, shall be revised subject to any future requirements of the City Interdepartmental Review (IDR) Committee upon review.
- 2) That the City Council waive its right to a hearing before the Board of Revisions of Assessments because the petition for vacation has been submitted by the City of Hamilton.
- 3) That the City Council waive the requirement for an appraisal of the property to be vacated because the petition for vacation has been submitted by the City of Hamilton.
- 4) That the City Council waive the customary two-thirds payment of the appraised value of the vacated property because the petition for vacation has been submitted by the City of Hamilton.

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. (122 Progress Avenue).

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 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
Ordinance or Resolution <i>Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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 7-22-20 City Council Meeting	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure: \$	
	Source Funds:	

Policy Issue

Does City Council wish to adopt legislation to convey the vacant lot at 122 Progress Avenue to Lena Shields who owns property contiguous to this lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 122 Progress Avenue to Lena Shields 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 122 Progress Avenue to Lena Shields because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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 122 Progress Avenue was acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) in May 2013. The property is eligible for the side lot program and is in an urban renewal area. Lena Shields owns the property at 124 Progress 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
122 Progress Avenue, Hamilton, OH	P6411015000075

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. (122 Progress Avenue).

WHEREAS, the City of Hamilton, Ohio has received a request from Lena Shields 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 Lena Shields; and

WHEREAS, no other eligible contiguous property owner applied 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"); and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton 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 Lena Shields 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, and as seen in 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
Lena Shields	122 Progress Avenue	P6411015000075

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.

Ordinance No. _____ (cont'd)

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



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
122 Progress Avenue

ArcGIS Web Map



Date: 7/8/2020

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 the information in this document is at the user's discretion.

1 inch = 94 feet

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. (P6421011000082 located adjacent to 242 Walnut Street).

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 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
Ordinance or Resolution <i>Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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 7-22-20 City Council Meeting	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure: \$	
	Source Funds:	

Policy Issue

Does City Council wish to adopt legislation to convey the vacant lot adjacent to 242 Walnut Street (P6421011000082) to Janice McKinzie who owns property contiguous to this lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot adjacent to 242 Walnut Street (P6421011000082) to Janice McKinzie 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 adjacent to 242 Walnut Street (P6421011000082) to Janice McKinzie because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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 located adjacent to 242 Walnut Street was acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) in July 2019. The property is eligible for the side lot program and is in an urban renewal area. Janice McKinzie owns the property at 242 Walnut 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
Walnut Street, Hamilton, OH	P6421011000082

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.
(P6421011000082 located adjacent to 242 Walnut Street).

WHEREAS, the City of Hamilton, Ohio has received a request from Janice McKinzie 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 Janice McKinzie; and

WHEREAS, no other eligible contiguous property owner applied 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"); and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton 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 Janice McKinzie 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, and as seen in 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
Janice McKinzie	Walnut Street	P6421011000082

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.

Ordinance No. _____ (cont'd)

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 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. (246 Walnut Street).

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 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
Ordinance or Resolution <i>Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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 7-22-20 City Council Meeting	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure: \$	
	Source Funds:	

Policy Issue

Does City Council wish to adopt legislation to convey the vacant lot at 246 Walnut Street to Eulalio Quezada who owns property contiguous to this lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 246 Walnut Street to Eulalio Quezada 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 246 Walnut Street to Eulalio Quezada because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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 246 Walnut Street was acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) in July 2019. The property is eligible for the side lot program and is in an urban renewal area. Eulalio Quezada owns the property at 250 Walnut 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
246 Walnut Street, Hamilton, OH	P6421011000081

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. (246 Walnut Street).

WHEREAS, the City of Hamilton, Ohio has received a request from Eulalio Quezada 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 Eulalio Quezada; and

WHEREAS, no other eligible contiguous property owner applied 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"); and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton 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 Eulalio Quezada 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, and as seen in 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
Eulalio Quezada	246 Walnut Street	P6421011000081

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.

Ordinance No. _____ (cont'd)

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 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. (420 Chestnut 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: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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 7-22-20 City Council Meeting</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 convey the vacant lot at 420 Chestnut Street to Cesar Adrian Sanchez Rodriguez and Juanita Gaudalupez Navarro Decena who own property contiguous to this lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 420 Chestnut Street to Cesar Adrian Sanchez Rodriguez and Juanita Gaudalupez Navarro Decena 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 420 Chestnut Street to Cesar Adrian Sanchez Rodriguez and Juanita Gaudalupez Navarro Decena because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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 420 Chestnut Street was acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) in November 2012. The property is eligible for the side lot program and is in an urban renewal area. Cesar Adrian Sanchez Rodriguez and Juanita Gaudalupe Navarro Decena own the property at 422 Chestnut Street and seek 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
420 Chestnut Street, Hamilton, OH	P6441037000076

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. (420 Chestnut Street).

WHEREAS, the City of Hamilton, Ohio has received a request from Cesar Adrian Sanchez Rodriguez and Juanita Gaudalupez Navarro Decena 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 Cesar Adrian Sanchez Rodriguez and Juanita Gaudalupez Navarro Decena; and

WHEREAS, no other eligible contiguous property owner applied 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"); and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton 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 Cesar Adrian Sanchez Rodriguez and Juanita Gaudalupez Navarro Decena 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, and as seen in 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
Cesar Adrian Sanchez Rodriguez and Juanita Gaudalupez Navarro Decena	420 Chestnut Street	P6441037000076

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: _____

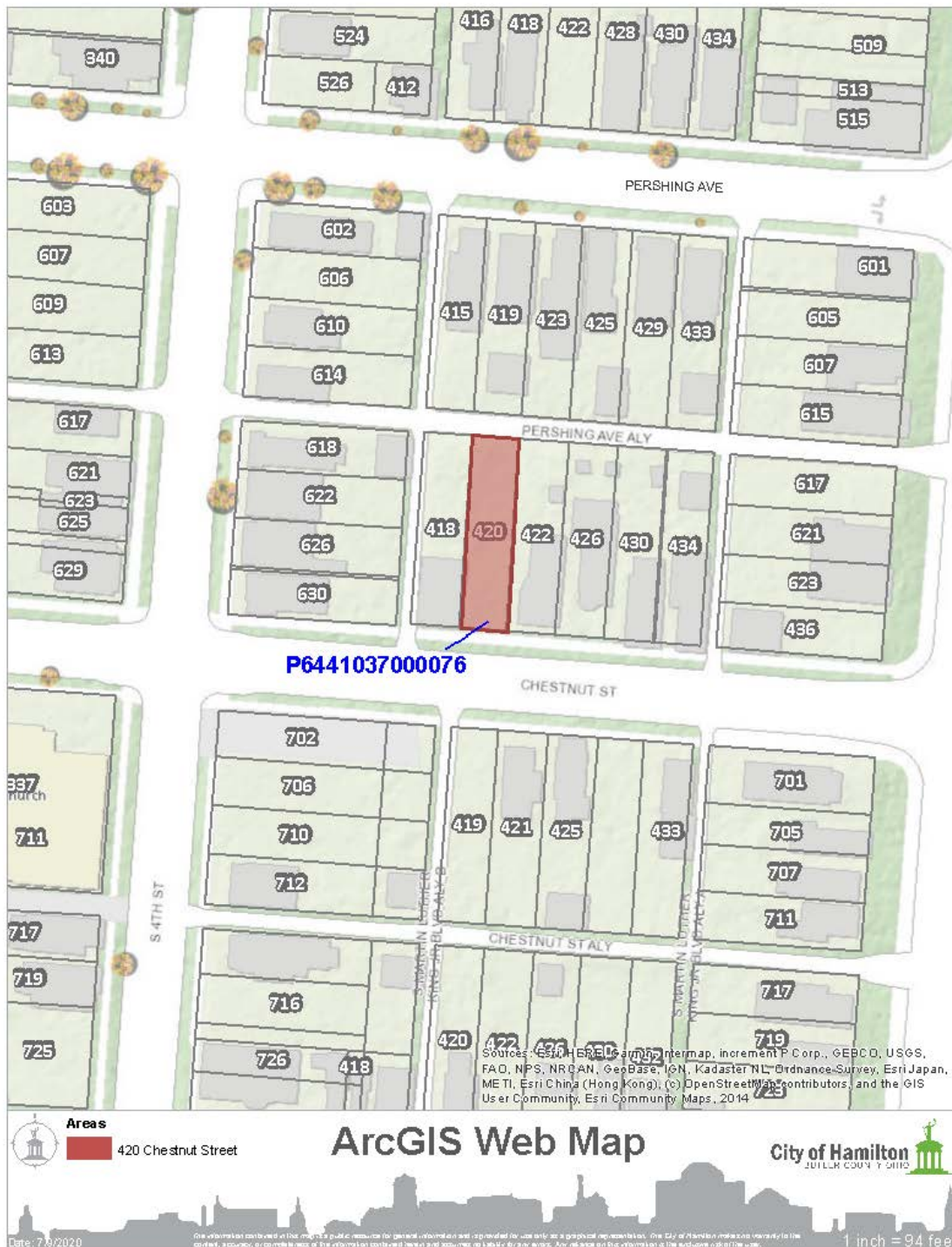
City Clerk

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

EXHIBIT NO. 1



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 located within the City of Hamilton, Ohio's Urban Renewal Area to an adjoining property owner as a sidelot. (463 S. Fourth Street).

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 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
Ordinance or Resolution <i>Ordinance</i>	<input checked="" type="checkbox"/> 1 st Reading Date: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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 7-22-20 City Council Meeting	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>
	Expenditure: \$	
	Source Funds:	

Policy Issue

Does City Council wish to adopt legislation to convey the vacant lot at 463 S. Fourth Street to John Hurd Jr. who owns property contiguous to this lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 463 S. Fourth Street to John Hurd Jr. 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 463 S. Fourth Street to John Hurd Jr. because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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
- 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 463 S. Fourth Street was acquired by the City of Hamilton from Donald L. Dickinson in March 2010. The property is eligible for the side lot program and is in an urban renewal area. John Hurd Jr. owns the property at 455 S. Fourth 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
463 S. Fourth Street, Hamilton, OH	P6441032000017

Attached Information

N/A

Copies Provided to:

N/A



ORDINANCE NO. _____

AN ORDINANCE APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF HAMILTON, OHIO'S URBAN RENEWAL AREA TO AN ADJOINING PROPERTY OWNER AS A SIDELOT. (463 S. Fourth Street).

WHEREAS, the City of Hamilton, Ohio has received a request from John Hurd Jr. to acquire a property acquired from Donald L. Dickinson 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 is not needed for a public purpose, is located in an Urban Renewal Area and is contiguous to the residential property owned by John Hurd Jr.; and

WHEREAS, no other eligible contiguous property owner applied 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"); and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton 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 Transfer Agreement with each purchaser to ensure that the purchaser maintain the property according to certain 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 John Hurd Jr. 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 from Donald L. Dickinson, which is more fully described below, and as seen in Exhibit No. 1, to the applicant for One Hundred and 00/100 Dollars (\$100.00), subject to the terms of a Transfer Agreement, and waives any additional acquisition costs pursuant to the Land Reutilization Policies

Purchaser	Address	Parcel Identification
John Hurd Jr.	463 S. Fourth Street	P6441032000017

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 Transfer Agreement, with the purchaser to ensure that the purchaser maintains the property according to certain 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.

Ordinance No. _____ (cont'd)

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 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. (600 S. McKinley 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: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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 7-22-20 City Council Meeting</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 convey the vacant lot at 600 S. McKinley Avenue to Cathy Hilton who owns property contiguous to this lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 600 S. McKinley Avenue to Cathy Hilton 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 600 S. McKinley Avenue to Cathy Hilton because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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 600 S. McKinley Avenue was acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) in August 2017. The property is eligible for the side lot program and is in an urban renewal area. Cathy Hilton owns the property at 602 S. McKinley 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
600 S. McKinley Avenue, Hamilton, OH	P6412009000102

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. (600 S. McKinley Avenue).

WHEREAS, the City of Hamilton, Ohio has received a request from Cathy Hilton 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 Cathy Hilton; and

WHEREAS, no other eligible contiguous property owner applied 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"); and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton 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 Cathy Hilton 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, and as seen in 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
Cathy Hilton	600 S. McKinley Avenue	P6412009000102

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.

Ordinance No. _____ (cont'd)

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: _____

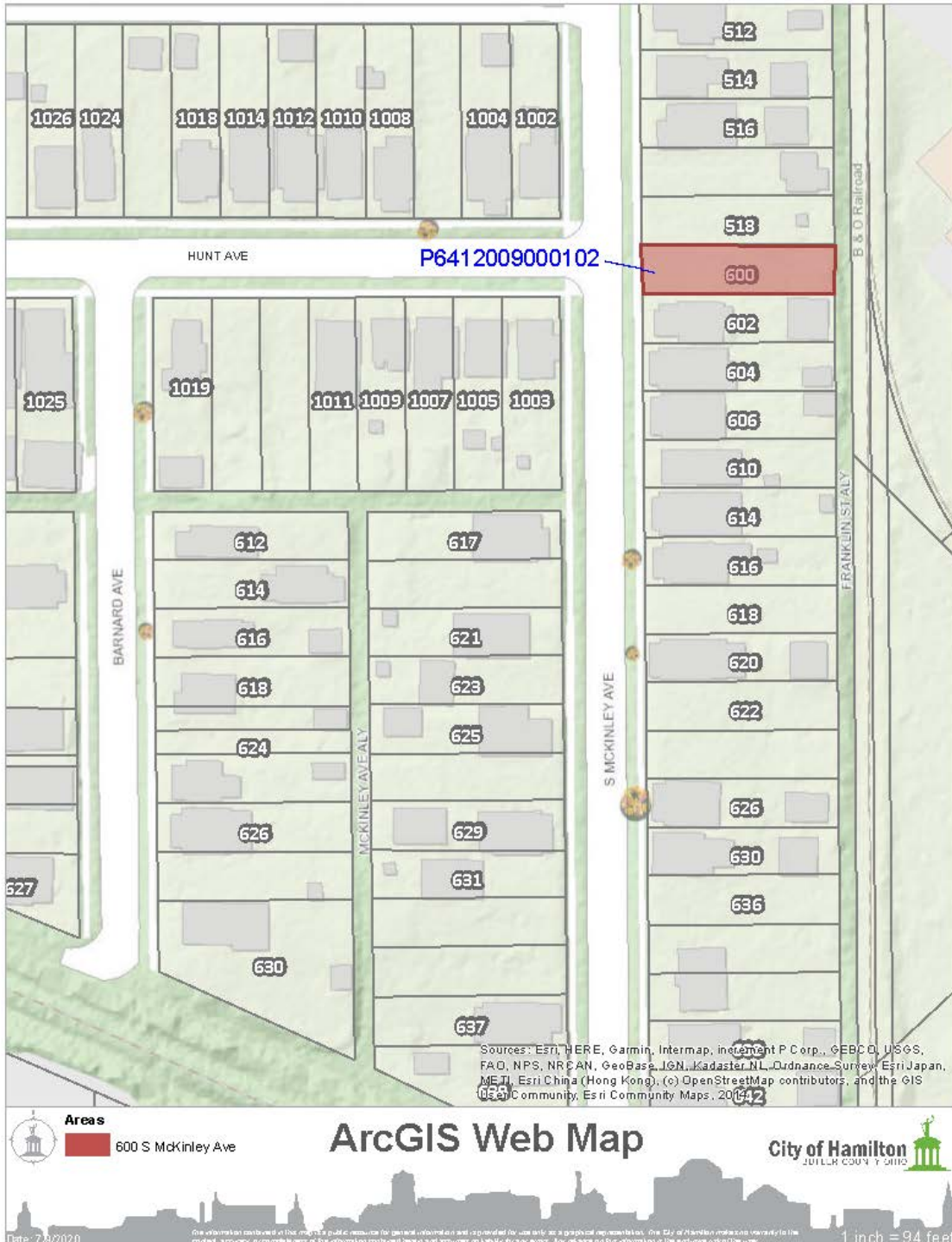
ATTEST: _____
City Clerk

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: Larry Bagford – Planning & Zoning Specialist

Agenda Item: Request to Amend the City of Hamilton Ordinances: Agenda Item #34 An ordinance amending and supplementing Part Three – Traffic Code, deleting Section 301.20 Motor Vehicle, adding Section 301.18.22 Mobile Home, and amending Section 301.51 Vehicle of Chapter 301 Definitions, of the Codified Ordinances of the City of Hamilton, Ohio, Agenda Item # 35 An ordinance amending and supplementing Part Three – Traffic Code, Chapter 351 Parking Generally, Section 351.03 and Subsection (A) Prohibited Standing or Parking Places, Section 351.03.1 Prohibited Standing and Parking of Certain Trucks and Buses and all Semi Trailers and Semi Tractors in a Residence District; Exceptions, Section 351.17 No Parking of Vehicles in Yards, and Section 351.99(a)(3) Penalty, of the Codified Ordinances of the City of Hamilton, Agenda Item #36, An ordinance amending and supplementing Part Three – Traffic Code, Chapter 355 Junk and Abandoned Vehicles, Sections 355.01 – 355.05, of the Codified Ordinances of the City of Hamilton, Ohio, and Agenda Item # 37 An ordinance amending and supplementing Part Seventeen – Health Code, Chapter 1735 – Littering, Section 1735 Littering, Sections 1735.18 Maintaining Private Property Free of Litter, Section 1735.20 Effect of Noncompliance; City May Remove Violation, and Section 1735.22 Junk Motor Vehicles on Private Property with Permission of Owner; Notice of Removal and Impounding, of the Codified Ordinances of the City of Hamilton, Ohio.

<p>Approvals/Reviews <i>To be checked by the Office of the City Manager once approvals received from Departments. All other boxes to be checked by the Report author</i></p>	<input checked="" type="checkbox"/> Department Head <input checked="" type="checkbox"/> Finance Department <input checked="" type="checkbox"/> Director of Law <input checked="" type="checkbox"/> Office of the City Manager	<p>Related Strategic Goal(s)</p> <input type="checkbox"/> 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 Ordinance</p>	<input checked="" type="checkbox"/> 1 st Reading Date: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <input type="checkbox"/> Resolution Date: <input checked="" type="checkbox"/> Public Hearing Date: 8-12-2020	
<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): 7-22-2020 Caucus Report City Council Meeting Ordinance Review Committee Meeting 6-17-2020</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	<p>Budgeted: Expenditure: Source Funds:</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>



Policy Issue

Does City Council wish to amend the City of Hamilton Ordinances: Chapter 301, Definitions, Chapter 351, Parking Generally, and Chapter 1735, Littering to resolve confusion for City personnel enforcing the ordinances as well as the public?

Policy Alternative(s)

Council may choose not to amend the City of Hamilton Ordinances: Chapter 301, Definitions, Chapter 351, Parking Generally, and Chapter 1735, Littering. Council may choose to adopt any portion of the proposed amendments rather than adopting all or may choose to amend the specific language of the proposed amendments.

Staff Recommendation

Staff recommends that Council receives this report, concurs with the proposed ordinance amendments and adopts the necessary legislation to amend the City Ordinance Chapters: 301, Definitions, Chapter 351, Parking Generally, and Chapter 1735, Littering to resolve confusion for City personnel enforcing the ordinances as well as the public.

Statutory/Policy Authority

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

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the proposed amendments to the Chapters: 301, Definitions, Chapter 351, Parking Generally, and Chapter 1735, Littering, is estimated at approximately \$2000.00.

Background Information

Automobiles, boats, campers, trailers and other vehicles that are inoperable, illegally stored, or illegally parked on private property fall under the purview of three different ordinances that are enforced by three different departments of the City Administration: the Police, Health, and Planning Departments.

The three departments cooperate and coordinate as much as practical when enforcing these areas of overlap. However, there are some minor conflicts in the regulations that lead to confusion not only for the personnel enforcing the ordinances, but also for the public.

In order to eliminate these conflicts, and provide more efficient enforcement and removal of junk or abandoned campers, boats and trailers as well as automobiles, staff members from Police, Health, Engineering, and Planning formed a committee to align the separate ordinance sections and provide clearer language. The committee proposed amendments were sent for legal review by the City's legal counsel, Frost Brown Todd. After legal review and revisions, the proposed amendments were presented at the June 17, 2020 meeting of the Ordinance Review Commission (ORC). During the ORC meeting, it was noted that the submitted amendments to section 351.03 subsection A were pending additional discussions with the City's Engineering Department and would be further amended from what was presented. Post the ORC meeting, Engineering/Traffic, Police, and Zoning Departments met and revised the section to better define the exceptions as presented in attached Exhibit B. The final redlines with comment from the June 17, 2020 ORC meeting of the proposed changes are attached as Exhibit A.

Legal Review

The City's legal department as well as the Ordinance Review Commission have reviewed the proposed changes.



Notification

A notice of public hearing for the August 12, 2020 City Council meeting was posted July 27, 2020, on the City Website.

Planning received no inquiries pertaining to the proposed text amendments.

Approval Recommendation

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

Attached Information

- Exhibit A - Redlines of the Proposed Changes to the Codified Ordinances (June 17, 2020 ORC Meeting)
- Exhibit B – Redline of the Proposed Changes to Section 351.03(a) Post Ordinance Review
- Exhibit C – Final Redline of Proposed Changes with Formatting Corrections
- Notice of Public Hearing, City Council August 12, 2020

Copies Provided to:

N/A



**Report to the Ordinance Review Committee on Proposed Amendments to City of
Hamilton Ordinances: Chapter 301, Definitions, Chapter 351, Parking Generally, and
Chapter 1735, Littering**

Automobiles and other vehicles that are inoperable, illegally stored or parked on private property fall under the purview of three different ordinances that are enforced by three different departments of the City of Hamilton: the Police, Health and Planning Departments.

The three departments cooperate and coordinate as much as practical when enforcing these areas of overlap. However, there are some minor conflicts in the regulations that lead to confusion for the personnel enforcing the ordinances and for the general public.

In order to eliminate these conflicts, the following amendments are proposed. The items marked thru in ~~red~~ are existing language to be removed the **highlighted** items are new language.

301.20 MOTOR VEHICLE.

~~—"Motor vehicle" means every vehicle propelled or drawn by power other than muscular power, except motorized bicycles, electric bicycles, road rollers, traction engines, power shovels, power cranes and other equipment used in construction work and not designed for or employed in general highway transportation, hole digging machinery, well drilling machinery, ditch digging machinery, farm machinery, and trailers designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty five miles per hour or less. (ORC 4511.01(B))~~

- (a) "Vehicle" means every device, including but not limited to automobiles, trucks, semi tractors, buses, watercraft, trailers, mobile homes, recreational vehicles, farm machinery, construction equipment, and other motorized vehicles, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device, that is moved by human power.
- (b) "Recreational Vehicle" means any vehicle or structure including but not limited to camper trailers, fifth wheel campers, truck campers and self-propelled motor homes constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

351.99(a)(3) Effective April 10, 1995, every person who violates Section 351.03.1, 351.03(u), 351.13, 351.131, 351.15, 351.14, 351.17 and 353.071 shall be fined fifty dollars (\$50.00) if paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight of the date of violation but within twenty-four (24) hours of the violation, the fine shall be seventy-five dollars (\$75.00). If the fine is paid

after twenty-four (24) hours from the time of the violation, the fine shall be one hundred dollars (\$100.00).

351.03.1 PROHIBITED IDLING AND PARKING OF CERTAIN TRUCKS AND BUSES AND ALL SEMITRAILERS AND SEMITRACTORS IN A RESIDENCE DISTRICT; EXCEPTIONS.

Except as provided in this section, no person shall idle or park any bus, including a school bus, nor any truck with a certified gross vehicle weight **or registered weight, whichever is greater**, for the specific truck of more than ten thousand (10,000) pounds, nor any semitrailer or semi-tractor, on any street, alley or in any yard area (front, back or side) or on any driveway or on any private property in any residence district within the City. As to buses, this prohibition is effective regardless of whether such bus or school bus is actually used for, or is currently being used for, the transportation of persons for compensation.

(a) This provision does not apply to a truck, bus, semitrailer, semi-tractor when standing, or parking:

- (1) Due to an emergency, or
- (2) For the loading or unloading of passengers, or
- (3) For the loading or unloading of cargo, or
- (4) As directed by a police officer, or
- (5) If such vehicle is owned or operated by the Municipality while the operator of such vehicle is carrying out official duties.

(b) This prohibition does not apply to school buses, as defined in Section [301.35](#) herein, between the hours of 8:00 a.m. to 5:00 p.m. on weekdays.

355.01 DEFINITIONS.

As used in this chapter:

(a) "Abandoned junk-~~motor~~ vehicle" means any ~~motor~~ vehicle meeting all of the following requirements:

(1) Left on private property for more than **four** (4) ~~seventy-two~~ hours without the permission of the person having the right to the possession of the property, on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway for **seventy-two** (72) ~~twenty-four~~ hours or longer;

~~(2) Three years old or older;~~

(3) Without a current license displayed on the vehicle. ~~Extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;~~

(4) Apparently inoperable due to mechanical malfunction or extensive damage; such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;; (Ord. 7904. Passed 10-9-74.)

~~—(5) Having a fair market value of one thousand five hundred dollars (\$1,500) or less. (Ord. 2003-6-40. Passed 6-11-03.)~~

(b) "Property" means any real property within the City which is not a street or highway.

355.02 WILLFULLY ABANDONING A VEHICLE.

(a) (1) No person shall willfully leave a vehicle or “abandoned junk ~~motor~~-vehicle” on private property for more than **seventy-two** (72) hours without permission of the person having the right to the possession of the property, or on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway for **seventy-two (72) hours** or longer without notification to the Chief of Police of the reasons for leaving the vehicle in such place. Said vehicle must have a valid license, and registration **and be in legally road operable condition.**

(2) For the purposes of this section, the fact that a vehicle has been so left without permission or notification is prima-facie evidence of abandonment.

(b) Whoever violates this section is guilty of a minor misdemeanor, and shall also be assessed any costs incurred by the Municipality in disposing of such junk ~~motor~~ vehicle, less any money accruing to the Municipality from such disposal.

(ORC 4513.99)

355.03 ~~MOTOR~~-VEHICLE LEFT ON PRIVATE PROPERTY.

The Chief of Police, upon complaint of any person adversely affected, may order into storage any ~~motor~~ vehicle, other than an abandoned junk ~~motor~~ vehicle which has been left on private property for more than four (4) hours without the permission of the person having the right to the possession of the property. The place of storage shall be designated by the Chief of Police. The owner of the ~~motor~~-vehicle may reclaim it upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title to the ~~motor~~-vehicle. If the ~~motor~~ vehicle remains unclaimed by the owner for thirty days, the procedures established by Sections 355.05 et seq. shall apply.

355.04 JUNK ~~MOTOR~~ VEHICLE; ORDER TO COVER OR REMOVE.

For the purposes of this section "junk ~~motor~~ vehicle" means any ~~motor~~ vehicle meeting the requirements of Section [355.01](#)(a)(2 and 3) to (5) that is left ~~uncovered~~ in the open on private property for more than **seventy-two** (72) hours with the permission of the person having the right to the possession of the property, except if the person is operating an approved junk yard or scrap metal processing facility licensed under authority of Ohio R.C. 4737.05 to 4737.12; or regulated under authority of the City; or if the property on which the ~~motor~~ vehicle is left is not subject to licensure or regulation by any governmental authority, unless the person having the right to the possession of the property can establish that the ~~motor~~-vehicle is part of a bona fide commercial operation; ~~or if the motor vehicle is a collector's vehicle.~~

The Chief of Police may send notice by certified mail with return receipt requested to the person having the right to the possession of the property on which a junk ~~motor~~ vehicle is left, that within **seventy-two (72) hours** ~~ten days~~ of receipt of the notice, the junk ~~motor~~-vehicle either shall ~~be covered by being~~ housed in a garage or other suitable structure or shall be removed from the property. Parking, storing, leaving, or permitting the parking or storing of any junk vehicle, non-operating vehicle, or vehicle parts, whether attended or not attended, in a carport, under a car cover, or behind a fence, for a period in excess of **seventy-two (72) hours** upon any private property within the City is a violation of this ordinance.

No person shall willfully leave a ~~junk~~-motor vehicle ~~uncovered~~ in the open for more than **seventy-two (72) hours** ~~ten days~~ after receipt of a notice as provided in this section. The fact that a junk ~~motor~~-vehicle is so left is prima-facie evidence of willful failure to comply with the notice, and each subsequent period of than **seventy-two (72) hours** ~~thirty days~~ that a junk ~~motor~~-vehicle continues to be left constitutes a separate offense.

355.05 ~~MOTOR~~ VEHICLE LEFT ON PUBLIC PROPERTY.

The Chief of Police may order into storage any ~~motor~~-vehicle other than an abandoned junk ~~motor~~-vehicle which has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right of way of any road or highway, for twenty-four (24) hours or longer without notification to the Chief of the reasons for leaving the ~~motor~~ vehicle in such place. The Chief shall designate the place of storage of any ~~motor~~ vehicle ordered removed by him.

The Chief of Police shall immediately cause a search to be made of the records of the Bureau of Motor Vehicles to ascertain the owner and any lienholder of a ~~motor~~-vehicle ordered into storage by the Chief, and if known, shall send notice to the owner or lienholder at his last known address by certified mail with return receipt requested, that the ~~motor~~ vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of mailing of the notice. The owner or lienholder of the ~~motor~~ vehicle may reclaim it upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title to the ~~motor~~-vehicle.

If the owner or lienholder makes no claim to the ~~motor~~ vehicle within ten (10) days of the date of mailing of the notice, the Chief of Police shall dispose of such vehicle in the manner provided in the third paragraph of Ohio R.C. 4513.61 and Section [355.06](#). Provided, however, any ~~motor~~ vehicle meeting the requirements of Section [355.01](#)(a)(3) to (45) which has remained unclaimed by the owner or lienholder for a period of ten (10) days or longer following notification as provided in this section may be disposed of as provided in Section [355.07](#).

351.03 PROHIBITED STANDING OR PARKING PLACES.

No person shall stand or park a vehicle in any of the following places, except when necessary to avoid conflict with other traffic, to comply with provisions of this Traffic Code, while obeying the directions of a police officer or a traffic control device, or in case of an emergency:
(Ord. 2004-2-8. Passed 2-11-04.)

(a) On a sidewalk, curb or street lawn area, except a bicycle, ~~and except when any portion of the vehicle is parked on a paved surface or concrete pad situated within the street lawn area, so long as a minimum of four (4) feet of sidewalk are available.~~

(Ord. 2018-10-95. Passed 10-10-18.)

- (b) In front of or within five feet (5') of a public or private driveway;
- (c) Within an intersection;
- (d) Within ten feet (10') of a fire hydrant;
- (e) On a crosswalk;
- (f) Within twenty feet (20') of a crosswalk at an intersection;
- (g) Within thirty feet (30') of, and upon the approach to, any flashing beacon, stop sign or traffic control device;
- (h) Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device;
 - (i) Within fifty feet (50') of the nearest rail of a railroad crossing;
 - (j) Within twenty feet (20') of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet (75') of the entrance when it is properly posted with signs;
 - (k) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
 - (l) Alongside any vehicle stopped or parked at the edge or curb of a street;

6/17/2020 ORC Meeting Note: During the ORC Meeting, presenter Larry Bagford, Planning and Zoning Specialist, noted the amendments as presented to ORC would not be going forward. Instead, the committee would meet with Engineering/Traffic to better amend this section.

- (m) Upon any bridge or other elevated structure upon a street, or within a street tunnel;
- (n) At any place where signs prohibit stopping, standing or parking, or where the curbing is painted yellow, or at any place in excess of the maximum time limited by signs; and in any off-street parking area which is posted as being reserved for City elected officials, City employees or City vehicles, or at any on-street parking location which is reserved for City vehicles;
- (o) Within one foot (1') of another parked vehicle;
- (p) On the roadway portion of a freeway, expressway or thruway.
- (q) In any monthly rental space in the Municipal surface parking lots or the Municipal Parking Garage which is rented or leased to another person or which is not rented or leased to another person.
- (r) In any hourly rental space in the Municipal Parking Garage if such person is a monthly rental lessee in the Municipal Parking Garage.
- (s) In any parking space assigned to Butler County, Ohio, pursuant to ordinance adopted by Council, and located:
 - (1) On the east side of Front Street between High Street and Market Street and being within the following described area: beginning one hundred and eight feet (108') north of High Street and extending north to a point a distance of fifty feet; and
 - (2) In the municipal surface parking lot situated upon parts of Lot Number 120 located at the southeast corner of Magnolia Street and Riverfront Plaza in the Second Ward of the City.
(Ord. 2004-1-2. Passed 1-14-04.)
- (t) In any on-street parking space designated for use by the handicapped, as defined in Section [351.04](#)(e), unless the vehicle standing or parked is operated by a handicapped person or is being used to transport a handicapped person and bears a special handicapped license plate or other identification as provided in Section [351.04](#)(f). (Ord. 2008-8-95. Passed 8-13-08.)
- (u) At any posted bus stop or taxicab stand during the hours 6:00 a.m. to 7:00 p.m., Monday through Friday.
(Ord. 2004-1-2. Passed 1-14-04.)
- (v) In any of the three parking spaces assigned to the Hamilton, Ohio, City of Sculpture, an Ohio non-profit corporation, pursuant to an ordinance adopted by Council, and located on the west side of Monument Avenue between Third Street and High Street and being within the following described area: beginning sixty-four feet (64') north of Third Street and extending north to a point a distance of sixty-three feet (63'). (Ord. 2004-2-8. Passed 2-11-04.)

351.17 NO PARKING OF ~~MOTOR~~ VEHICLES IN YARDS.

No person, operator, or owner of a vehicle, motor vehicle, motorcycle, motorized bicycle, commercial tractor, bus, trailer, **camper, recreational vehicle, boat** or semi-trailer shall park the same or permit the same to be parked between ~~the building line of~~ a building or structure and the public right-of-way of the abutting street or alley unless the same is parked on a driveway which is surfaced with an asphaltic, concrete, cement binder, ~~or approved pervious paving products so as to provide a dustless, mud-free surface, free of standing water that shall be graded~~ and drained per the Director of Engineering's approval.

In addition to any other penalty permitted by law, the penalty for violation of this provision shall be as set forth in Section [351.99](#)(a)(3).

1735.18: MAINTAINING PRIVATE PROPERTY FREE OF LITTER.

- (a) The owner, operator, or occupant of any private property shall at all times maintain the property free of litter. All litter shall be stored in authorized private containers for collection.
- (b) Unused lumber and abandoned, unused or inoperative **vehicles automobiles, auto parts,** washers, dryers, refrigerators, and other such appliances, equipment and like items shall be stored in an enclosed structure upon all private property.
- (c) The storage of such items listed in this section must comply with **any and** all health, **zoning,** fire, and building codes, and such other regulations, orders, ordinances, or statutes as may apply.

1735.19 NOTICE OF VIOLATION.

- (a) The Commissioner of Health shall notify the owner, operator, or occupant of any property to properly dispose of litter located on such property that is dangerous or a nuisance to public health, safety, and welfare.
- (b) Notice by the Commissioner of Health shall be in the form of a letter and service of such notice may be by personal service or by regular mail. Service by regular mail shall be evidenced by a certificate of mailing and shall be deemed received three (3) business days from the date of mailing. It shall be deemed sufficient to mail the notice to the owner's, operator's, or occupant's residence, regular place of business, or last known address.
- (c) If the property in violation of this chapter is unimproved with no structure upon which to post notification of the violation or has no mailbox upon which to mail notification of the violation, the Commissioner of Health may cause the notification of violation to be posted upon the land.

1735.20 EFFECT OF NONCOMPLIANCE; CITY MAY REMOVE VIOLATION.

- (a) Upon receiving a notice of violation regarding a junk, inoperable, unlicensed or abandoned vehicle the owner, operator, or occupant of the property is required to abate the condition within **seventy-two (72) forty-eight (48)** hours from receipt of the notice of violation.
- (b) Upon receiving a notice of violation of this chapter, the owner, operator, or occupant of the property is required to abate the condition within **Seventy-two (72) forty-eight (48)** hours from receipt of the notice of violation.
- (c) Whenever a notice or order to remove a violation has not been complied with, the Commissioner of Health may proceed to cause the violation to be removed after the Commissioner of Health has documented sufficient proof to support such determination of non-compliance.
 - (1) The owner, operator, or occupant of the property shall then be notified of such finding by the Commissioner of Health in the manner described in Section [1735.19](#).
 - (2) The Commissioner of Health shall not commence their abatement for a vehicle until **seventy-two (72) forty-eight (48)** hours for all other violations after the subsequent notification required by Section [1735.20](#)(b)(1).

1735.21 EXPENSE RECOVERABLE.

1735.22 JUNK ~~MOTOR~~ VEHICLES ON PRIVATE PROPERTY WITH PERMISSION OF OWNER; NOTICE OF REMOVAL AND IMPOUNDING.

(a) It shall be a violation of this chapter to accumulate and store junk ~~motor~~ vehicles, non-operating ~~motor~~ vehicles or vehicle parts, on private property, which ~~motor~~ vehicles are in the nature of refuse and unsightly debris.

(b) Accumulation and storage of the items in this section constitutes a nuisance detrimental to the health, safety and welfare of the community in that such conditions tend to interfere with the enjoyment of and reduce the value of private property, invite plundering, create fire hazards and other safety and health hazards to minors as well as adults. Further, these conditions interfere with the comfort and well-being of the public and create, extend, and aggravate urban blight. Accordingly, the public health, safety, and general welfare require that such conditions be regulated, abated and prohibited.

(c) Definitions. For the purposes of this section:

(1) "Vehicle" means every device, including but not limited to automobiles, trucks, semi tractors, buses, watercraft, trailers, mobile homes, recreational vehicles, farm machinery, construction equipment, and other motorized vehicles, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device, that is moved by human power.

(2) "Recreational Vehicle" means any vehicle or structure including but not limited to camper trailers, fifth wheel campers, truck campers and self-propelled motor homes constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

(3) "Junk ~~Motor~~ vehicle" means any motor vehicle which:

~~A. Is three (3) years old or older;~~

~~B. A. Extensively damaged, with such damage including, but not limited to, any of the following: missing wheels, tires, motor, or transmission;~~

~~C. B. Apparently inoperable;~~

~~D. Having a fair market value, as determined by Kelley Blue Book, NADA, or other similar publication, of one thousand five hundred dollars (1,500) or less; and~~

~~E. C. That:~~

~~(i) Is left outside of a building, and thus is in the open on private property for more than **seventy-two (72)** ~~forty-eight (48)~~ hours; or~~

~~(ii) Has been left on private property for more than **seventy-two (72)** ~~forty-eight (48)~~ hours without the permission of the person having the right to the possession of the property.~~

~~1. (4) "Left outside of a building" means that the ~~motor~~ vehicle has not been placed in an enclosed structure or building with at least three (3) sides. Neither a carport, nor a car cover, nor a fence, qualifies an enclosed structure or building with at least three (3) sides.~~

~~2. (5) "Non-operating ~~Motor~~ vehicle" means:~~

~~A. Any ~~motor~~ vehicle not bearing current, valid, state license plates; or~~

~~B. Any ~~motor~~ vehicle partly disassembled, incapable of satisfying state standards of safe operation or incapable of moving under its own power, whether bearing~~

current, valid, state license plates or not. Any ~~motor~~ vehicle not moved within thirty days shall be presumed to be incapable of moving under its own power.

- 3. (6) "Property" means any real property within the City, which is not a street or highway.
- 4. (7) "Vehicle part" means any portion or part of a ~~motor~~ vehicle.

(d) Storage on Private Property.

- (1) No person shall park, store, leave, or permit the parking or storing of any junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle parts, whether attended or not, for a period in excess of **seventy-two (72)** ~~forty-eight (48)~~ hours upon any private property within the City, unless the same is completely enclosed within a building, having three (3) or more sides, or unless it is in connection with a business enterprise operated in a lawful place and manner and licensed as such, when necessary to the operation of such business enterprise, ~~or it is a collector's vehicle pursuant to Ohio Revised Code section 4501.01(F), as may be amended from time to time.~~
- (2) ~~Neither a carport, nor a car cover, nor a fence meets the requirement under subsection (d)(1) of this Section 1735.22 of completely enclosed within a building having three (3) or more sides.~~ Therefore, Parking, storing, leaving, or permitting the parking or storing of any junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle parts, whether attended or not attended, in a carport, under a car cover, or behind a fence, for a period in excess of **seventy-two (72)** ~~forty-eight (48)~~ hours upon any private property within the City is a violation of this section and this chapter.

(e) Removal Required.

- (1) The accumulation and storage of one (1) or more such junk ~~motor~~ vehicles, non-operating ~~motor~~ vehicles, or vehicle parts in violation of the provisions of this section shall constitute refuse and unsightly debris and shall constitute a nuisance, detrimental to the health, safety and general welfare of the inhabitants of the City.
- (2) The owner, operator, or occupant of the property upon which such nuisance is located otherwise shall remove the nuisance to a place of lawful storage, or shall have the junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part housed within a building where it will not be visible from the street or alley.
- (3) Notwithstanding any provisions to the contrary contained in Chapter [1767](#), regulation, enforcement, notice, and abatement shall be pursuant to this section.

(f) Notice to Remove.

- (1) Whenever there are reasonable grounds to believe that a violation of the provisions of this section exists, the Commissioner of Health shall give, or cause to be given, notice to the registered owner of any junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part, which is in violation of this section.
- (2) The Commissioner of Health shall give, or cause to be given, written notice to the registered owner of any junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part which is in violation of this section; or the Commissioner of Health shall give, or cause to be given written notice to the owner, operator, or occupant of the property upon which such junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part is located; or the Commissioner of

Health shall give, or cause to be given, written notice to both the registered owner of the junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part and the owner, operator, or the occupant of such property.

- (3) Written notice shall be by United States certified mail with return receipt, commercial carrier service, or by personal service, and shall state that such junk ~~motor~~ vehicle, non-operating ~~motor~~-vehicle, or vehicle part violates the provisions of this section and that within ~~forty-eight (48)~~ **seventy-two (72)** hours, the junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part is to be removed to a place of lawful storage or to be housed in a building where it will not be visible from the street or alley.

(g) Removal by City.

- (1) In addition to, and not in lieu of any other procedure or penalty prescribed in this section or in the Traffic Code for removal of abandoned-~~motor~~ vehicles from private property, if the registered owner of any junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part which is in violation of this section, or the owner, operator, or occupant of the private property upon which the same is located, fails, neglects, or refuses to remove or house such junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part in accordance with the notice given pursuant to the provisions of subsection (f) hereof, the Commissioner of Health may remove and dispose of such junk ~~motor~~ vehicle, non-operating ~~motor~~-vehicle, .05provisions of this section. No person shall interfere, hinder or refuse to allow them to enter upon private property for such purpose and to remove any junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle part in accordance with the provisions of this section.
- (2) Any person to whom notice was given pursuant to subsection (f) hereof shall have the right to remove or house such ~~motor~~ vehicle in accordance with such notice at his expense at any time prior to the arrival of the Commissioner of Health or his or her authorized representatives as listed above in (h)(1), for the purpose of removal.

(i) Penalty for Junk ~~Motor~~ Vehicle Offense.

- (1) Whoever violates any prohibition contained in this section is guilty of a minor misdemeanor, and in addition to any other penalty authorized by law, shall be assessed any costs incurred by the City in disposing of such junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle or vehicle part, plus administrative costs in the amount of twenty-five (25%) percent of the total costs incurred, and less any money accruing to the City from such disposal.
- (2) Each day such violation exists or is permitted to continue shall constitute a separate offense.

351.03 PROHIBITED STANDING OR PARKING PLACES.

No person shall stand or park a vehicle in any of the following places, except when necessary to avoid conflict with other traffic, to comply with provisions of this Traffic Code, while obeying the directions of a police officer or a traffic control device, or in case of an emergency:

(Ord. 2004-2-8. Passed 2-11-04.)

(a) On a sidewalk, curb or street lawn area, except a bicycle, and except when ~~any portion of the vehicle is parked on a paved surface or concrete pad situated within the street lawn area, so long as a minimum of four (4) feet of sidewalk are available.~~ all of the following circumstances are met:

1) on streets that are less than thirty (30) feet wide from edge of pavement to edge of pavement;

2) when the front and rear tires of either the driver side or passenger side of the vehicle are parked parallel to the roadway;

3) on a paved surface or concrete pad situated within the street lawn area which does not exceed one third of the residential lot frontage;

4) a minimum of four (4) feet of sidewalk remains available;

5) and the other remaining wheels are on the roadway.

~~(Ord. 2018-10-95. Passed 10-10-18.)~~

Proposed Revisions to Chapter 301 – Definitions

301.20 MOTOR VEHICLE. (REPEALED)

~~"Motor vehicle" means every vehicle propelled or drawn by power other than muscular power, except motorized bicycles, electric bicycles, road rollers, traction engines, power shovels, power cranes and other equipment used in construction work and not designed for or employed in general highway transportation, hole digging machinery, well drilling machinery, ditch digging machinery, farm machinery, and trailers designed and used exclusively to transport a boat between a place of storage and a marina, or in and around a marina, when drawn or towed on a street or highway for a distance of no more than ten miles and at a speed of twenty five miles per hour or less. (ORC 4511.01(B))~~

301.51 VEHICLE.

~~"Vehicle" means Every device, including but not limited to automobiles, trucks, semi tractors, buses, watercraft, trailers, mobile homes, recreational vehicles, farm machinery, construction equipment, and other motorized vehicles a motorized bicycle and an electric bicycle, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device, other than a bicycle, that is moved by human power. (ORC 4511.01(A))~~

301.301 RECREATIONAL VEHICLE.

~~Any vehicle or structure including but not limited to camper trailers, fifth wheel campers, truck campers and self-propelled motor homes constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.~~

Proposed Revisions to Chapter 351– Parking Generally

351.03 PROHIBITED STANDING OR PARKING PLACES.

No person shall stand or park a vehicle in any of the following places, except when necessary to avoid conflict with other traffic, to comply with provisions of this Traffic Code, while obeying the directions of a police officer or a traffic control device, or in case of an emergency:

(a) On a sidewalk, curb or street lawn area, except a bicycle, and except when all of the following circumstances are met: any portion of the vehicle is parked on a paved surface or concrete pad situated within the street lawn area, so long as a minimum of four (4) feet of sidewalk are available.

1) on streets that are less than thirty (30) feet wide from edge of pavement to edge of pavement;

2) when the front and rear tires of either the driver side or passenger side of the vehicle are parked parallel to the roadway.

3) on a paved surface or concrete pad situated within the street lawn area which does not exceed one third of the residential lot frontage; ___

4) a minimum of four (4) feet of sidewalk remains available;

5) and the other remaining wheels are on the roadway.

(b) In front of or within five feet (5') of a public or private driveway;

(c) Within an intersection;

(d) Within ten feet (10') of a fire hydrant;

(e) On a crosswalk;

(f) Within twenty feet (20') of a crosswalk at an intersection;

(g) Within thirty feet (30') of, and upon the approach to, any flashing beacon, stop sign or traffic control device;

(h) Between a safety zone and the adjacent curb or within thirty feet (30') of points on the curb immediately opposite the end of a safety zone, unless a different length is indicated by a traffic control device;

(i) Within fifty feet (50') of the nearest rail of a railroad crossing;

(j) Within twenty feet (20') of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within seventy-five feet (75') of the entrance when it is properly posted with signs;

(k) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;

(l) Alongside any vehicle stopped or parked at the edge or curb of a street;

(m) Upon any bridge or other elevated structure upon a street, or within a street tunnel;

(n) At any place where signs prohibit stopping, standing or parking, or where the curbing is painted yellow, or at any place in excess of the maximum time limited by signs; and in any off-street parking area which is posted as being reserved for City elected officials, City employees or City vehicles, or at any on-street parking location which is reserved for City vehicles;

(o) Within one foot (1') of another parked vehicle;

(p) On the roadway portion of a freeway, expressway or thruway.

(q) In any monthly rental space in the Municipal surface parking lots or the Municipal Parking Garage which is rented or leased to another person or which is not rented or leased to another person.

(r) In any hourly rental space in the Municipal Parking Garage if such person is a monthly rental lessee in the Municipal Parking Garage.

(s) In any parking space assigned to Butler County, Ohio, pursuant to ordinance adopted by Council, and located:

(1) On the east side of Front Street between High Street and Market Street and being within the following described area: beginning one hundred and eight feet (108') north of High Street and extending north to a point a distance of fifty feet; and



(2) In the municipal surface parking lot situated upon parts of Lot Number 120 located at the southeast corner of Magnolia Street and Riverfront Plaza in the Second Ward of the City.

(Ord. 2004-1-2. Passed 1-14-04.)

(t) In any on-street parking space designated for use by the handicapped, as defined in Section 351.04(e), unless the vehicle standing or parked is operated by a handicapped person or is being used to transport a handicapped person and bears a special handicapped license plate or other identification as provided in Section 351.04(f). (Ord. 2008-8-95. Passed 8-13-08.)

(u) At any posted bus stop or taxicab stand during the hours 6:00 a.m. to 7:00 p.m., Monday through Friday.

(v) In any of the three parking spaces assigned to the Hamilton, Ohio, City of Sculpture, an Ohio non-profit corporation, pursuant to an ordinance adopted by Council, and located on the west side of Monument Avenue between Third Street and High Street and being within the following described area: beginning sixty-four feet (64') north of Third Street and extending north to a point a distance of sixty-three feet (63').

351.03.1 PROHIBITED IDLING AND PARKING OF CERTAIN TRUCKS AND BUSES AND ALL SEMITRAILERS AND SEMITRACTORS IN A RESIDENCE DISTRICT; EXCEPTIONS.

Except as provided in this section, no person shall idle or park any bus, including a school bus, nor any truck with a certified gross vehicle weight or registered weight, whichever is greater, for the specific truck of more than ten thousand (10,000) pounds, nor any semitrailer or semi-tractor, on any street, alley or in any yard area (front, back or side) or on any driveway or on any private property in any residence district within the City. As to buses, this prohibition is effective regardless of whether such bus or school bus is actually used for, or is currently being used for, the transportation of persons for compensation.

(a) This provision does not apply to a truck, bus, semitrailer, semi-tractor when idlingstanding, or parking:

- (1) Due to an emergency, or
- (2) For the loading or unloading of passengers, or
- (3) For the loading or unloading of cargo, or
- (4) As directed by a police officer, or
- (5) If such vehicle is owned or operated by the Municipality while the operator of such vehicle is carrying out official duties.

(b) This prohibition does not apply to school buses, as defined in Section 301.35 herein, between the hours of 8:00 a.m. to 5:00 p.m. on weekdays.

351.17 NO PARKING OF ~~MOTOR~~ VEHICLES IN YARDS.

No person, operator, or owner of a vehicle, motor vehicle, motorcycle, motorized bicycle, commercial tractor, bus, trailer, camper, recreational vehicle, boat or semi-trailer shall park the same or permit the same to be parked between the building line of a building or structure and the public right-of-way of the abutting street or alley unless the same is parked on a driveway which is surfaced ~~in accordance with Section 1137.33 of the City of Hamilton Zoning Ordinance. with an asphaltic, concrete, cement binder, and drained per the Director of Engineering's approval.~~

In addition to any other penalty permitted by law, the penalty for violation of this provision shall be as set forth in Section 351.99(a)(3).



351.99(a)(3) PENALTY.

(3) Effective April 10, 1995, every person who violates Section 351.03.1, 351.03(u), 351.13, 351.131, 351.15, 351.14, 351.17 and 353.07 1 shall be fined fifty dollars (\$50.00) if paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight of the date of violation but within twenty-four (24) hours of the violation, the fine shall be seventy-five dollars (\$75.00). If the fine is paid after twenty-four (24) hours from the time of the violation, the fine shall be one hundred dollars (\$100.00).



Proposed Revisions to Chapter 355– Junk and Abandoned Vehicles

355.01 DEFINITIONS.

As used in this chapter:

- (a) "Abandoned junk ~~motor~~ vehicle" means any ~~motor~~ vehicle meeting all of the following requirements:
- (1) Left on private property for more than ~~four (4)seventy-two~~ hours without the permission of the person having the right to the possession of the property, on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway for ~~seventy-two (72)twenty-four~~ hours or longer;
~~(2) Three years old or older;~~
 - (3) Without a current license displayed on the vehicle. ~~Extensively damaged, such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;~~
 - (4) Apparently inoperable due to mechanical malfunction or extensive damage; such damage including but not limited to any of the following: missing wheels, tires, motor or transmission;
~~(5) Having a fair market value of one thousand five hundred dollars (\$1,500) or less.
(Ord. 2003-6-40. Passed 6-11-03.)~~
- (b) "Property" means any real property within the City which is not a street or highway.

355.02 WILLFULLY ABANDONING A VEHICLE.

- (a) (1) No person shall willfully leave a vehicle or "abandoned junk ~~motor~~ vehicle" on private property for more than seventy-two (72) hours without permission of the person having the right to the possession of the property, or on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway for seventy-two (72) hours or longer without notification to the Chief of Police of the reasons for leaving the vehicle in such place. Said vehicle must have a valid license, and registration and be in legally road operable condition.
- (2) For the purposes of this section, the fact that a vehicle has been so left without permission or notification is prima-facie evidence of abandonment.
- (b) Whoever violates this section is guilty of a minor misdemeanor, and shall also be assessed any costs incurred by the Municipality in disposing of such junk ~~motor~~ vehicle, less any money accruing to the Municipality from such disposal.
~~(ORC 4513.99)~~

355.03 ~~MOTOR~~VEHICLE LEFT ON PRIVATE PROPERTY.

The Chief of Police, upon complaint of any person adversely affected, may order into storage any ~~motor~~ vehicle, other than an abandoned junk ~~motor~~ vehicle which has been left on private property for more than four (4) hours without the permission of the person having the right to the possession of the property. The place of storage shall be designated by the Chief of Police.

The owner of the ~~motor~~ vehicle may reclaim it upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title to the ~~motor~~ vehicle. If the ~~motor~~ vehicle remains unclaimed by the owner for thirty days, the procedures established by Sections 355.05 et seq. shall apply.



355.04 JUNK ~~MOTOR~~ VEHICLE; ORDER TO COVER OR REMOVE.

For the purposes of this section "junk ~~motor~~ vehicle" means any ~~motor~~ vehicle meeting the requirements of Section 355.01(a)(2 and 3) to (5) that is left ~~uncovered~~ in the open on private property for more than seventy-two (72) hours with the permission of the person having the right to the possession of the property, except if the person is operating an approved junk yard or scrap metal processing facility licensed under authority of Ohio R.C. 4737.05 to 4737.12; or regulated under authority of the City; or if the property on which the ~~motor~~ vehicle is left is not subject to licensure or regulation by any governmental authority, unless the person having the right to the possession of the property can establish that the ~~motor~~ vehicle is part of a bona fide commercial operation; ~~or if the motor vehicle is a collector's vehicle.~~

The Chief of Police may send notice by certified mail with return receipt requested to the person having the right to the possession of the property on which a junk ~~motor~~ vehicle is left, that within ~~seventy-two hours ten days~~ of receipt of the notice, the junk ~~motor~~ vehicle ~~either~~ shall be ~~covered by being~~ housed in a garage or other suitable structure or shall be removed from the property. Parking, storing, leaving, or permitting the parking or storing of any junk vehicle, non-operating vehicle, or vehicle parts, whether attended or not attended, in a carport, under a car cover, or behind a fence, for a period in excess of seventy-two (72) hours upon any private property within the City is a violation of this ordinance.

No person shall willfully leave a junk ~~motor~~ vehicle ~~uncovered~~ in the open for more than seventy-two (72) hours ~~ten days~~ after receipt of a notice as provided in this section. The fact that a junk ~~motor~~ vehicle is so left is prima-facie evidence of willful failure to comply with the notice, and each subsequent period of than seventy-two (72) hours thirty days that a junk ~~motor~~ vehicle continues to be left constitutes a separate offense.

355.05 ~~MOTOR~~ VEHICLE LEFT ON PUBLIC PROPERTY.

The Chief of Police may order into storage any ~~motor~~ vehicle other than an abandoned junk ~~motor~~ vehicle which has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right of way of any road or highway, for twenty-four (24) hours or longer without notification to the Chief of the reasons for leaving the ~~motor~~ vehicle in such place. The Chief shall designate the place of storage of any ~~motor~~ vehicle ordered removed by him.

The Chief of Police shall immediately cause a search to be made of the records of the Bureau of Motor Vehicles to ascertain the owner and any lienholder of a ~~motor~~ vehicle ordered into storage by the Chief, and if known, shall send notice to the owner or lienholder at his last known address by certified mail with return receipt requested, that the ~~motor~~ vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of mailing of the notice. The owner or lienholder of the ~~motor~~ vehicle may reclaim it upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title to the ~~motor~~ vehicle.

If the owner or lienholder makes no claim to the ~~motor~~ vehicle within ten (10) days of the date of mailing of the notice, the Chief of Police shall dispose of such vehicle in the manner provided in the third paragraph of Ohio R.C. 4513.61 and Section 355.06. Provided, however, any ~~motor~~ vehicle meeting the requirements of Section 355.01(a)(3) to (45) which has remained unclaimed by the owner or lienholder for a period of ten (10) days or longer following notification as provided in this section may be disposed of as provided in Section 355.07.



Proposed Revisions to Chapter 1735– Littering

1735.18 MAINTAINING PRIVATE PROPERTY FREE OF LITTER.

- (a) The owner, operator, or occupant of any private property shall at all times maintain the property free of litter. All litter shall be stored in authorized private containers for collection.
- (b) Unused lumber and abandoned, unused or inoperative vehiclesautomobiles, auto parts, washers, dryers, refrigerators, and other such appliances, equipment and like items shall be stored in an enclosed structure upon all private property.
- (c) The storage of such items listed in this section must comply with ~~any and~~ all health, zoning, fire, and building codes, and such other regulations, orders, ordinances, or statutes as may apply.

1735.20 EFFECT OF NONCOMPLIANCE; CITY MAY REMOVE VIOLATION.

- (a) Upon receiving a notice of violation regarding a junk, inoperable, unlicensed or abandoned vehicle the owner, operator, or occupant of the property is required to abate the condition within seventy-two (72)forty-eight (48) hours from receipt of the notice of violation.
- (b) Whenever a notice or order to remove a violation has not been complied with, the Commissioner of Health may proceed to cause the violation to be removed after the Commissioner of Health has documented sufficient proof to support such determination of non-compliance.
- (1) The owner, operator, or occupant of the property shall then be notified of such finding by the Commissioner of Health in the manner described in Section 1735.19.
- (2) The Commissioner of Health shall not commence their abatement for a vehicle until seventy-two (72)forty-eight (48) hours for all other violations after the subsequent notification required by Section 1735.20(b)(1).

1735.22 JUNK ~~MOTOR~~VEHICLES ON PRIVATE PROPERTY WITH PERMISSION OF OWNER; NOTICE OF REMOVAL AND IMPOUNDING.

- (a) It shall be a violation of this chapter to accumulate and store junk ~~motor~~ vehicles, non-operating ~~motor~~ vehicles or vehicle parts, on private property, which ~~motor~~ vehicles are in the nature of refuse and unsightly debris.
- (b) Accumulation and storage of the items in this section constitutes a nuisance detrimental to the health, safety and welfare of the community in that such conditions tend to interfere with the enjoyment of and reduce the value of private property, invite plundering, create fire hazards and other safety and health hazards to minors as well as adults. Further, these conditions interfere with the comfort and well-being of the public and create, extend, and aggravate urban blight. Accordingly, the public health, safety, and general welfare require that such conditions be regulated, abated and prohibited.

- (c) Definitions. For the purposes of this section:

(1) "Vehicle" means every device, including but not limited to automobiles, trucks, semi tractors, buses, watercraft, trailers, mobile homes, recreational vehicles, farm machinery, construction equipment, and other motorized vehicles, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device, that is moved by human power.

(2) "Recreational Vehicle" means any vehicle or structure including but not limited to camper trailers, fifth wheel campers, truck campers and self-propelled motor homes constructed in such



a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

~~(31)~~ “Junk ~~Motor~~ vehicle” means any ~~motor~~ vehicle which:

~~A. Is three (3) years old or older;~~

~~AB.~~ Extensively damaged, with such damage including, but not limited to, any of the following: missing wheels, tires, motor, or transmission;

~~BC.~~ Apparently inoperable;

~~D. Having a fair market value, as determined by Kelley Blue Book, NADA, or other similar publication, of one thousand five hundred dollars (1,500) or less; and~~

~~CE.~~ That:

(i) Is left outside of a building, and thus is in the open on private property for more than ~~seventy-two (72) forty-eight (48)~~ hours; or

(ii) Has been left on private property for more than ~~seventy-two (72) forty-eight (48)~~ hours without the permission of the person having the right to the possession of the property.

~~(42)~~ “Left outside of a building” means that the ~~motor~~ vehicle has not been placed in an enclosed structure or building with at least three (3) sides. Neither a carport, nor a car cover, nor a fence, qualifies an enclosed structure or building with at least three (3) sides.

~~(53)~~ “Non-operating ~~Motor~~ vehicle” means:

A. Any ~~motor~~ vehicle not bearing current, valid, state license plates; or

B. Any ~~motor~~ vehicle partly disassembled, incapable of satisfying state standards of safe current, valid, state license plates or not. Any ~~motor~~ vehicle not moved within thirty days shall be presumed to be incapable of moving under its own power.

~~(64)~~ “Property” means any real property within the City, which is not a street or highway.

~~(75)~~ “Vehicle Part” means any portion or part of a ~~motor~~ vehicle, operation or incapable of moving under its own power, whether bearing.

(d) Storage on Private Property.

(1) No person shall park, store, leave, or permit the parking or storing of any junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle parts, whether attended or not, for a period in excess of ~~seventy-two (72) forty-eight (48)~~ hours upon any private property within the City, unless the same is completely enclosed within a building, having three (3) or more sides, or unless it is in connection with a business enterprise operated in a lawful place and manner and licensed as such, when necessary to the operation of such business enterprise, or it is a collector's vehicle pursuant to Ohio Revised Code section 4501.01(F), as may be amended from time to time.

(2) Neither a carport, nor a car cover, nor a fence meets the requirement under subsection (d)(1) of this Section 1735.22 of completely enclosed within a building having three (3) or more sides. Therefore, Parking, storing, leaving, or permitting the parking or storing of any junk ~~motor~~ vehicle, non-operating ~~motor~~ vehicle, or vehicle parts, whether attended or not attended, in a carport, under a car cover, or behind a fence, for a period in excess of ~~seventy-two (72) forty-eight (48)~~ hours upon any private property within the City is a violation of this section and this chapter.



(e) Removal Required.

- (1) The accumulation and storage of one (1) or more such junk ~~motor~~-vehicles, non-operating ~~motor~~-vehicles, or vehicle parts in violation of the provisions of this section shall constitute refuse and unsightly debris and shall constitute a nuisance, detrimental to the health, safety and general welfare of the inhabitants of the City.
- (2) The owner, operator, or occupant of the property upon which such nuisance is located otherwise shall remove the nuisance to a place of lawful storage, or shall have the junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part housed within a building where it will not be visible from the street or alley.
- (3) Notwithstanding any provisions to the contrary contained in Chapter 1767, regulation, enforcement, notice, and abatement shall be pursuant to this section.

(f) Notice to Remove.

- (1) Whenever there are reasonable grounds to believe that a violation of the provisions of this section exists, the Commissioner of Health shall give, or cause to be given, notice to the registered owner of any junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part, which is in violation of this section.
- (2) The Commissioner of Health shall give, or cause to be given, written notice to the registered owner of any junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part which is in violation of this section; or the Commissioner of Health shall give, or cause to be given written notice to the owner, operator, or occupant of the property upon which such junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part is located; or the Commissioner of Health shall give, or cause to be given, written notice to both the registered owner of the junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part and the owner, operator, or the occupant of such property.
- (3) Written notice shall be by United States certified mail with return receipt, commercial carrier service, or by personal service, and shall state that such junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part violates the provisions of this section and that within ~~seventy-two (72)forty-eight (48)~~ hours, the junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part is to be removed to a place of lawful storage or to be housed in a building where it will not be visible from the street or alley.

(g) Removal by City.

- (1) In addition to, and not in lieu of any other procedure or penalty prescribed in this section or in the Traffic Code for removal of abandoned ~~motor~~-vehicles from private property, if the registered owner of any junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part which is in violation of this section, or the owner, operator, or occupant of the private property upon which the same is located, fails, neglects, or refuses to remove or house such junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part in accordance with the notice given pursuant to the provisions of subsection (f) hereof, the Commissioner of Health may remove and dispose of such junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, provisions of this section. No person shall interfere, hinder or refuse to allow them to enter upon private property for such purpose and to remove any junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle, or vehicle part in accordance with the provisions of this section.
- (2) Any person to whom notice was given pursuant to subsection (f) hereof shall have the right to remove or house such ~~motor~~-vehicle in accordance with such notice at his expense at any time prior to the arrival of the Commissioner of Health or his or her authorized representatives as listed above in (h)(1), for the purpose of removal.



(i) Penalty for Junk ~~Motor~~-Vehicle Offense.


(1) Whoever violates any prohibition contained in this section is guilty of a minor misdemeanor, and in addition to any other penalty authorized by law, shall be assessed any costs incurred by the City in disposing of such junk ~~motor~~-vehicle, non-operating ~~motor~~-vehicle or vehicle part, plus administrative costs in the amount of twenty-five (25%) percent of the total costs incurred, and less any money accruing to the City from such disposal.

(2) Each day such violation exists or is permitted to continue shall constitute a separate offense.



August 12, 2020 (6:00 PM) - Public Hearing

Report to the City Council on Proposed Amendments to City of Hamilton Ordinances: Chapter 301, Definitions, Chapter 351, Parking Generally, and Chapter 1735, Littering.

EP Wilson, AICP
 PLANNER II E.W.


August 26, 2020 (6:00 PM) - Public Hearing

Amend Plan Hamilton, City Comprehensive Plan, for the addition of the North End Corridor Revitalization Plan.

Board Members

- Dale McAllister (Chair)
- Matthew Von Stein, Citizen Member
- Patrick Moeller, Mayor
- Joshua A. Smith, City Manager
- Lisa Sandlin, Alternate Member #1
- Larry Bowling, Alternate Member #2
- Shaquila Mathews, School Board Representative
- Teri Horsley, Citizen Member
- David Belew, Citizen Member
- Liz Hayden, Planning Director
Commission Secretary

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING PART THREE - TRAFFIC CODE, REPEALING SECTION 301.20 MOTOR VEHICLE, ADDING SECTION 301.301 RECREATIONAL VEHICLE, AND AMENDING SECTION 301.51 VEHICLE OF CHAPTER 301 DEFINITIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO.

WHEREAS, Automobiles, boats, campers, trailers and other vehicles that are inoperable, illegally stored, or illegally parked on private property fall under the purview of three different ordinances that are enforced by three different departments of the City Administration: the Police, Health and Planning Departments; and

WHEREAS, the three departments cooperate and coordinate as much as practical when enforcing these areas of overlap; and

WHEREAS, there are some minor conflicts in the regulations that lead to confusion for the personnel enforcing the ordinances and for the public; and

WHEREAS, in order to eliminate these conflicts, and provide more efficient enforcement and removal of junk or abandoned campers, boats and trailers as well as automobiles, representatives of the Health, Planning, Engineering and Police Department formed a committee to resolve these issues; and

WHEREAS, the Committee proposes the amended language as shown in Exhibit No. 1 to Section 301 Definitions, of the Codified Ordinances of the City of Hamilton.

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

SECTION I: That Section 301, Definitions, of the Codified Ordinances of the City of Hamilton, Ohio, is hereby amended and supplemented to read as set forth in the document attached hereto as Exhibit No.1 and incorporated herein by reference.

SECTION II: That Section 301.20 Motor Vehicle of Chapter 301 Definitions, of the Codified Ordinances of the City of Hamilton is hereby repealed.

SECTION III: That Section 301 of the Codified Ordinances of the City of Hamilton, Ohio, as it existed prior to this amendment **be and the same is hereby repealed.**

SECTION IV: 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**

Ordinance No. _____ (Cont'd)

EXHIBIT NO. 1

PART THREE – TRAFFIC CODE

TITLE ONE – ADMINISTRATION

CHAPTER 301 – Definitions

301.51 VEHICLE.

Every device, including but not limited to automobiles, trucks, semi tractors, buses, watercraft, trailers, mobile homes, recreational vehicles, farm machinery, construction equipment, and other motorized vehicles, in, upon or by which any person or property may be transported or drawn upon a street or highway except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device, , that is moved by human power.

301.301 RECREATIONAL VEHICLE.

Any vehicle or structure including but not limited to camper trailers, fifth wheel campers, truck campers and self-propelled motor homes constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING PART THREE – TRAFFIC CODE, CHAPTER 351 PARKING GENERALLY, SECTION 351.03 AND SUBSECTION (A) PROHIBITED STANDING OR PARKING PLACES, SECTION 351.03.1 PROHIBITED IDLING AND PARKING OF CERTAIN TRUCKS AND BUSES AND ALL SEMI TRAILERS AND SEMI TRACTORS IN A RESIDENCE DISTRICT; EXCEPTIONS, SECTION 351.17 NO PARKING OF VEHICLES IN YARDS, AND SECTION 351.99(a)(3) PENALTY, OF THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO.

WHEREAS, Automobiles, boats, campers, trailers and other vehicles that are inoperable, illegally stored, or illegally parked on private property fall under the purview of three different ordinances that are enforced by three different departments of the City Administration: the Police, Health and Planning Departments; and

WHEREAS, the three departments cooperate and coordinate as much as practical when enforcing these areas of overlap; and

WHEREAS, there are some minor conflicts in the regulations that lead to confusion for the personnel enforcing the ordinances and for the public; and

WHEREAS, in order to eliminate these conflicts, and provide more consistent and efficient enforcement and removal of junk or abandoned campers, boats and trailers as well as automobiles, representatives of the Health, Planning, Engineering and Police Department formed a committee to resolve these issues, and

WHEREAS, the Committee proposes the amended language as shown in Exhibit No. 1 to Chapter 351 Parking Generally, of the Codified Ordinances of the City of Hamilton.

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

SECTION I: That Chapter 351 Parking Generally, of the Codified Ordinances of the City of Hamilton, Ohio, is hereby amended and supplemented to read as set forth in the document attached hereto as Exhibit No.1 and incorporated herein by reference.

SECTION III: That Chapter 351 of the Codified Ordinances of the City of Hamilton, Ohio, as it existed prior to this amendment **be and the same is hereby repealed.**

SECTION IV: 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

PART THREE – TRAFFIC CODE

TITLE SEVEN – PARKING

CHAPTER 351 – Parking Generally

351.03 PROHIBITED STANDING OR PARKING PLACES.

No person shall idle or park a vehicle in any of the following places, except when necessary to avoid conflict with other traffic, to comply with provisions of this Traffic Code, while obeying the directions of a police officer or a traffic control device, or in case of an emergency:

- (a) On a sidewalk, curb or street lawn area, except a bicycle, and except when all of the following circumstances are met:
- 1) on streets that are less than thirty (30) feet wide from edge of pavement to edge of pavement;
 - 2) when the front and rear tires of either the driver side or passenger side of the vehicle are parked parallel to the roadway;
 - 3) on a paved surface or concrete pad situated within the street lawn area which does not exceed one third of the residential lot frontage;
 - 4) a minimum of four (4) feet of sidewalk remains available;
 - 5) and the other remaining wheels are on the roadway.

351.03.1 PROHIBITED IDLING AND PARKING OF CERTAIN TRUCKS AND BUSES AND ALL SEMI TRAILERS AND SEMI TRACTORS IN A RESIDENCE DISTRICT; EXCEPTIONS.

Except as provided in this section, no person shall idle or park any bus, including a school bus, nor any truck with a certified gross vehicle weight or registered weight, whichever is greater, for the specific truck of more than ten thousand (10,000) pounds, nor any semitrailer or semi-tractor, on any street, alley or in any yard area (front, back or side) or on any driveway or on any private property in any residence district within the City. As to buses, this prohibition is effective regardless of whether such bus or school bus is actually used for, or is currently being used for, the transportation of persons for compensation.

- (a) This provision does not apply to a truck, bus, semitrailer, semi-tractor when idling, or parking:
- (1) Due to an emergency, or
 - (2) For the loading or unloading of passengers, or
 - (3) For the loading or unloading of cargo, or
 - (4) As directed by a police officer, or
 - (5) If such vehicle is owned or operated by the Municipality while the operator of such vehicle is carrying out official duties.
- (b) This prohibition does not apply to school buses, as defined in Section 301.35 herein, between the hours of 8:00 a.m. to 5:00 p.m. on weekdays.

351.17 NO PARKING OF VEHICLES IN YARDS.

No person, operator, or owner of a vehicle, motor vehicle, motorcycle, motorized bicycle, commercial tractor, bus, trailer, camper, recreational vehicle, boat or semi-trailer shall park the same or permit the same to be parked between a building or structure and the public right-of-way of the abutting street or alley unless the same is parked on a driveway which is surfaced with an asphaltic, concrete, cement binder, and drained per the Director of Engineering's approval.

In addition to any other penalty permitted by law, the penalty for violation of this provision shall be as set forth in Section 351.99(a)(3).

Ordinance No. _____ (Cont'd)

351.99(a)(3) PENALTY.

(3) Effective April 10, 1995, every person who violates Section 351.03.1, 351.03(u), 351.13, 351.131, 351.15, 351.14, 351.17 and 353.071 shall be fined fifty dollars (\$50.00) if paid before midnight of the day on which a citation is issued for such violation. If the fine is paid after midnight of the date of violation but within twenty-four (24) hours of the violation, the fine shall be seventy-five dollars (\$75.00). If the fine is paid after twenty-four (24) hours from the time of the violation, the fine shall be one hundred dollars (\$100.00).

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING PART THREE – TRAFFIC CODE, CHAPTER 355 JUNK AND ABANDONED VEHICLES, SECTIONS 355.01 – 355.05, OF THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO.

WHEREAS, Automobiles, boats, campers, trailers and other vehicles that are inoperable, illegally stored, or illegally parked on private property fall under the purview of three different ordinances that are enforced by three different departments of the City Administration: the Police, Health and Planning Departments; and

WHEREAS, the three departments cooperate and coordinate as much as practical when enforcing these areas of overlap; and

WHEREAS, there are some minor conflicts in the regulations that lead to confusion for the personnel enforcing the ordinances and for the public; and

WHEREAS, in order to eliminate these conflicts, and provide more consistent and efficient enforcement and removal of junk or abandoned campers, boats and trailers as well as automobiles, representatives of the Health, Planning, Engineering and Police Department formed a committee to resolve these issues, and

WHEREAS, the Committee proposes the amended language as shown in Exhibit No. 1 to Chapter 355 Junk and Abandoned Vehicles, of the Codified Ordinances of the City of Hamilton.

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

SECTION I: That Chapter 355 Junk and Abandoned Vehicles, of the Codified Ordinances of the City of Hamilton, Ohio, is hereby amended and supplemented to read as set forth in the document attached hereto as Exhibit No.1 and incorporated herein by reference.

SECTION III: That Chapter 355 of the Codified Ordinances of the City of Hamilton, Ohio, as it existed prior to this amendment **be and the same is hereby repealed.**

SECTION IV: 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

PART THREE – TRAFFIC CODE

TITLE SEVEN – PARKING

CHAPTER 355 – Junk and Abandoned Vehicles

355.01 DEFINITIONS

As used in this chapter:

- (a) "Abandoned junk vehicle" means any vehicle meeting all of the following requirements:
- (1) Left on private property for more than four (4) hours without the permission of the person having the right to the possession of the property, on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway for seventy-two (72) hours or longer;
 - (2) Without a current license displayed on the vehicle.
 - (3) Apparently inoperable due to mechanical malfunction or extensive damage; such damage including but not limited to any of the following: missing wheels, tires, motor or transmission; (Ord. 7904. Passed 10-9-74.)
- (b) "Property" means any real property within the City which is not a street or highway.

355.02 WILLFULLY ABANDONING A VEHICLE.

(a) (1) No person shall willfully leave a vehicle or "abandoned junk vehicle" on private property for more than seventy-two (72) hours without permission of the person having the right to the possession of the property, or on a public street or other property open to the public for purposes of vehicular travel or parking, or upon or within the right of way of any road or highway for seventy-two (72) hours or longer without notification to the Chief of Police of the reasons for leaving the vehicle in such place. Said vehicle must have a valid license, and registration and be in legally road operable condition.

(2) For the purposes of this section, the fact that a vehicle has been so left without permission or notification is prima-facie evidence of abandonment.

(b) Whoever violates this section is guilty of a minor misdemeanor, and shall also be assessed any costs incurred by the Municipality in disposing of such junk vehicle, less any money accruing to the Municipality from such disposal.

355.03 VEHICLE LEFT ON PRIVATE PROPERTY.

The Chief of Police, upon complaint of any person adversely affected, may order into storage any vehicle, other than an abandoned junk vehicle which has been left on private property for more than four (4) hours without the permission of the person having the right to the possession of the property. The place of storage shall be designated by the Chief of Police.

The owner of the vehicle may reclaim it upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title to the vehicle. If the vehicle remains unclaimed by the owner for thirty days, the procedures established by Sections 355.05 et seq. shall apply.

355.04 JUNK VEHICLE; ORDER TO REMOVE.

For the purposes of this section "junk vehicle" means any vehicle meeting the requirements of Section 355.01(a)(2 and 3) to (5) that is left in the open on private property for more than seventy-two (72) hours with the permission of the person having the right to the possession of the property, except if the person is operating an approved junk yard or scrap metal processing facility licensed under authority of Ohio R.C. 4737.05 to 4737.12; or regulated under authority of the City; or if the property on which the vehicle is left is not subject to licensure or regulation by any governmental authority, unless the person having the right to the possession of the property can establish that the vehicle is part of a bona fide commercial operation.

The Chief of Police may send notice by certified mail with return receipt requested to the person having the right to the possession of the property on which a junk vehicle is left, that within seventy-two hours of receipt of the notice, the junk vehicle shall be housed in a garage or other suitable structure or shall be removed from the property. Parking, storing, leaving, or permitting the parking or storing of any junk vehicle, non-operating vehicle, or vehicle parts, whether attended or not attended, in a carport, under a car cover, or behind a fence, for a period in excess of seventy-two (72) hours upon any private property within the City is a violation of this ordinance.

No person shall willfully leave a junk vehicle in the open for more than seventy-two (72) hours after receipt of a notice as provided in this section. The fact that a junk vehicle is so left is prima-facie evidence of willful failure to comply with the notice, and each subsequent period of than seventy-two (72) hours that a junk vehicle continues to be left constitutes a separate offense.

355.05 VEHICLE LEFT ON PUBLIC PROPERTY.

The Chief of Police may order into storage any vehicle other than an abandoned junk vehicle which has been left on a public street or other property open to the public for purposes of vehicular travel, or upon or within the right of way of any road or highway, for twenty-four (24) hours or longer without notification to the Chief of the reasons for leaving the vehicle in such place. The Chief shall designate the place of storage of any vehicle ordered removed by him.

The Chief of Police shall immediately cause a search to be made of the records of the Bureau of Motor Vehicles to ascertain the owner and any lienholder of a vehicle ordered into storage by the Chief, and if known, shall send notice to the owner or lienholder at his last known address by certified mail with return receipt requested, that the vehicle will be declared a nuisance and disposed of if not claimed within ten days of the date of mailing of the notice. The owner or lienholder of the vehicle may reclaim it upon payment of any expenses or charges incurred in its removal and storage, and presentation of proof of ownership, which may be evidenced by a certificate of title to the vehicle.

If the owner or lienholder makes no claim to the vehicle within ten (10) days of the date of mailing of the notice, the Chief of Police shall dispose of such vehicle in the manner provided in the third paragraph of Ohio R.C. 4513.61 and Section 355.06. Provided, however, any vehicle meeting the requirements of Section 355.01(a)(3) to (45) which has remained unclaimed by the owner or lienholder for a period of ten (10) days or longer following notification as provided in this section may be disposed of as provided in Section 355.07.

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING PART SEVENTEEN - HEALTH CODE, CHAPTER 1735 LITTERING, SECTION 1735.18 MAINTAINING PRIVATE PROPERTY FREE OF LITTER, SECTION 1735.20 EFFECT OF NONCOMPLIANCE; CITY MAY REMOVE VIOLATION, AND SECTION 1735.22 JUNK MOTOR VEHICLES ON PRIVATE PROPERTY WITH PERMISSION OF OWNER; NOTICE OF REMOVAL AND IMPOUNDING, OF THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO.

WHEREAS, Automobiles, boats, campers, trailers and other vehicles that are inoperable, illegally stored, or illegally parked on private property fall under the purview of three different ordinances that are enforced by three different departments of the City Administration: the Police, Health and Planning Departments; and

WHEREAS, the three departments cooperate and coordinate as much as practical when enforcing these areas of overlap; and

WHEREAS, there are some minor conflicts in the regulations that lead to confusion for the personnel enforcing the ordinances and for the public; and

WHEREAS, in order to eliminate these conflicts, and provide more consistent and efficient enforcement and removal of junk or abandoned campers, boats and trailers as well as automobiles, representatives of the Health, Planning, Engineering and Police Department formed a committee to resolve these issues, and

WHEREAS, the Committee proposes the amended language as shown in Exhibit No. 1 to Chapter 1735 Littering, of the Codified Ordinances of the City of Hamilton.

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

SECTION I: That Chapter 1735 Littering, of the Codified Ordinances of the City of Hamilton, Ohio, is hereby amended and supplemented to read as set forth in the document attached hereto as Exhibit No.1 and incorporated herein by reference.

SECTION III: That Chapter 1735 Sections 1735.18, 1735.20, and 1735.22 of the Codified Ordinances of the City of Hamilton, Ohio, as it existed prior to this amendment **be and the same is hereby repealed.**

SECTION IV: 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

PART SEVENTEEN – HEALTH CODE

TITLE THREE – GENERAL STANDARDS

CHAPTER 1735 – Littering

1735.18: MAINTAINING PRIVATE PROPERTY FREE OF LITTER.

- (a) The owner, operator, or occupant of any private property shall at all times maintain the property free of litter. All litter shall be stored in authorized private containers for collection.
- (b) Unused lumber and abandoned, unused or inoperative vehicles, auto parts, washers, dryers, refrigerators, and other such appliances, equipment and like items shall be stored in an enclosed structure upon all private property.
- (c) The storage of such items listed in this section must comply with all health, zoning, fire, and building codes, and such other regulations, orders, ordinances, or statutes as may apply.

1735.20 EFFECT OF NONCOMPLIANCE; CITY MAY REMOVE VIOLATION.

- (a) Upon receiving a notice of violation regarding a junk, inoperable, unlicensed or abandoned vehicle the owner, operator, or occupant of the property is required to abate the condition within seventy-two (72) hours from receipt of the notice of violation.
- (b) Whenever a notice or order to remove a violation has not been complied with, the Commissioner of Health may proceed to cause the violation to be removed after the Commissioner of Health has documented sufficient proof to support such determination of non-compliance.
 - (1) The owner, operator, or occupant of the property shall then be notified of such finding by the Commissioner of Health in the manner described in Section 1735.19.
 - (2) The Commissioner of Health shall not commence their abatement for a vehicle until seventy-two (72) hours for all other violations after the subsequent notification required by Section 1735.20(b)(1).

1735.22 JUNK VEHICLES ON PRIVATE PROPERTY WITH PERMISSION OF OWNER; NOTICE OF REMOVAL AND IMPOUNDING.

- (a) It shall be a violation of this chapter to accumulate and store junk vehicles, non-operating vehicles or vehicle parts, on private property, which vehicles are in the nature of refuse and unsightly debris.
- (b) Accumulation and storage of the items in this section constitutes a nuisance detrimental to the health, safety and welfare of the community in that such conditions tend to interfere with the enjoyment of and reduce the value of private property, invite plundering, create fire hazards and other safety and health hazards to minors as well as adults. Further, these conditions interfere with the comfort and well-being of the public and create, extend, and aggravate urban blight. Accordingly, the public health, safety, and general welfare require that such conditions be regulated, abated and prohibited.
- (c) **Definitions.** For the purposes of this section:

(1) "Vehicle" means every device, including but not limited to automobiles, trucks, semi tractors, buses, watercraft, trailers, mobile homes, recreational vehicles, farm machinery, construction equipment, and other motorized vehicles, in, upon or by which any person or property may be transported or drawn upon a street or highway, except that "vehicle" does not include any motorized wheelchair, any electric personal assistive mobility device, or any device, that is moved by human power.

(2) "Recreational Vehicle" means any vehicle or structure including but not limited to camper trailers, fifth wheel campers, truck campers and self-propelled motor homes constructed in such a manner as to permit occupancy thereof as sleeping quarters or the conduct of any business, trade or occupation or use as a selling or advertising device, or use for storage or conveyance for tools, equipment or machinery, and

Ordinance No. _____ (Cont'd)

so designed that it is or may be mounted on wheels and used as a conveyance on highways and streets, propelled or drawn by its own or other motor power.

(3) "Junk Vehicle" means any vehicle which:

A. Extensively damaged, with such damage including, but not limited to, any of the following: missing wheels, tires, motor, or transmission;

B. Apparently inoperable;

C. That:

(i) Is left outside of a building, and thus is in the open on private property for more than seventy-two (72) hours; or

(ii) Has been left on private property for more than seventy-two (72) hours without the permission of the person having the right to the possession of the property.

(4) "Left outside of a building" means that the vehicle has not been placed in an enclosed structure or building with at least three (3) sides. Neither a carport, nor a car cover, nor a fence, qualifies an enclosed structure or building with at least three (3) sides.

(5) "Non-operating vehicle" means:

A. Any vehicle not bearing current, valid, state license plates; or

B. Any vehicle partly disassembled, incapable of satisfying state standards of safe current, valid, state license plates or not. Any vehicle not moved within thirty days shall be presumed to be incapable of moving under its own power.

(6) "Property" means any real property within the City, which is not a street or highway.

(7) "Vehicle Part" means any portion or part of a vehicle.

(d) Storage on Private Property.

(1) No person shall park, store, leave, or permit the parking or storing of any junk vehicle, non-operating vehicle, or vehicle parts, whether attended or not, for a period in excess of seventy-two (72) hours upon any private property within the City, unless the same is completely enclosed within a building, having three (3) or more sides, or unless it is in connection with a business enterprise operated in a lawful place and manner and licensed as such, when necessary to the operation of such business enterprise.

(2) Therefore, Parking, storing, leaving, or permitting the parking or storing of any junk vehicle, non-operating vehicle, or vehicle parts, whether attended or not attended, in a carport, under a car cover, or behind a fence, for a period in excess of seventy-two (72) hours upon any private property within the City is a violation of this section and this chapter.

(e) Removal Required.

(1) The accumulation and storage of one (1) or more such junk vehicles, non-operating vehicles, or vehicle parts in violation of the provisions of this section shall constitute refuse and unsightly debris and shall constitute a nuisance, detrimental to the health, safety and general welfare of the inhabitants of the City.

(2) The owner, operator, or occupant of the property upon which such nuisance is located otherwise shall remove the nuisance to a place of lawful storage, or shall have the junk vehicle, non-operating vehicle, or vehicle part housed within a building where it will not be visible from the street or alley.

(3) Notwithstanding any provisions to the contrary contained in Chapter 1767, regulation, enforcement, notice, and abatement shall be pursuant to this section.

(f) Notice to Remove.

(1) Whenever there are reasonable grounds to believe that a violation of the provisions of this section exists, the Commissioner of Health shall give, or cause to be given, notice to the registered owner of any junk vehicle, non-operating vehicle, or vehicle part, which is in violation of this section.

Ordinance No. _____ (Cont'd)

- (2) The Commissioner of Health shall give, or cause to be given, written notice to the registered owner of any junk vehicle, non-operating vehicle, or vehicle part which is in violation of this section; or the Commissioner of Health shall give, or cause to be given written notice to the owner, operator, or occupant of the property upon which such junk vehicle, non-operating vehicle, or vehicle part is located; or the Commissioner of Health shall give, or cause to be given, written notice to both the registered owner of the junk vehicle, non-operating vehicle, or vehicle part and the owner, operator, or the occupant of such property.
- (3) Written notice shall be by United States certified mail with return receipt, commercial carrier service, or by personal service, and shall state that such junk vehicle, non-operating vehicle, or vehicle part violates the provisions of this section and that within seventy-two (72) hours, the junk vehicle, non-operating vehicle, or vehicle part is to be removed to a place of lawful storage or to be housed in a building where it will not be visible from the street or alley.

(g) Removal by the City.

- (1) In addition to, and not in lieu of any other procedure or penalty prescribed in this section or in the Traffic Code for removal of abandoned vehicles from private property, if the registered owner of any junk vehicle, non-operating vehicle, or vehicle part which is in violation of this section, or the owner, operator, or occupant of the private property upon which the same is located, fails, neglects, or refuses to remove or house such junk vehicle, non-operating vehicle, or vehicle part in accordance with the notice given pursuant to the provisions of subsection (f) hereof, the Commissioner of Health may remove and dispose of such junk vehicle, non-operating vehicle, provisions of this section. No person shall interfere, hinder or refuse to allow them to enter upon private property for such purpose and to remove any junk vehicle, non-operating vehicle, or vehicle part in accordance with the provisions of this section.
- (2) Any person to whom notice was given pursuant to subsection (f) hereof shall have the right to remove or house such vehicle in accordance with such notice at his expense at any time prior to the arrival of the Commissioner of Health or his or her authorized representatives as listed above in (h)(1), for the purpose of removal.

(i) Penalty for Junk Vehicle Offense.

- (1) Whoever violates any prohibition contained in this section is guilty of a minor misdemeanor, and in addition to any other penalty authorized by law, shall be assessed any costs incurred by the City in disposing of such junk vehicle, non-operating vehicle or vehicle part, plus administrative costs in the amount of twenty-five (25%) percent of the total costs incurred, and less any money accruing to the City from such disposal.
- (2) Each day such violation exists or is permitted to continue shall constitute a separate offense.

City Council Meeting Staff Report

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

Report From: Timothy Werdmann, Executive Director of Internal Services

Agenda Item: An ordinance amending and supplementing Section 753.03 of Chapter 753 of the Codified Ordinances of the City of Hamilton, Ohio regarding License Application Requirements.

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: 8-12-20 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-20 <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 checked="" type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$ None Expenditure: \$ None Source Funds: N/A	<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 amending Section 753.03 of Chapter 753 of the Codified Ordinances of the City of Hamilton, Ohio regarding License Application Requirements?

Policy Alternative(s)

Council may choose not to adopt such legislation amending Section 753.03 of Chapter 753 of the Codified Ordinances of the City of Hamilton, Ohio regarding License Application Requirements. If Council does not adopt such legislation, the license application requirements of this section will continue to include requirements that are not reflective of our current technological capabilities and requirements for producing identification badges for door to door solicitors.



Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation amending Section 753.03 of Chapter 753 of the Codified Ordinances of the City of Hamilton, Ohio regarding License Application Requirements.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Codified Ordinance Section 753.03 License Application Requirements.

Fiscal Impact Summary

There is no fiscal impact associated with passing this ordinance.

Background Information

Section 753.03 of the Hamilton Codified Ordinances currently requires that applicants for solicitor's licenses provide a recent photograph that is approximately three by three (3x3). The purpose of this is to allow for the production of an identification badge for solicitors. However, our current equipment for producing badges is digital in nature, so we are having applicants appear in person for pictures to be taken. Requiring an applicant to provide us with a digital photo will streamline our identification badge production and reduce risks to security and employee health and safety by doing away with the need for multiple applicants to appear in person. Given our current equipment and technology, it is appropriate to update and amend this section.

Attached Information

- Redline of proposed changes to Codified Ordinance Section 753.03 License Application Requirements.

Copies Provided to:

N/A



753.03 LICENSE APPLICATION REQUIREMENTS.

(a) Applications for licenses for peddlers, solicitors, itinerant vendors, or transient dealers shall be filed with the Director of Finance on a form to be furnished by the Director which shall require at least, the following information:

- (1) Name of applicant;
- (2) Home address and telephone number of applicant;
- (3) Name and address of the person by whom employed;
- (4) Length of service with such employer;
- (5) All places of residence and all employment during the preceding year;
- (6) The nature and character of the goods to be sold or service to be furnished by the applicant;
and
- (7) Names of all other towns in which the applicant has within the past year conducted a business for which a license is herein required.

(b) The applicant shall furnish a recent photograph of himself not more than one year old and ***said photograph shall be in a digital electronic format designated by the Director of Finance*** ~~approximately three inches by three inches in size~~. The application shall be made at least ten days before the license is required.

(c) If the Director of Finance determines after an investigation, that the applicant proposes to engage in a lawful, commercial or professional enterprise and does not, based upon past record, constitute a clear and present danger to the residents of the City he shall issue a license to the applicant.

ORDINANCE NO. _____

AN ORDINANCE AMENDING AND SUPPLEMENTING SECTION 753.03 OF CHAPTER 753 OF THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO REGARDING LICENSE APPLICATION REQUIREMENTS.

WHEREAS, Section 753.03 of the codified ordinances currently requires that applicants for solicitor's licenses provide a recent photograph that is approximately 3 inches x 3inches to allow for the production of City issued identification badges; and

WHEREAS, current equipment used by the City for producing identification badges is digital in nature; and

WHEREAS, requiring an applicant to provide the municipality with a digital photo will streamline identification badge production and reduce risks to security and employee health and safety by doing away with the need for multiple applicants to appear in person;

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

SECTION I: That Section 753.03 in Chapter 753 of the Codified Ordinances of the City of Hamilton, Ohio, is hereby amended and supplemented to read as set forth in the document attached hereto as Exhibit No.1 and incorporated herein by reference.

SECTION II: That Section 753.03 of the Codified Ordinances of the City of Hamilton, Ohio, as it existed prior to this amendment **be and the same is hereby repealed.**

SECTION III: 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, Butler County, Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in 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

PART SEVEN – BUSINESS REGULATION CODE

CHAPTER 753 – Peddlers, Solicitors, Itinerant Vendors and Canvassers

Sec. 753.03 – License application requirements.

(a) Applications for licenses for peddlers, solicitors, itinerant vendors, or transient dealers shall be filed with the Director of Finance on a form to be furnished by the Director which shall require at least, the following information:

- (1) Name of applicant;
- (2) Home address and telephone number of applicant;
- (3) Name and address of the person by whom employed;
- (4) Length of service with such employer;
- (5) All places of residence and all employment during the preceding year;
- (6) The nature and character of the goods to be sold or service to be furnished by the applicant; and
- (7) Names of all other towns in which the applicant has within the past year conducted a business for which a license is herein required.

(b) The applicant shall furnish a recent photograph of himself not more than one year old and said photograph shall be in a digital electronic format designated by the Director of Finance. The application shall be made at least ten days before the license is required.

(c) If the Director of Finance determines after an investigation, that the applicant proposes to engage in a lawful, commercial or professional enterprise and does not, based upon past record, constitute a clear and present danger to the residents of the City he shall issue a license to the applicant.

City Council Meeting Staff Report

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

Report From: Mark Mercer, Chief of Fire

Agenda Item: An ordinance amending the Codified Ordinances of the City of Hamilton, Ohio, Part Fifteen, Fire Prevention Code, relative to adding Section 1505.03 General Prohibition on Outdoor Burning and Refuse Burning.

<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: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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): City Council Meeting 7-22-2020 Ordinance Review Commission Meeting 6-17-2020</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	Budgeted: \$0	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>
	Expenditure: \$0	
	Source Funds:	

Policy Issue

Does City Council wish to adopt legislation amending the Codified Ordinances of the City of Hamilton, Ohio, Part Fifteen, Fire Prevention Code, relative to adding Section 1505.03 General Prohibition on Outdoor Burning and Refuse Burning?

Policy Alternative(s)

Council may choose not to adopt such legislation amending the Codified Ordinances of the City of Hamilton, Ohio, Part Fifteen, Fire Prevention Code, relative to adding Section 1505.03 General Prohibition on Outdoor Burning and Refuse Burning. Alternatively, Council may choose to lessen the restrictions as proposed in the legislation by allowing residents to burn more than what is currently listed.



Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation amending the Codified Ordinances of the City of Hamilton, Ohio, Part Fifteen, Fire Prevention Code, relative to adding Section 1505.03 General Prohibition on Outdoor Burning and Refuse Burning because The City routinely receives calls regarding questions on whether it is permissible to have recreational fires on their properties. This new section of the Fire Code will provide the residents with more clarity regarding this issue.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- State of Ohio Fire Code

Fiscal Impact Summary

There is no fiscal impact associated with this proposal if enacted.

Background Information

At the June 17, 2020 Regular Meeting of the Ordinance Review Commission, Fire Chief Mark Mercer presented a new Section, 1505.03 General Prohibition on Outdoor Burning and Refuse Burning, to the Fire Prevention Code of the Codified Ordinances. The City routinely receives calls regarding questions on whether it is permissible to have recreational fires on their properties. This new section of the Fire Prevention Code will provide the residents with more clarity regarding this issue. Additionally, this new section outlines and defines which refuse which cannot be burned. This includes items such as plastics, oils, and other items besides clean wood. The proposed section will provide guidance at the local level of what the City finds acceptable or unacceptable in terms of outdoor burning and no longer solely relies on the State of Ohio Fire Code for such matters. The Ordinance Review Commission approved of this addition to the Codified Ordinances.

Attached Information

- Proposed Section 1505.03 General Prohibition on Outdoor Burning and Refuse Burning.

Copies Provided to:

N/A



1505.03 General Prohibition on Outdoor Burning and Refuse Burning

(a) Definitions.

For the purpose of this Section, the following terms shall have the following meanings, unless another definition is provided or the context otherwise requires:

- (1) “Campfire” means a small outdoor fire intended for recreation or cooking but not including a fire intended for disposal of waste wood or refuse.
- (2) “Clean wood” means natural wood which: has not been painted, varnished, or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.
- (3) “Construction and demolition waste” means building waste materials, including, but not limited to, waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.
- (4) “Nuisance” means burning of any material of any kind exuding smoke which may endanger the public, or safety or health of the public, or to disturb the comfort or repose of any person residing in the vicinity of the open burning, or which causes excessive or noxious odors, or when such open burning emits sparks, embers, or smoke upon adjacent or nearby premises.
- (5) “Open burning” means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney.
- (6) “Refuse” means any waste material including but not limited to leaves, grass, garbage and other organic refuse, construction and demolition waste materials, automobiles or parts thereof, flammable, toxic or explosive materials, electrical wiring, rubber products and plastic products.

(b) Open burning, outdoor burning and refuse burning is prohibited in the City of Hamilton unless the burning is specifically permitted by Paragraph (d) of this Section.

(c) The following materials may not be burned:

- (1) Rubbish and/or garbage including, but not limited to, food waste, food wrappers, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
- (2) Waste oil or other oily wastes.
- (3) Asphalt and products containing asphalt.
- (4) Treated or painted wood including, but not limited to, plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.

- (5) Any plastic material including, but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, synthetic fabrics, plastic films and plastic containers.
 - (6) Rubber, including tires and synthetic rubber-like products.
 - (7) Newspaper, corrugated cardboard, container board, office paper and other materials that may be recycled.
- (d) Outdoor campfires and small bonfires for cooking, ceremonies or recreation are allowed provided that the fire is confined by a control device or structure such as a barrel, fire ring, or fire pit and subject to the following limitations:
- (1) Flames must be limited in size to 3 feet in diameter and 2 feet in height.
 - (2) Open burning including camp fires under this Paragraph (d) shall only be conducted at a location at least twenty-five (25) feet from the nearest building which is not on the same property and at a minimum fifteen (15) feet of any building or property line which is on the same property.
 - (3) Open burning shall be constantly attended and supervised by a competent person at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.
- (e) Liability: A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other costs and liability resulting from damage caused by the fire.
- (f) Right of entry and inspection.
- (1) The Fire Chief or any authorized officer, agent, employee or representative of the City of Hamilton may inspect any property for the purpose of ascertaining compliance with the provisions of this Section.
 - A. Note: If the owner or occupant of the premises denies access to the property for this purpose, the fire code official must first obtain a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the fire code official for the purpose of inspection and examination pursuant to this code. Obtained in accordance with Chapter 1301:7-7 of the Ohio Revised Code.
- (g) Enforcement and penalties.
- (1) The City of Hamilton Fire Division shall have the authority to cause any fire to be extinguished if it is determined that there is a danger to public safety, a danger to public or private property, a nuisance or sign of environmental harm or violation of regulations.
 - (2) The Fire Chief and any fire inspector are authorized to enforce the provisions of this Section

- (3) Whoever violates any provision of this Section shall be guilty of an unclassified misdemeanor and the penalty for violation of any portion of this Section shall be a forfeiture of not more than two hundred fifty dollars per day for each separate violation of the rules in this Section for open burning of residential waste and not more than one thousand dollars per day for each separate violation of the rules in this Section for open burning of all wastes that are not residential waste. A separate violation is assessed for each day (twenty-four hour period) or portion of a day the violation occurs, plus the cost of prosecution.

ORDINANCE NO. _____

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF HAMILTON, OHIO, PART 15, FIRE PREVENTION CODE, RELATIVE TO ADDING SECTION 1505.03 GENERAL PROHIBITION ON OUTDOOR BURNING AND REFUSE BURNING.

WHEREAS, in 2008 the Council of the City of Hamilton, Ohio approved adoption of the Ohio Fire Code (OFC), which is based on the International Fire Code, as the City's Fire Code with certain exceptions in order to ensure consistency with National Fire Protection Association standards; and

WHEREAS, currently, Part 15 of the City's Codified Ordinances sets forth fire prevention regulations and penalties for noncompliance with the City's Fire Prevention Code but does not include specific guidelines on outdoor burning and refuse burning; and

WHEREAS, the Administration of Hamilton's Division of Fire now recommends that certain sections of Part 15 be amended to include such guidelines so the residents of Hamilton can better understand the restrictions on the local level instead of only relying on the State of Ohio Fire Code; and

WHEREAS, on June 17, 2020, the Ordinance Review Commission heard and recommended that the proposed new Section 1505.03 be sent to City Council for review and decision;

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

SECTION I: That Section 1505.03 in Chapter 1505 of the Codified Ordinances of the City of Hamilton, Ohio, is hereby amended and supplemented to read as set forth in the document attached hereto as Exhibit No.1 and incorporated herein by reference.

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, Butler County, Ohio, hereby certify that the foregoing Ordinance No. _____ was duly published as provided by Section 113.01 of the Codified Ordinances of the City of Hamilton, Ohio, by posting ten days after passage, a copy thereof in the lobby of City Hall for a period of ten days. POSTED: _____

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1

PART FIFTEEN - FIRE PREVENTION CODE

CHAPTER 1505 – Fire Prevention Code

Section 1505.03 General Prohibition on Outdoor Burning and Refuse Burning

(a) Definitions.

For the purpose of this Section, the following terms shall have the following meanings, unless another definition is provided or the context otherwise requires:

- (1) "Campfire" means a small outdoor fire intended for recreation or cooking but not including a fire intended for disposal of waste wood or refuse.
- (2) "Clean wood" means natural wood which: has not been painted, varnished, or coated with a similar material; has not been pressure treated with preservatives; and does not contain resins or glues as in plywood or other composite wood products.
- (3) "Construction and demolition waste" means building waste materials, including, but not limited to, waste shingles, insulation, lumber, treated wood, painted wood, wiring, plastics, packaging, and rubble that results from construction, remodeling, repair, and demolition operations on a house, commercial or industrial building, or other structure.
- (4) "Nuisance" means burning of any material of any kind exuding smoke which may endanger the public, or safety or health of the public, or to disturb the comfort or repose of any person residing in the vicinity of the open burning, or which causes excessive or noxious odors, or when such open burning emits sparks, embers, or smoke upon adjacent or nearby premises.
- (5) "Open burning" means kindling or maintaining a fire where the products of combustion are emitted directly into the ambient air without passing through a stack or a chimney.
- (6) "Refuse" means any waste material including but not limited to leaves, grass, garbage and other organic refuse, construction and demolition waste materials, automobiles or parts thereof, flammable, toxic or explosive materials, electrical wiring, rubber products and plastic products.

(b) Open burning, outdoor burning and refuse burning is prohibited in the City of Hamilton unless the burning is specifically permitted by Paragraph (d) of this Section.

(c) The following materials may not be burned:

- (1) Rubbish and/or garbage including, but not limited to, food waste, food wrappers, packaging, animal carcasses, paint or painted materials, furniture, composite shingles, construction or demolition debris or other household or business wastes.
- (2) Waste oil or other oily wastes.
- (3) Asphalt and products containing asphalt.
- (4) Treated or painted wood including, but not limited to, plywood, composite wood products or other wood products that are painted, varnished or treated with preservatives.
- (5) Any plastic material including, but not limited to, nylon, PVC, ABS, polystyrene or urethane foam, synthetic fabrics, plastic films and plastic containers.
- (6) Rubber, including tires and synthetic rubber-like products.
- (7) Newspaper, corrugated cardboard, container board, office paper and other materials that may be recycled.

Ordinance No. _____ (cont'd)

- (d) Outdoor campfires and small bonfires for cooking, ceremonies or recreation are allowed provided that the fire is confined by a control device or structure such as a barrel, fire ring, or fire pit and subject to the following limitations:
 - (1) Flames must be limited in size to three (3) feet in diameter and two (2) feet in height.
 - (2) Open burning including camp fires under this Paragraph (d) shall only be conducted at a location at least twenty-five (25) feet from the nearest building which is not on the same property and at a minimum fifteen (15) feet of any building or property line which is on the same property.
 - (3) Open burning shall be constantly attended and supervised by a competent person at least eighteen (18) years of age until the fire is extinguished and is cold. The person shall have readily available for use such fire extinguishing equipment as may be necessary for the total control of the fire.

- (e) Liability: A person utilizing or maintaining an outdoor fire shall be responsible for all fire suppression costs and any other costs and liability resulting from damage caused by the fire.

- (f) Right of entry and inspection.
 - (1) The Fire Chief or any authorized officer, agent, employee or representative of the City of Hamilton may inspect any property for the purpose of ascertaining compliance with the provisions of this Section.
 - A. Note: If the owner or occupant of the premises denies access to the property for this purpose, the fire code official must first obtain a proper inspection warrant or other remedy provided by law to secure entry, an owner, the owner's authorized agent or occupant or person having charge, care or control of the building or premises shall not fail or neglect, after proper request is made as herein provided, to permit entry therein by the fire code official for the purpose of inspection and examination pursuant to this code. Obtained in accordance with Chapter 1301:7-7 of the Ohio Revised Code.

- (g) Enforcement and penalties.
 - (1) The City of Hamilton Fire Division shall have the authority to cause any fire to be extinguished if it is determined that there is a danger to public safety, a danger to public or private property, a nuisance or sign of environmental harm or violation of regulations.
 - (2) The Fire Chief and any fire inspector are authorized to enforce the provisions of this Section
 - (3) Whoever violates any provision of this Section shall be guilty of an unclassified misdemeanor and the penalty for violation of any portion of this Section shall be a forfeiture of not more than two hundred fifty dollars per day for each separate violation of the rules in this Section for open burning of residential waste and not more than one thousand dollars per day for each separate violation of the rules in this Section for open burning of all wastes that are not residential waste. A separate violation is assessed for each day (twenty-four hour period) or portion of a day the violation occurs, plus the cost of prosecution.

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 ordinance authorizing and directing the City Manager to execute a sale and development agreement, property conveyances, and related actions with Main Street Hamilton Apartments, LLC relating to 320 Main Street, 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: 8-12-20 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-20 <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 Main Street Hamilton Apartments, LLC to construct approximately fifty (50) market rate residential apartment units?

Policy Alternative(s)

Council may choose not to adopt such legislation to authorize and direct the sale of property to Main Street Hamilton Apartments, LLC to construct approximately fifty (50) market rate residential apartment units located on Main St. Council could instead choose to hold the property.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation authorize and direct the sale of property to Main Street Hamilton Apartments, LLC to construct approximately fifty (50) market rate residential apartment units located on Main St.



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

Main Street Hamilton Apartments will purchase the property located at 531 High St for One Hundred and 00/100 Dollars (\$100.00). Additionally, the City of Hamilton will provide an incentive of \$75,000.00. This is elaborated upon in greater detail in the sale and development agreement.

Background Information

The City of Hamilton has owned both parcels since they were acquired in 2017. The CIC owns three (3) adjacent properties that, when combined with the City's parcels, will create the site for the development. The site is approximately 0.7 acres total.

The City was approached by the developer who was interested in constructing approximately fifty (50) market rate apartments on the site. The developer has seen the success of similar products like the Mercantile Lofts, Marcum Apartments, The Davis apartments, and Third + Dayton, and wishes to develop a similar product that will be an asset to the Main Street district.

The project shall be completed at Developer's sole cost and expense: a) in conformance with all applicable codes, ordinances, and laws; b) in a good workmanlike manner; and c) in conformance with the plans and specification approved in advance by appropriate City officials. The developer shall commence construction of the project within twelve (12) months after the date of closing, and shall substantially complete the project within eighteen (18) months after commencing construction.

City staff believes that the addition of high-quality apartments on Main Street will attract residents and help support current and future businesses in the area.

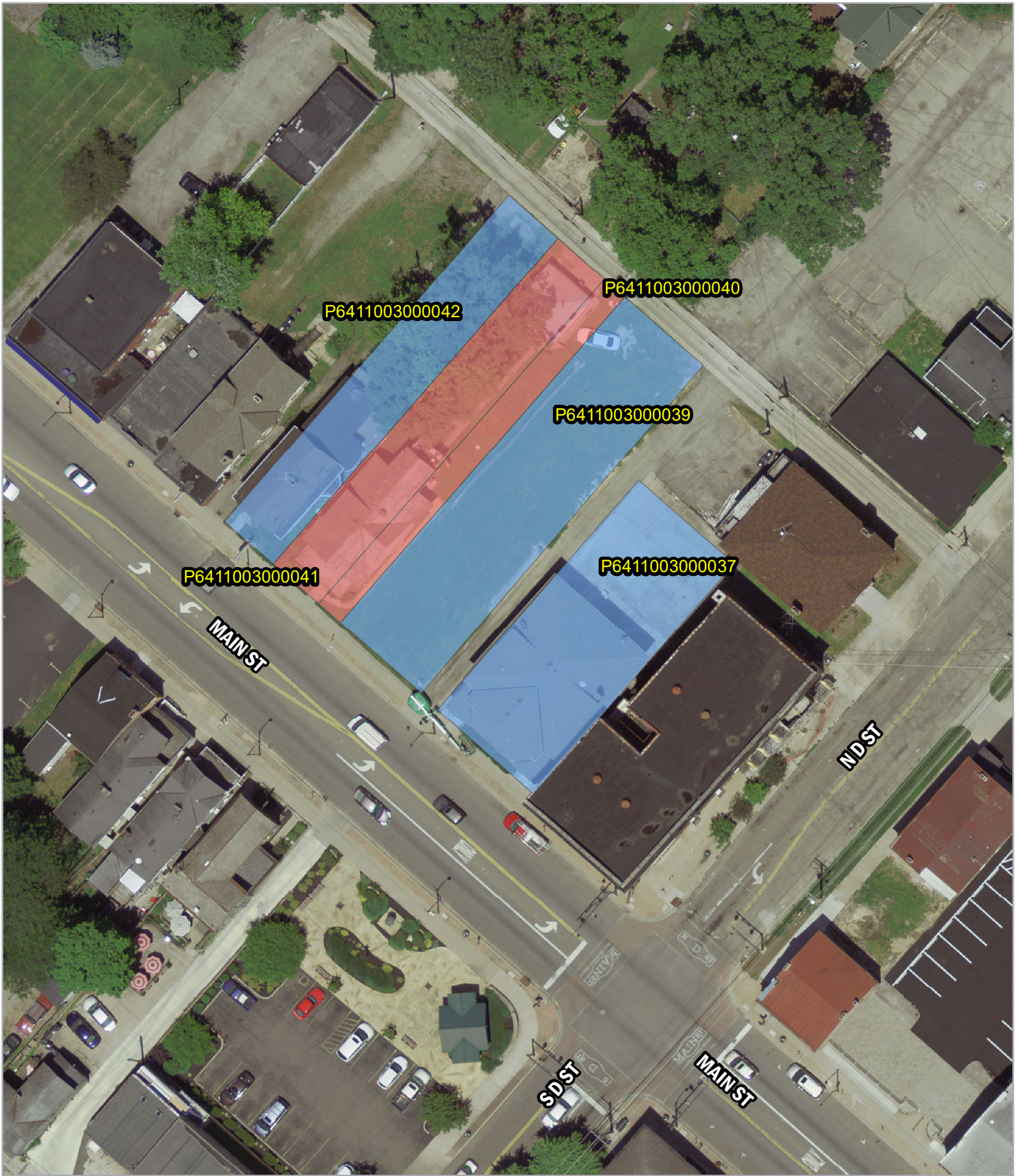
Attached Information

- Map of the Project Area including CIC Owned Land

Copies Provided to:

N/A





- CIC Parcels
- COH Parcels

CIC and City Parcels (Main St. at D St.)



ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A SALE AND DEVELOPMENT AGREEMENT, PROPERTY CONVEYANCES, AND RELATED ACTIONS WITH MAIN STREET HAMILTON APARTMENTS, LLC RELATING TO 320 MAIN STREET.

WHEREAS, the City owns and desires to facilitate the development of two (2) parcels identified as Butler County Auditor's Parcel Identification Number P6411003000040 and P6411003000041 (the "Property") as seen in Exhibit No. 1; and

WHEREAS, Main Street Hamilton Apartments, LLC desires to purchase the Property to construct a residential project consisting of approximately fifty (50) market rate residential apartment units and an improved parking area(the "Project"); and

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

WHEREAS, this Council, on behalf of the City, desires to enter into a Sale and Development Agreement (the "Agreement") in order to reflect certain agreements between the parties with respect to the Project generally, and to the improvements to be made by each of them and other agreements, all pursuant and subject to the terms and conditions contained in the Sale and Development Agreement; and

WHEREAS, included in the terms and conditions of the Agreement, the City will sell the Property to Main Street Hamilton Apartments, LLC for the sum of One Hundred and 00/100 Dollars (\$100.00);

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

SECTION I: That the City Manager is hereby authorized and directed to execute a Sale and Development Agreement with Main Street Hamilton Apartments, LLC. Said agreement shall be and read substantially in the form of Exhibit No. 2, attached hereto, incorporated herein by reference and made a part thereof subject to any amendments recommended by the City Manager or by the Director of Law.

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

Ordinance No. _____ (Cont'd)

EXHIBIT NO. 1



  **Exhibit No. 1** 

Date: 8/4/2020 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 to the accuracy, currency, 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 = 63 feet**

DEVELOPMENT AGREEMENT

THIS **DEVELOPMENT AGREEMENT** (“Agreement”) is made and entered into effective as of the ___ day of _____, 2020 (the “Effective Date”), by and between THE CITY OF HAMILTON, OHIO, an Ohio municipal corporation, having a mailing address at 345 High Street, Hamilton, Ohio 45011 (the “City”) and MAIN STREET HAMILTON APARTMENTS, LLC, an Ohio limited liability company, and or assigns, having a mailing address of 10925 Reed Hartman Highway, Suite 200, Cincinnati, Ohio 45242 (“Developer”), under the following circumstances:

RECITALS:

A. The City owns or will own prior to Closing (as hereinafter defined) land located within the City of Hamilton, Butler County, Ohio, as approximately shown on **Exhibit A**, and legally described on **Exhibit B**, both attached hereto and incorporated herein by reference (the “City Property”).

B. The City desires to have the City Property developed as a residential project consisting of approximately fifty (50) market rate residential apartment units and an improved parking area containing approximately 75 parking spaces, some of which may be spaces located on adjacent property (collectively, such apartment and parking improvements hereinafter referred to as the “Project”). The City Property is located in a Qualified Opportunity Zone as created by the 2017 Tax Cuts and Jobs Act. The City believes that the Project and related improvements as described herein are in the vital and best interests of the City and the health, safety, and welfare of its residents, and in accordance with the public purposes and provisions of applicable federal, state, and local laws and requirements, which purposes include, but are not limited to, furtherance of the City’s goals to revitalize the part of the City’s downtown area in which the City Property is located, to provide public access, parking and other amenities, and to facilitate commercial and residential development in close proximity to the City’s downtown area, all of which are expected to enhance City tax revenues.

C. Developer is willing to acquire the City Property and to develop, construct and operate the Project pursuant and subject to the terms and conditions contained in this Agreement.

D. The parties desire to enter into this Agreement in order to reflect certain agreements between them with respect to the Project generally, and to the improvements to be made by each of them, available City incentives relative to certain components of the Project, and other agreements and obligations, all pursuant and subject to the terms and conditions contained herein.

NOW, THEREFORE, for and in consideration of the mutual agreements herein contained, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by both parties hereto, the City and Developer agree as follows:

Introduction; Recitals. Each of the parties hereby acknowledges and agrees that the statements made by it in the foregoing recitals are, to its actual knowledge and belief, true and accurate and the same are hereby included herein by this reference as if fully set forth in this Introduction section of the Agreement.

1. **Transfer of City Property.** Within ninety (90) days after the earlier to occur of (i) the satisfaction or waiver of the “Developer Contingencies” (as hereinafter defined) or (ii) the “Contingency Deadline” (as hereinafter defined), but subject to the terms and conditions contained in this Agreement, the City shall transfer to Developer fee simple title to the City Property by Quit-Claim Deed (the “Deed”), subject only to: real estate taxes and assessments (general and special) not yet due and payable; easements of record as of the date of this Agreement or as otherwise agreed upon by the parties prior to the Contingency Deadline; the “City’s Reserved Utility Easements” (as hereinafter defined) over the Alley Property (as hereinafter defined); and the other items to be created in accordance with the terms hereof (collectively, all such items hereinafter being referred to as the “Permitted Exceptions”). Nothing contained herein shall be deemed to be a waiver by the Developer of the right to terminate this Agreement prior to the Contingency Deadline due its determination that the City Property is unacceptable to Developer for the Project for any reason. The following terms and conditions shall apply to such transfer of the City Property and the closing of such transfer (the “Closing”):

(a) The purchase price (the “Purchase Price”) to be paid by Developer and accepted by the City for the City Property shall be One Hundred Dollars (\$100.00).

(b) At the Closing, the City shall deliver to Developer exclusive possession of the City Property, subject to Permitted Exceptions. The Closing, which shall take place at the offices of the City’s attorneys on an exact date and time (subject to the first paragraph of this Section 1) to be selected by Developer with at least five (5) business days advance written notice to City.

(c) At the Closing, the City will deliver the Affidavit of Title and Non-Foreign Certificate in the form of Exhibit C attached hereto, which Title Affidavit Developer represents that its title insurance company (the “Title Company”) has approved.

(d) In addition to the Deed and the Title Affidavit, the parties agree to execute and deliver at Closing such other mutually agreeable instruments as are reasonably necessary to complete the Closing, and which are typical for commercial real estate transfers and as otherwise required by this Agreement.

(e) Real estate taxes, assessments (general or special) on the City Property will be prorated between the City and Developer to the date of Closing based upon the most recent tax bill for the City Property that is available from Butler County prior to Closing. All prorrations shall be final, except in the event of an error in

calculations. All delinquent real estate taxes on the City Property shall be paid by the City on or before the Closing.

(f) Developer shall pay all Closing costs and expenses, including costs of the title or escrow closing agent and costs of any title insurance policy and title policy endorsements desired by Developer.

2. **Construction of Project.** Developer shall construct and install upon the City Property acquired by the Developer, the Project. The Project, including but not limited to the engineering and design therefor, the plans and specifications, and the construction and installation, shall be completed at Developer's sole cost and expense: (a) in conformance with all applicable codes, ordinances, and laws; (b) in a good and workmanlike manner; and (c) in conformance with the plans and specifications approved in writing in advance by appropriate City officials (hereinafter, the "Approved Plans"). Subject to delay caused by Force Majeure, Developer shall commence construction of the Project within twelve (12) months after the date of Closing, and shall substantially complete such construction within eighteen (18) months after commencing construction (the "Completion Date"). Developer 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 applicable laws, rules, regulations, codes and ordinances and the parameters for the Project set forth in this Section 2. References in this Agreement to the "Project" shall be deemed to mean and include the following:

(a) Approximately fifty (50) market rate residential apartment units (the "Units"); provided, however, the parties acknowledging that the final number of Units may be increased or decreased based upon applicable zoning approvals for the Project and market studies and surveys undertaken by the Developer, as further described in this Agreement.

(b) Between 35-75 parking spaces, provided the determination of the required number of parking spaces within such range for the Project to be successful shall be determined by Developer in Developer's sole discretion.

(c) City and Developer acknowledge that during the process of Developer's construction and installation of the Project improvements, damage may occur to the existing sidewalks, streetscape improvements (trees, pavers, etc.), and electrical supply lines providing power to the pole lights, all of which improvements are currently around the perimeter of the City Property, and sub-surface conditions of the City Property may require excavation, removal and replacement of non-compactible materials and the parties therefore agree as follows:

(i) Developer will give City adequate written notice of the commencement date for construction so that the City and Developer can coordinate removal of those pole lights that City wishes to salvage for later reinstallation and to have the electric supply lines to each pole light stubbed off for later reuse, which work shall be contracted and paid for by the Developer, but the City shall be responsible for storing the light poles and fixtures it desires to re-install and return the same to the Property when they are to be re-installed;

(ii) Developer shall cause its contractors to use all reasonable efforts to minimize damage to the existing sidewalks and streetscape improvements;

(iii) Developer, at its sole cost and expense shall: (x) demolish those existing improvements on the City Property that need to be removed in order to complete the project, (y) remove all of the demolition debris and non-compactable material from the City Property, and (z) excavate and replace non-compactable materials from the City Property during its site work; and

(iv) As part of the final phases of construction, upon a mutually-agreeable schedule and in compliance with the Approved Plans, the Developer, with the City's cooperation and coordination, will repair any damage to, or re-run, the electric supply lines for the pole lights and will reconnect the electric lines to the surrounding pole lights, and Developer will repair and replace the sidewalks to a condition and quality substantially comparable as the same and surrounding public sidewalks currently exists. The parties shall pay the costs and expenses of repairing and replacing the sidewalks, electric supply lines, and other streetscape improvements, including pole light relocation or replacement costs, and costs of excavating, removing and replacing non-compactable materials as follows:

(A) City shall pay to Developer \$75,000.00 within ten (10) days after Developer commences site work on the City Property;

(B) Developer shall be responsible for the costs of the above described work in this Section 2(c).

(d) The City and the Developer agree that the plans and specifications for the Project shall, among other things, set forth the interior finishes for the Units and that if the quality of the interior finishes for the Units is at least equal to the quality of the interior furnishes for the units at the next door development, known as the Davis Building, the City shall approve those interior finish plans as part of the Approval Plans.

3. **[This Section intentionally left blank.]**

4. **Post-Closing City Improvements.**

(a) City shall cause the relocation of City-owned overhead utility lines as approximately shown on **Exhibit D** attached hereto and made a part hereof to underground or alternative locations as mutually agreed upon by the City and Developer prior to the Contingency Deadline. The costs of such utility relocations shall be paid solely by the City. The relocation of the utility lines shall progress concurrently with the development and construction of the Project and shall, subject to delays due to Force Majeure, be completed before the Developer is prepared to commence leasing residential units in the Project, in accordance with a specific schedule to be agreed upon City and the Developer prior to the Contingency Deadline.

5. **Indemnification and Insurance.**

(a) Notwithstanding anything in this Agreement to the contrary, as a material inducement to the City to enter into this Agreement, Developer shall defend, indemnify and hold the City, its officers, council members, employees, and agents (collectively, the "Indemnified Parties") harmless from and against any and all actions, suits, claims, losses, costs (including without limitation attorney's 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 injuries, deaths or loss or damage to property to the extent caused by the acts or omissions of Developer, its agents, employees, contractors, subcontractors, licensees, invitees or anyone else acting at the request of Developer in connection with the development or construction of the Project or on or around the City Property; provided, however, that Developer's obligations under this Paragraph shall only apply to Claims that accrue or arise due to events which occur or actions taken during the period from the commencement of inspection or construction related activities on or around the City Property by Developer through Developer's substantial completion of the Project and the issuance of certificates of occupancy for not less than eighty percent (80%) of the total residential units planned to be included in the Project. Developer's obligations under this Paragraph shall survive Closing or the termination of this Agreement. The indemnification obligations of the Developer set forth in this Agreement will survive the Closing or the earlier termination of this Agreement.

(b) Until such time as all construction work associated with the Project has been completed, Developer shall maintain, or cause to be maintained, the following insurance: (i) Commercial General Liability insurance of at least One Million Dollars (\$1,000,000) per occurrence, combined single limit, naming the City as an additional insured, (ii) builder's risk insurance in the amount of one-hundred percent (100%) of the value of the improvements constructed, (iii) worker's compensation insurance in such amount as required by law, and (iv) all insurance as may be required by Developer's construction lenders. Developer's insurance policies shall: (x) be written in standard form by companies of recognized responsibility and credit reasonably acceptable to the City, authorized to do business in Ohio, and having an A.M. Best rating of A VII or better, and (y) provide that they may not be canceled or modified without at least thirty (30) days prior written notice to the City. Developer may cause any or all of the above described insurance requirements to be satisfied by requiring one or more of its contractors to provide such insurance coverages.

6. **Tax Abatement Agreement.**

The City acknowledges that a critical component of the consideration for Developer entering into this Agreement and developing the City Property as the Project and to perform all of its other obligations under this Agreement, is that all real estate taxes with respect to building improvements for the residential apartments on the Project be abated for fifteen (15) years under Chapter 3735 of the Ohio Revised Code (the "Tax Abatement"). The City shall reasonably cooperate with the Developer in its efforts to obtain and implement the Tax Abatement, including, without limitation, in connection with Developer's obtaining of all necessary State of Ohio and other governmental approvals and in connection with the Community Reinvestment Area Compensation Agreement (the "CRA"), as required under Chapter 3735 of the Ohio Revised Code. The provisions of this Section shall survive the

expiration or earlier termination of this Agreement, provided the City Property is transferred to Developer.

7. Vacation North D Street Alleys A and B.

(a) Prior to Closing, City agrees to vacate one-half or all of the real property labeled as "N D St Aly A" and the real property labeled as "N D St Aly B" as shown on **Exhibit E**, attached hereto and incorporated herein by reference (collectively, the "Alley Property"). If the vacation process does not cause title to one-half of the Alley Property to be transferred to the Developer, then the City shall cause one-half of the Alley Property to be transferred to Developer by Quit-Claim Deed at Closing. Prior to the Contingency Deadline, the City and the Developer shall have agreed upon what utility easements, if any, the City will reserve for the existing utilities that are located on the Alley Property (those reserved utility easements being hereinafter referred to as the "City's Reserved Utility Easements"). The Developer acknowledged and agrees that the Developer will accept possession of the Alley Property in "AS-IS, WHERE-IS" condition, subject to the City's Reserved Utility Easements, if any, and thereafter, all references to the "City Property" shall be deemed to include the Alley Property.

(b) City agrees to pay the costs for documentation of the vacation of the Alley Property and the recording fees required, if any, to place title to the Alley Property in the state described above in this Section, and to not require Developer to pay any purchase price for the Alley Property.

(c) City agrees to cooperate with and support Developer's efforts to acquire the remainder of the Alley Property and/or other real property located adjacent to N D St Aly B if and to the extent Developer determines any such real property is required in order for the Project to be developed and used in an economically feasible manner. Such agreement by the City does not include any obligation on the part of the City to pay any monetary consideration for the acquisition of such additional real property.

8. Tap and Permit Fees. The City agrees that all water tap fees, and any and all building, road, recreation and other impact fees or similar fees that the City charges for apartment/commercial projects shall not exceed \$10,000.00 for the entire Project.

9. Additional City Efforts to Support Development.

(a) The City agrees to provide Developer an ALTA Survey of the City Property (including the Alley Property) within sixty (60) days after the Effective Date at the City's expense. In addition, within thirty (30) days after request by Developer, the City shall pay to Developer the amount of Ten Thousand Dollars (\$10,000.00) to pay for the costs of a Phase I Environmental Site Assessment and a Geotechnical Soil Borings Report for the City Property (including the Alley Property) for the City Property (including the Alley Property), provided Developer has obtained a Phase I Environmental Site Assessment and a Geotechnical Soil Borings Report for the City Property. The City's obligation to pay the Ten Thousand Dollars (\$10,000.00) described herein shall survive any termination of this Agreement.

- (b) The City agrees to permit Developer to discharge storm water from the City Property and the Project into the existing storm water system without and additional detention or retention system being required for the Project.
- (c) Prior to Closing, the City shall cause the City Property and the Alley Property to be consolidated into one (1) tax parcel of record.

10. **Restriction on Other Multi-Family Residential Projects.** As additional support for the Project and the goals and purposes of this Agreement, during the period beginning on the Effective Date and ending on the earlier of (a) the date that is twenty-four (24) months after the commencement of construction of the Project by Developer, or (b) the date this Agreement is terminated, the City agrees not to: (y) sell or transfer any City owned or CORE Fund owned land (whether now owned or subsequently acquired) for the purposes of constructing any new, ground-up, multi-family housing project with more than twelve (12) units within a one eighth (1/8) mile radius of any boundary of the City Property (the "Restricted Area"); or (z) enter into any development agreement or to provide City incentives for any such new, ground-up, multi-family housing project with more than 12 units in the Restricted Area. The City's agreement in this Section 10 shall survive the Closing.

11. **General City Cooperation.** The City acknowledges that, in connection with the development and construction of the Project, from time to time, the Developer will be submitting to various City departments site plans showing proposed locations of buildings, building footprints and other structures and improvements, plans for landscaping, parking lots, paving improvements, and storm water management and utility lines, facilities and systems and applications for necessary approvals and building permits for the same. The City agrees, subject to all normal and applicable department rules, regulations and processes, and to applicable law, all of which apply to all persons who do business with the City, that it will cooperate with Developer and review and approve all applications and submissions for the Project, including, without limitation, any zoning related approvals or actions, in the normal course of business as the same is regularly brought before and handled by the City. In addition, the City shall cooperate with and assist the Developer (at no out-of-pocket expenses to the City) in its efforts with respect to the development, construction and operation of the Project and the efforts by the Developer to satisfy its conditions hereunder, including coordinating and assisting with efforts with the Butler County Port Authority, the City of Hamilton School District, and other third parties and agencies.

12. **[This Section intentionally left blank.]**

13. **Contingencies.**

(a) **Developer Contingencies.** Subject to the provisions of Section 13(b), Developer shall have no obligation to acquire the City Property or to develop and construct the Project unless and until all of the following contingencies (collectively, the "Developer Contingencies") have been satisfied or waived by Developer in writing:

(i) The Developer and the City shall have agreed upon the Approved Plans for the Project, including that Developer shall be satisfied that the Project, as

developed, will contain sufficient space for approximately 50 market rate residential apartment Units (or such number of Units as Developer determines is appropriate and feasible based on its market studies and surveys), and sufficient parking spaces for Developer's tenant's parking needs, also as determined necessary by Developer for the successful development and operation of the Project.

(ii) All necessary building and construction permits and approvals required for the Project and all components thereof shall have been issued with only such conditions as are contemplated in this Agreement or as are otherwise acceptable to the Developer, in its sole discretion, and any applicable appeal or referendum periods for the same shall have expired without any such appeal or referendum having been initiated.

(iii) Developer shall have reviewed and approved the CRA and all binding documents and components of the same affecting the City Property and the Project and all approvals necessary for the CRA (to the extent then available) shall have been obtained with only such conditions as are acceptable to the Developer in its sole discretion.

(iv) The City shall have delivered to Developer a letter from City's Finance Director certifying that the City has sufficient funding available and secured to satisfy its payment and other obligations under this Agreement.

(v) Developer shall be satisfied, in its sole discretion, with the results of Developer's due diligence efforts with respect to the City Property and the Project, including, without limitation, title, survey, utility availability, environmental, geotechnical and marketing studies.

(vi) Developer shall have entered into an agreement or agreements with the Butler County Port Authority, which will allow a sales tax exemption program for the City Project, upon terms and conditions acceptable to the Developer, in its sole discretion, or Developer shall have determined that it shall be able to enter into such an agreement or agreements.

(vii) City shall have completed all of its obligations and agreements under this Agreement to be completed prior to Closing, or Developer shall be satisfied that the same shall be completed on a timely basis for the development and construction of the Project.

(b) **Developer's Right to Terminate.** Unless all of the Developer's Contingencies set forth above in subsections (a)(i) through (vii) are satisfied or waived in writing by the Developer on or before August 31, 2021 (the "Contingency Deadline"), then the Developer shall have the right to terminate this Agreement by written notice given to the City. In addition, if prior to such date the Developer determines that any or all of the Developer's Contingencies will not be satisfied by the above described deadline, the Developer may elect to terminate this Agreement by written notice given to the City prior to such date. Any or all of the Developer Contingencies may be waived by the Developer, but only by a written instrument executed by the Developer; provided, however, that if the Developer does not terminate this Agreement, pursuant to its right above in this paragraph, by the Contingency Deadline, Developer shall be deemed to have satisfied or waived the

Developer Contingencies. Upon any termination of this Agreement by the Developer pursuant to this Section, neither party hereto shall have any further obligations to the other hereunder except for those specifically stated to survive such termination.

(c) **City Contingencies.** Until the Developer notifies the City that the Developer has waived or satisfied all of the Developer Contingencies, the City shall have no obligation to provide funding to Developer, to acquire, transfer or vacate any real property as described in this Agreement, or to unconditionally obligate itself to any obligations to third parties related to the City Property or the Project, except for such agreements and obligations as are expressly required to be performed by the City prior to Closing under this Agreement. Without affecting the City's obligations to perform certain acts prior to Closing, any agreements entered into or approvals granted by the City as contemplated by this Agreement may include a contingency that Developer must satisfy or waive the Developer Contingencies, and that Developer must close on the acquisition of the City Property and commence, proceed with, and complete the development of the Project pursuant to this Agreement; provided, however, and notwithstanding any other provision of this Agreement to the contrary, the City's agreement to provide the ALTA Survey and to pay for the Phase I Environmental Site Assessment and Geotechnical Soil Borings Report shall be binding upon the City and not be conditioned upon waiver of Developer Contingencies or City appropriation of funds. Except as described in the immediately preceding sentence, the obligations of the City hereunder requiring expenditure of funds to perform such obligations are subject to appropriation by City Council of funds necessary to fund those obligations and do not constitute an indebtedness of the City within the provisions and limitations of the laws and the Constitution of the State of Ohio, and neither the Developer nor any other party has the right to have taxes or exercises by the City for the payment or performance of its obligations hereunder. If the City has not appropriated the funds necessary to perform its obligations hereunder on or before September 15, 2020, then Developer may, by giving the City a written notice of termination on or before October 15, 2020, terminate this Agreement, whereupon neither party hereto shall have any further obligations under this Agreement, except for those expressly stated to survive the termination of this Agreement.

Notwithstanding the immediately preceding paragraph, the City agrees, prior to satisfaction or waiver of the Developer Contingencies, to provide Developer with updates as to the result of the efforts to be undertaken by the City pursuant to this Agreement promptly upon each request therefor by Developer and, in the normal course of the City's procedures and business, to work with Developer with respect to plans and specifications and process the same for approval and permitting purposes and to work with the Developer in an attempt to reach the agreements contemplated hereunder.

14. **Approvals of the City.** The City Manager for the City shall have the right to make decisions for the City under this Agreement and to administer this Agreement on a day to day basis on behalf of the City. Any provision of this Agreement requiring the approval of the City, the satisfaction or evidence of satisfaction from the City, certificate or certification by the City, or the opinion of the City, shall be interpreted as requiring such action by the Manager of the City granting, authorizing or expressing such approval, satisfaction, certification or opinion, as the case may be, and Developer shall have the right to rely upon any of the same executed, delivered or provided by the Manager of the City. If, for any reason, the current City Manager is no longer employed as the Manager of the City, or

otherwise is unable to perform the above described functions, the Executive Director of External Services shall succeed to such role and replace the City Manager for all of the above described purposes.

15. **Right of Entry.** Subject to the terms of this Agreement, the Developer, its employees, agents and contractors, shall have the nonexclusive right to enter upon the City Property to complete such investigations of the City Property as Developer seems appropriate. All such activities by Developer shall be conducted at the sole cost and expense of Developer. This right of entry shall terminate on the earlier of: (a) the date this Agreement is terminated; or (b) the Closing.

Developer understands and agrees that all activities on the City Property performed by or on behalf of Developer shall be done in compliance with applicable laws, rules and regulations and shall occur after reasonable prior notice given to the City. All such activities shall be conducted in such a manner that will not harm or damage the City Property. Developer agrees to restore the City Property to its condition prior to any such activities immediately after conducting the same. The City reserves the right to have a representative present while Developer or its employees, agents or contractors are present at the City Property. If Developer desires to do any invasive testing on the City Property, other than soil borings typical for a real estate development such as the Project, Developer shall do so only after notifying the City and obtaining the City's prior written consent thereto, which consent may be withheld or be subject to such terms and conditions imposed by the City in its reasonable discretion. For purposes of clarity, the City shall not have the right to disapprove soil borings to be performed by or on behalf of Developer to the extent such borings are geotechnical in nature and are typically obtained for a real estate development such as the Project. Developer, if requested by the City, will furnish to the City copies of any report received by Developer relating to any inspection of the City Property.

Prior to entering upon the City Property, Developer covenants and agrees that Developer 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 City Property. Such policy shall also insure Developer's indemnity obligation to the City hereinafter set forth in this Section. Claims-made policies are not acceptable.

As a condition to any entry on the City Property by Developer, its contractors, subcontractors or materialmen, Developer shall provide the City with acceptable evidence that the required insurance coverage is in place for Developer. The City 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 the City.

Developer agrees to protect, indemnify, defend and hold the City 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 Developer, its employees, agents or contractors on or about the City Property; (b) any damage on or about the City Property caused by or allegedly caused by Developer, its employees, agents or contractors; and/or (c) any mechanic's lien being filed against the City Property as a result of the action or alleged action of Developer, its employees, agents or contractors.

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

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

(a) Initially construct and operate the Project on the City Property in accordance with the terms of this Agreement as market rate residential apartment units, unless otherwise agreed to in writing by the City; provided however, once the development and construction of the Project is completed in conformance with the requirements of this Agreement and in conformance with the Approved Plans, then Developer may thereafter elect to change the use of the City Property; and

(b) 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 City 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 Developer conveying any part of the City Property shall include the aforesaid covenants provided in this Section. To the fullest extent permitted by law and equity, the covenants shall: (a) be binding on Developer, its successors and assigns and any party in possession or occupancy of the City Property or any part of it; and (b) be for the benefit and in favor of and enforceable by the City against Developer, its successors and assigns and any party in possession or occupancy of the City Property or any part thereof. The covenant provided in clause (a) of this Section shall remain in effect until completion of the Project in conformance with the Approved Plans and other requirements of this Agreement and the covenant provided in clause (b) of this Section shall remain in effect without limitation as to time; provided, however, both of these covenants shall be binding on Developer, 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 City Property or any part thereof. Further, the covenants set forth in this Section: (a) shall not be personal covenants between the City and Developer; (b) shall be covenants that run with the land and shall be binding on Developer, its successors and assigns, and any future owner or lessee of the City Property or any part of it; (c) shall be covenants that are enforceable by the City, its successors and assigns; and (d) shall be memorialized in the Deed for the City Property. The provisions of this Section shall survive the Closing. Upon

completion of the construction of the Project as required hereunder and upon request by Developer, the City shall execute and deliver a recordable instrument reflecting such accomplishment and the satisfaction of the covenant set forth in Section 16(a).

17. Limited Representations and Warranties by City; AS-IS Sale; Disclaimers.

(a) The City represents and warrants as of the date of delivery of this Agreement that:

(i) The City is a valid municipal corporation and political subdivision of the State of Ohio duly organized and validly existing under the Constitution and laws of the State of Ohio and its Charter.

(ii) The City is not in violation or in conflict with any provisions of the laws of the State of the United States of America applicable to the City which would impair its ability to carry out its obligations contained in this Agreement.

(iii) This Agreement has been duly executed and delivered by the City, and, assuming the due authorization, execution and delivery by Developer, constitutes the legal, valid and binding obligation of the City, enforceable against the City in accordance with its terms, except as such enforceability may be limited by (x) bankruptcy, insolvency, reorganization, moratorium or other similar laws now or hereafter in effect, relating to or limiting creditors' rights generally and (y) general principles of equity (whether considered in an action in equity or at law).

(iv) There is no litigation pending nor to the knowledge of the individual signing this Agreement on behalf of the City threatened against or by the City wherein any unfavorable ruling or decision would materially and adversely affect the City's ability to carry out its obligations under this Agreement.

(b) It is understood and agreed that the City 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 condition of the City Property, including, but not limited to, any warranties or representations as to habitability, merchantability or fitness for a particular purpose.

(c) Developer acknowledges and agrees that upon the Closing, the City shall sell and convey to Developer and Developer shall accept the City Property "AS IS, WHERE IS, WITH ALL FAULTS", subject only to the City's obligations set forth in this Agreement.

Developer represents to the City that Developer has conducted, or will conduct prior to the Closing, such investigations of the City Property, including but not limited to, its environmental condition as Developer deems necessary or desirable to satisfy itself as to the condition of the City Property and the existence or nonexistence or curative action to be taken with respect to the City Property or any hazardous or toxic substance on or discharged from the City Property. Developer will rely solely upon its investigations.

Developer acknowledges and agrees that the City makes no representation or warranty to Developer as to the accuracy or completeness of third party prepared environmental audits or other studies or reports. Upon the Closing, Developer 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 Developer's investigations. Notwithstanding the foregoing or any other provisions of this Agreement to the contrary, Developer shall have the right to terminate this Agreement prior to or on the Contingency Deadline if Developer is not satisfied with the environmental conditions of the City Property or the projected costs to Developer required to remove hazardous materials in order to develop and use the Project as intended.

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

18. Post-Closing Construction and Operation. As an inducement for the City to enter into this Agreement, Developer covenants and agrees that:

(a) the Project, including but not limited to the engineering and design therefor and the plans and specifications and its construction, shall be completed: (i) at Developer's sole cost and expense, subject, however, to the payments and items to be provided by the City pursuant to the terms of this Agreement; (ii) in conformance with the Approved Plans and all applicable codes, ordinances, laws, rules and regulations; (iii) in a prompt, diligent, lien-free, good and workmanlike manner; and (iv) in conformance with this Agreement;

(b) Developer shall complete the Project no later than the Completion Date, subject to Force Majeure events;

(c) at all times following the Closing, Developer will keep the City Property neat, clean, mowed and free from accumulation of weeds and debris; and

(d) promptly, diligently and completely perform all of the duties and obligations of Developer under this Agreement.

Developer, 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.

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

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

19. **Insurance.** For any time that construction work associated with the Project is in progress in accordance with the terms of this Agreement, Developer shall maintain the insurance provided for on **Exhibit F** attached hereto. Developer shall provide evidence of such insurance to the City on or before the Closing and thereafter upon request.

20. **Developer's Default.** In the event of a breach or a default by Developer under the terms of this Agreement or any other agreement signed in connection with it which Developer fails to cure within thirty (30) days after having been given a written notice of the breach or default from the City, or in the event the default or breach does not involve the payment of money, and cannot be cured within said thirty (30) days, then the cure thereof may be made within such longer period of time as may be reasonable under the circumstances and Developer shall not be deemed to be in default of this Agreement provided the cure is promptly commenced within such thirty (30) day period and diligently pursued to completion thereafter. In the event such default or breach is not remedied in the time periods and in the manner provided in this paragraph, then, the City may take such actions as may be necessary or desirable in its opinion to cure and remedy such default or breach, including, but not limited to, proceedings to compel specific performance or injunctive action. All remedies for the City shall be non-exclusive to all other remedies allowed at law or in equity, or as otherwise provided in this Agreement; provided however, in no event shall Developer be liable for special, consequential or punitive damages.

In order to induce the City to sell the City Property to Developer for the Purchase Price, Developer covenants and agrees to fully perform all of its duties and obligations under this Agreement and any other agreement signed in connection with it. In the event Developer fails to substantially complete the construction of the Project on or before the Completion Date for any reason other than due to Force Majeure events, then, in addition to other remedies that the City may have at law or in equity for such default, upon demand by the City, the Developer shall at Developer's election either (i) transfer title to the City Property back to the City or its designee by quit-claim deed, subject only to such title matters as were in effect immediately upon conclusion of the Closing, or (ii) pay to the City an amount equal to the fair market value of the unimproved City Property. If the City exercises the above described right, and the Developer elects reverter instead of payment of fair market value, then Developer shall be required to cause any mortgages, liens or other financing related encumbrances to be released upon the transfer of the City Property to the City. The fair market value of the Property shall be determined by the average appraised fair market values determined by one appraiser selected by the Developer and one appraiser selected by the City, except that if the determinations of such two (2) appraisers differ by more than ten percent (10%) each such appraiser shall select a third appraiser, who's determination of the fair market value of the unimproved City Property shall be conclusive and binding. Each party shall be responsible for the fees and costs of the appraiser selected by it and one-half (1/2) of the fees and costs of the third appraiser, if utilized. All such appraisers shall be MAI appraisers and have a least five (5) years experience in appraising land for residential apartment projects in the southwest Ohio area.

The obligation of Developer to re-convey the City Property to the City or to pay the fair market value of the City Property to the City as provided for in the preceding paragraph shall survive the Closing and shall be reflected in the Deed from the City or in a separate instrument; provided, however, and notwithstanding any other provision of this Agreement to the contrary, the City shall agree to subordinate the above-described re-conveyance right if necessary for Developer to close the construction loan for the Project.

21. **City's Default.** In the event of any default or breach of any of the terms or agreements of the City contained herein, the City shall, upon written notice from the Developer, proceed to cure or remedy such default or breach within thirty (30) days after receipt of such notice, or in the event the default or breach does not involve the payment of money and cannot be cured within said thirty (30) days, then cure may be made within such longer period of time as may be reasonable under the circumstances and the City shall not be deemed in default of this Agreement provided the cure is promptly commenced within the original thirty (30) day period and diligently pursued to completion thereafter. In the event the default is not remedied in the time periods and manner provided in this paragraph, then the Developer may take such actions as may be necessary or desirable in its opinion to cure and remedy such default or breach, including, but not limited to, proceedings to compel specific performance or injunction action. All remedies for the Developer shall be non-exclusive to all other remedies allowed at law, in equity or as otherwise provided in this Agreement.

22. **Estoppel Certificate.** Each party hereto agrees that, within fifteen (15) days after receipt of written request from the other party, it will issue to such requesting party, or its prospective mortgagee or successors, an estoppel certificate stating, to the best of such party's knowledge, as of such date:

(a) whether it knows of any default under this Agreement by the requesting party, and if there are any known defaults, specifying the nature thereof;

(b) whether this Agreement has been assigned, modified or amended in any way by it and if so, then stating the nature thereof;

(c) whether this Agreement is in full force and effect; and

(d) any other reasonable matters relating to the transactions described in this Agreement.

23. **Termination of Agreement.** Upon the completion of the Project and the performance by both parties hereto of all other obligations of the City and the Developer hereunder, or in the event of termination of this Agreement as a matter of right pursuant to any of its terms, the parties agree to execute, in recordable form if requested by either party, a statement confirming termination of this Agreement.

24. **Easements, Covenants and Restrictions.** Prior to the Contingency Deadline, City and the Developer shall reach agreement on the form and content of such easements, covenants and restrictions as the parties determine to be necessary in order to effectuate their

respective obligations described in this Agreement, including, without limitation, any easements determined by Developer to be necessary for off-site parking; provided, however, all costs associated with obtaining the off-street parking rights and designing and constructing the off-street parking improvements shall be paid by the Developer.

25. Representations, Warranties and Covenants of Developer. Developer makes the following representations, warranties and covenants, effective as of the Effective Date and also as of the date of the Closing, to induce the City to enter into this Agreement:

(a) Developer is a limited liability company duly organized and validly existing under the laws of the State of Ohio, has properly filed all certificates and reports required to be filed by it under the laws of the State of Ohio, and is not in violation of any laws of the State of Ohio relevant to the transactions contemplated by this Agreement.

(b) Developer 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 Developer and all actions necessary have been taken to constitute this Agreement, when executed and delivered, valid and binding obligations of Developer.

(c) The execution, delivery and performance by Developer of this Agreement and the consummation of the transactions contemplated hereby will not violate the organizational documents of Developer, or any mortgage, indenture, contract, agreement or other undertaking to which Developer is a party or which purports to be binding upon Developer or upon any of its assets, nor is Developer 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 Developer, threatened against or affecting Developer, at law or in equity or before or by any governmental authority.

(e) Until the construction of the Project is substantially completed, Developer shall give prompt notice in writing to the City of the occurrence or existence of any litigation, labor dispute or governmental proceeding or investigation affecting Developer that could reasonably be expected to interfere substantially with its normal operations or materially and adversely affect its financial condition and of any notice of default to Developer from any of its lenders.

26. Temporary Signage and Sales Trailer. City hereby grants to Developer the right, effective during the period this Agreement is in effect, to locate a temporary Sales Trailer and to erect a sign or signs on the City Property, subject to applicable laws and codes, notifying the public that the Project is “coming soon” and any related information regarding the Project, the parties involved, and any lender providing financing, which shall be in form and final content approved by both parties, such approval not to be unreasonably withheld, delayed or conditioned.

27. **Miscellaneous.**

(a) **Severability.** If any one or more of the provisions contained herein shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality or unenforceability shall not affect any other provisions of this Agreement, but this Agreement shall be construed as if such invalid, illegal or unenforceable provisions had not been contained herein.

(b) **Waiver.** The failure of either party to insist, in any one or more instances, upon a strict performance of any of the terms and conditions of this Agreement, or to exercise or fail to exercise any option or right contained herein, shall not be construed as a waiver or a relinquishment for the future of such right or option, but the same shall continue and remain in full force and effect. The continued performance by either party of this Agreement with knowledge of the breach of any term or condition hereof shall not be deemed a waiver of such breach, and no waiver by either party of any provision hereof, shall be deemed to have been made, or operate as estoppel, unless expressed in writing and signed by such party.

(c) **Notices.** All notices herein authorized or required to be given to the City or the Developer shall be sent certified or registered mail, return receipt requested or by overnight courier service, postage prepaid, or by hand delivery as follows:

If to the City:

City of Hamilton
Attn: City Manager
345 High Street
Hamilton, Ohio 45011

With a copy to:

Letitia S. Block, Esq.
Law Director
City of Hamilton
345 High Street
Hamilton, OH 45011

If to Developer:

CMC Properties
Attn: James Cohen
10925 Reed Hartman Highway, Suite 200
Cincinnati, Ohio 45242

With a copy to:

Griffin Fletcher & Herndon LLP
3500 Red Bank Road
Cincinnati, Ohio 45227
Attn: Richard D. Herndon, Esq.

or to such other address as either party may from time to time designate in accordance with this Section.

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 deficiency and treat the notice as having been properly given.

(d) **Entire Agreement.** This Agreement, together with the Exhibits attached to it, set forth the complete understanding and agreement of the parties with respect to the transaction that is the subject of this Agreement. No oral statements, representations or agreements other than this Agreement shall have any force or effect and the City and the Developer agree that they will not rely on any representations or agreements other than those contained in this Agreement.

(e) **Further Assurances.** Either party, upon the request of the other party, shall execute and deliver such further documents and instruments as such other party may reasonably deem appropriate to carry out the terms and conditions of this Agreement, provided that such further documents and instruments are consistent with the terms and conditions of this Agreement.

(f) **Survival.** All agreements, representations, warranties and indemnifications hereunder shall be considered to have been relied upon and shall survive the execution, delivery, completion of performance, expiration, and earlier termination of this Agreement.

(g) **Headings.** The headings in this Agreement are for the purposes of reference only and shall not affect or define the meanings hereof.

(h) **Exhibits.** The Exhibits attached hereto are a part of this Agreement.

(i) **Applicable Law.** This Agreement shall be construed and interpreted in accordance with the laws of the State of Ohio. All claims, counterclaims, disputes and other matters in question between the City, its employees, contractors, subcontractors and agents, and the Developer, its employees, contractors, subcontractors and agents arising out of or relating to this Agreement or its breach will be decided in a court of competent jurisdiction within Butler County, Ohio.

(j) **Counterparts.** This Agreement may be signed in multiple identical counterparts with the same effect as if the signatures thereof and hereto were upon the same instrument.

(k) **Mechanics Liens.** Neither party shall permit any mechanics' or other liens to be filed against the other party's property as a result of such party's construction activities. If a mechanics' lien shall at any time be so filed, the party performing such work shall, within sixty (60) days after notice of the filing thereof, cause the same to be discharged of record by posting a bond therefor or by such other action as causes the lien to be discharged.

(l) **Binding Effect.** This Agreement shall be binding upon and shall inure to the benefit of and be enforceable by and against the parties and their respective successors and permitted assigns.

(m) **Time.** Time is of the essence with respect to the performance by the parties of their respective obligations under this Agreement for which time is a stated factor.

(n) **No Third Party Beneficiaries.** The parties hereby agree that no third party beneficiary rights are intended to be created by this Agreement.

(o) **No Brokers.** The City and Developer represent to each other that they have not dealt with a real estate broker, salesperson or other person who might claim entitlement to a fee or other compensation as a result of the parties' execution of this Agreement.

(p) **Amendments.** This Agreement may be amended only by a written amendment signed by both parties.

(q) **Official Capacity.** All representations, warranties, covenants, agreements and obligations of the City under this Agreement shall be effective to the extent authorized and permitted by 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, agent, employee or attorney of the City in other than his or her official capacity.

(r) **Construction of Agreement.** Each of the undersigned parties has cooperated in the drafting and preparation of this Agreement and each has been represented by separate legal counsel during such process. Therefore, in any construction to be made of this Agreement, the same will not be construed against any party hereto on the basis that the party was the drafter.

(s) **Survival of Separate Agreements.** Notwithstanding any other provision of this Agreement to the contrary, nothing contained herein shall supersede, terminate or otherwise affect the respective rights and obligations of the City and Developer under any other agreement hereinafter entered into between the parties.

(t) **Force Majeure.** "Force Majeure" shall mean any act of God, epidemic, pandemic, fire, earthquake, flood, explosion, war, insurrection, riot, mob violence,

sabotage, inability to procure labor, equipment, facilities, materials, or supplies, strikes, lockouts, action of labor unions, condemnation, laws, orders of governmental authorities, litigation involving a party hereto relating to zoning, subdivision or other governmental action or inaction pertaining to Project, or any portion thereof, inability to obtain government permits or approvals, and other similar matters not within the commercially-reasonable control of the party charged with the subject obligation affected by any of the above. Notwithstanding the foregoing to the contrary, lack of funds necessary to perform shall not qualify as a Force Majeure event excusing or delaying performance by either party hereunder, and failure to obtain permits or approvals required from the City shall not qualify as a Force Majeure event for any City obligations under this Agreement.

(u) **Management and Ownership of Project.** Developer acknowledges and agrees that among the City's inducements to enter into this Agreement with Developer was the Developer's reputation as an experienced developer, owner, and manager of residential apartment projects. Therefore, Developer agrees that: (a) the restrictions set forth in this Agreement on Developer's rights to assign, sell, and delegate management of the Project are reasonable and necessary to the success of the Project; (b) except for an assignment by the Developer of its rights under this Agreement prior to Closing to an entity under common control with Developer and formed to own and develop the City Property and the Project, and except for a ground lease and facility lease with the Butler County Port Authority, both of which are specifically permitted, Developer shall not sell or ground lease any of the City Property or allow any change of the ownership of Developer (except as contemplated by this Agreement) or assign its rights or delegate its obligations under this Agreement until the date two (2) years after the later to occur of the date construction of the Project is substantially completed or the date that the last certificate of occupancy has been issued for the Units in the Project; and (c) Developer shall be the property manager and shall not contract out such duties, except to an affiliate of Developer that is owned or controlled by Developer or by one or more of the Developer's owners, for the same period as is set forth in the preceding subpart (b). Notwithstanding anything to the contrary above in this Section, nothing in this Section shall be deemed to prohibit Developer or its principals or their heirs from transferring membership interest in Developer: (i) to any affiliate entity of Developer that is owned or controlled by any of the same principals as own or control Developer, or their heirs on the Effective Date; (ii) for purposes of granting security interests in the same or the City Property for the purpose of obtaining third party financing of the Project or to any transfers by foreclosure, deed in lieu transfers once any of the above described transfers have occurred; or (iii) for estate planning purposes, provided that legal control of Developer and the Project remains in any of the same persons as in effect on the date of this Agreement, or their heirs. The provisions of this Section shall survive the Closing of the expiration or earlier termination of this Agreement.

(v) **"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.

(w) **Effective Date.** For purposes of this Agreement, the term “Effective Date” shall be the date the City signs this Agreements, which date shall be set forth on the first paragraph of this Agreement.

(x) **Approval.** Developer confirms to the City that: (i) the Title Company has been provided, without modification, the form of Affidavit of Title and Non-Foreign Certificate (the “Affidavit”) that is attached to this agreement as Exhibit C; and (ii) the Title Company has indicated the Affidavit is satisfactory, and it shall not require the City to execute any affidavit, indemnity, hold harmless or document regarding the City Property or the Alley Property, except for the Affidavit in substantially the form attached hereto as Exhibit C.

*****SIGNATURE PAGE FOLLOWS*****

EXECUTED on the date first above written.

THE CITY OF HAMILTON, OHIO,
an Ohio municipal corporation

MAIN STREET HAMILTON
APARTMENTS LLC,
an Ohio limited liability company

By: _____
Name: _____
Title: _____

By: _____
Name: _____
Title: _____

Agreement approved as to form:

_____, City Law Director

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EXECUTED on the date first above written.

THE CITY OF HAMILTON, OHIO,
an Ohio municipal corporation

MAIN STREET HAMILTON
APARTMENTS LLC,
an Ohio limited liability company

By: _____
Name: _____
Title: _____

By: _____
Name: John Cohen
Title: Member

Agreement approved as to form:

_____, City Law Director

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EXHIBITS

Exhibit A – Plan Showing City Property

Exhibit B - Legal Description of City Property

Exhibit C – Title Affidavit

Exhibit D – Overhead Utility Lines to be Relocated by City

Exhibit E – Alleys to be Vacated

Exhibit F - Developer Insurance Requirements

EXHIBIT B

LEGAL DESCRIPTION

TRACT I

East part of Lot No. 1626 as the same is known and designated upon the List of Lots in the First Ward of the City of Hamilton, Butler County, Ohio, fronting forty (40) feet on Main Street and extending back northwardly to an alley, also being bounded on the east by an alley, being the east forty (40) feet of said Lot No. 1626, subject to conditions, easements and restrictions of record.

Parcel Number: P6411-003.000-039

TRACT II

Parts of inlots numbered 1625 and 1626 as the same are known and designated on the revised list of lots in the First Ward of the City of Hamilton, Butler County, Ohio:

Commencing on the north side of Main Street 26 feet east of the southwest corner of said lot No. 1625; thence east along the south side of Lot No. 1625 and of Lot No. 1626 to the southwest corner of premises formerly owned by Anderson and Anna M. Bourne, being a distance of 34 feet and 8 inches, more or less; thence at right angles north 166 feet to an alley; thence west along said alley 34 feet and 8 inches to a point in the north line of said Lot No. 1625, 26 feet east of the northwest corner thereof; and thence at right angles 166 feet to the place of beginning.

Parcel Number: P6411.003.000.040; P6411.003.000.041

TRACT III

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

Entire interest in Part of Lot Number One Thousand Six Hundred Twenty-Five (1625) as said lot is known and designated on the revised list of lots in the First Ward, City of Hamilton, Butler County, Ohio, described as follows:

Commencing at the southward corner of said lot; running eastwardly on Main Street 26 feet thence northwardly at right angle 166 feet to an alley; thence westwardly along said alley to the corner of the lot; thence southwardly 166 feet to the beginning. Subject to conditions and restrictions of record. Prior Instrument Reference: Vol. 1580, Pg 576 of the Butler County, Ohio, Deed Records.

Parcel No. P6411-003-000-042

Property Address: 324 Main Street, Hamilton, OH 45013

EXHIBIT C

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 (“the City”), an Ohio municipal corporation, being first duly cautioned and sworn deposes and says:

1. That the City is the owner of the real property (“Property”) as described on Exhibit C-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 the City 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 the City.

3. That no work, labor or material has been furnished or performed on or to the Property pursuant to a contract with the City which has not been or which will not timely be fully and completely paid for by the City; nor has any repair, alteration or improvement been performed on or about the Property pursuant to a contract with the City 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 the City for labor or material furnished to the Property.

4. That the City 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 the City of record nor bankruptcy or court proceedings of any kind against the City 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 the City certifies the following:

a) the City 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) the City's United States Employer Identification Number is _____; and

c) the City'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.

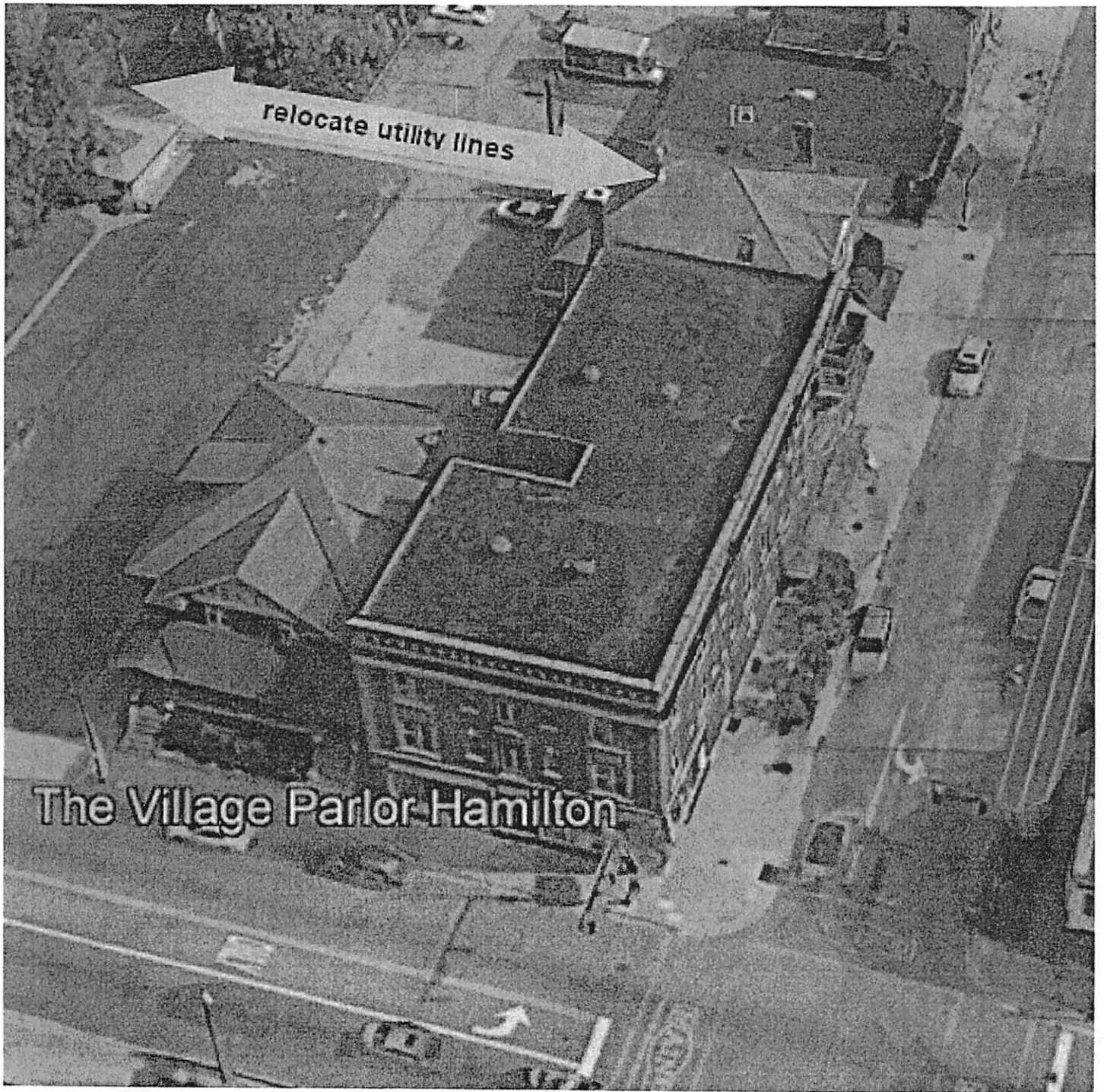
10. Under penalties of perjury, the Affiant declares that the Affiant has examined this certification and to the best of his knowledge and belief it is true, correct and complete, and that the Affiant further declares that he has authority to sign this document on behalf of the City.

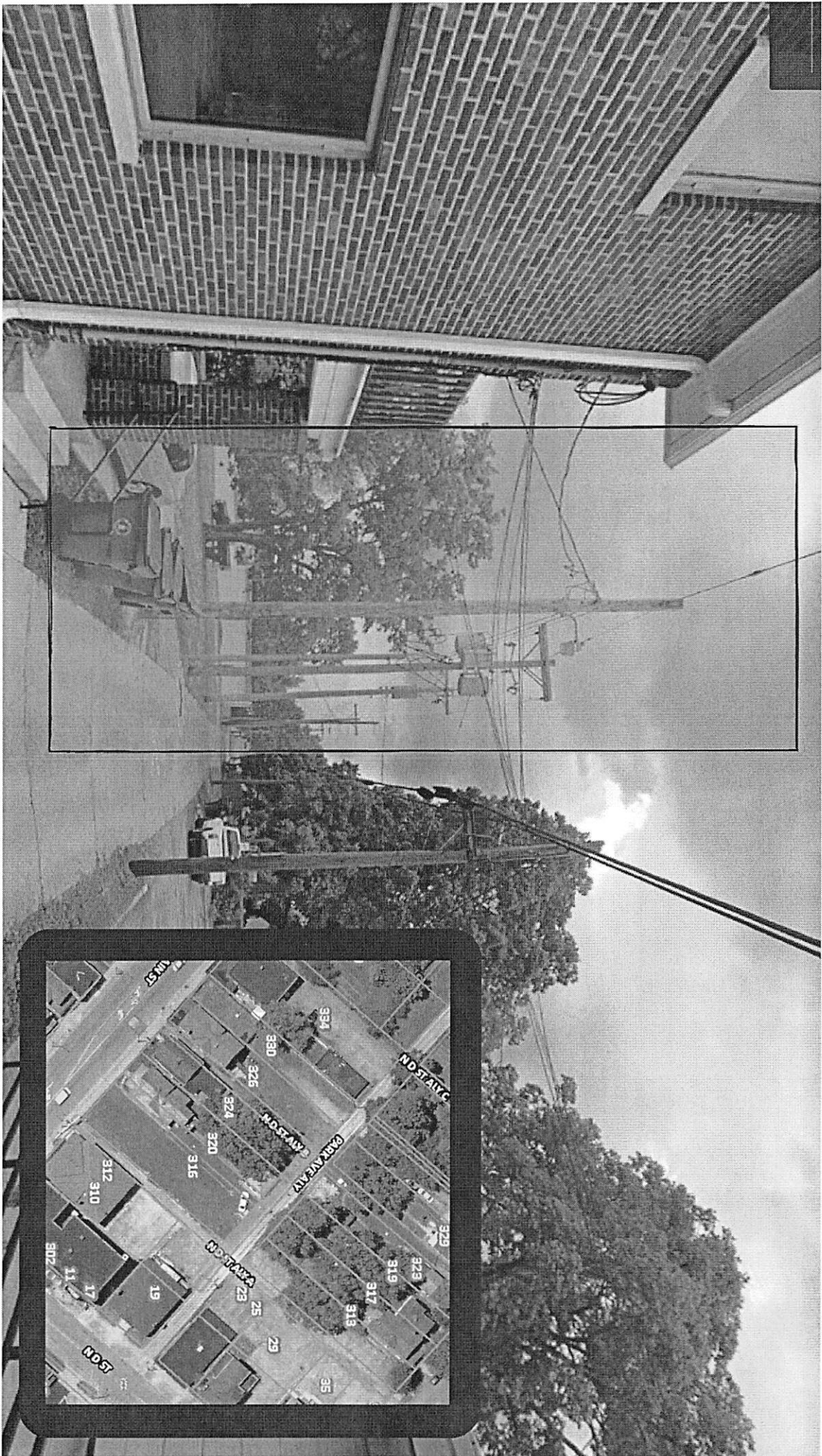
Joshua A. Smith, City Manager

Sworn to before me and subscribed in my presence this ____ day of _____, 2021, by Joshua A. Smith, City Manager.

Notary Public

Exhibit D
Utility Relocation







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

Areas

- Override 1
- Site Address Points
- Owner Parcels
- Municipal Boundaries

Exhibit E



EXHIBIT F

City of Hamilton, Ohio Developer Insurance Requirements

Developer shall maintain, at its own expense, while that certain Development Agreement (“Agreement”) dated _____, 2020, between the City of Hamilton, Ohio (the “City” or “the City”) and Keystone Lot, LLC (the “Developer”) and any extensions thereof remains in effect, the following minimum insurance coverages of the types and in the amounts described below that are applicable to the scope of work being performed:

1. **Workers’ Compensation and Employer’s Liability Insurance.** Developer must carry Workers’ Compensation Insurance (including occupational disease) in compliance with Workers’ Compensation statutes of any applicable jurisdiction in which the work is to be performed. For the attainment of Workers’ Compensation in monopolistic states, including Ohio, coverage must be secured through the state fund. If Developer is a qualified self-insurer in compliance with the laws of the state, this is also acceptable. A certificate of compliance from the appropriate Workers’ Compensation Bureau or Board must be provided with the certificate of insurance.

Developer must also carry Employer’s Liability Insurance with minimum limits of \$500,000 each accident; \$500,000 for disease (per employee); and \$500,000 for disease (policy limit). This policy must include Ohio “Stop Gap” coverage.

2. **Commercial General Liability Insurance.** Developer must carry Commercial General Liability Insurance (“CGL”) written on ISO form CG 00 01 10 01 (or its equivalent) with limits of \$1,000,000 per occurrence and \$2,000,000 in the aggregate. The general aggregate limit shall apply separately to this Project. The City (including its council members, employees and volunteers) must be named as an additional insured on the CGL for liability arising out of the acts or omissions of Developer, including coverage for liability arising out of products and completed operations. The coverage afforded to the City shall be primary to any other insurance carried by the City, and the City’s coverage shall not contribute to any loss made pursuant to this coverage grant. Commercial General Liability coverage (including the City’s status as additional insured) shall be maintained for at least two years after completion of Developer’s work performed under the Agreement.

3. **Commercial Auto Liability Insurance.** Developer shall carry Commercial Automobile Liability Insurance covering all owned, leased and non-owned vehicles used in connection with the work to be performed under the Agreement, with limits of not less than \$1,000,000 combined single limit per accident for bodily injury and property damage. The City shall be afforded coverage under this policy for any liability arising out of the acts or omissions of Developer.

4. **Excess/Umbrella Insurance.** Developer shall carry Commercial Excess or Umbrella Liability Insurance over the Commercial General Liability, Employer’s Liability and Commercial Automobile Liability policies in the amount of \$2,000,000 combined single

limit. The Excess/Umbrella policy is subject to all requirements of the underlying policies as set forth herein.

5. **Builders' Risk Insurance.** Developer shall provide and maintain, during the progress of the work and until the termination of the Agreement, a Builder's Risk Insurance policy to cover all work in the course of construction including falsework, temporary buildings, scaffolding, and materials used in the construction process (including materials designated for the project but stored off site or in transit). The coverage shall equal the total completed value of the work and shall provide recovery at replacement cost.

a. Such insurance shall be on a special cause of loss form, providing coverage on an open perils' basis insuring against the direct physical loss of or damage to covered property, including but not limited to theft, vandalism, malicious mischief, earthquake, tornado, lightning, explosion, breakage of glass, collapse, water damage and testing/startup.

b. Coverage shall include coverage for "soft costs" (costs other than replacement of building materials) including, but not limited to, the reasonable extra costs of the architect/engineer and reasonable Developer extension or acceleration costs. This coverage shall also include the reasonable extra costs of expediting temporary and permanent repairs to, or permanent replacement of, damaged property. This shall include overtime wages and the extra cost of express or other means for rapidly transporting materials and supplies necessary to the repair or replacement.

c. The Builder's Risk deductible may not exceed \$5,000. Developer or subcontractor experiencing any loss claimed under the Builder's Risk policy shall be responsible for that loss up to the amount of the deductible.

d. If Developer is involved solely in the installation of material and equipment and not in new building construction, Developer shall provide an Installation Floater policy in lieu of a Builder's Risk policy. The policy must comply with the provisions of this Section 5.

6. **Pollution Liability Insurance.** Developer shall purchase and maintain pollution liability coverage of at least \$1,000,000 per occurrence. This policy shall cover property damage, bodily injury and cleanup/pollution remediation costs caused by a pollution event and otherwise excluded under Developer's Commercial General Liability policy. The City shall be afforded protection under this policy as an additional insured, including coverage for claims arising out of Developer's products and completed operations.

7. This Section is Intentionally Left Blank.

8. **Railroad Protective Liability Insurance.** If the work is being performed within 50 feet of a railroad, Developer shall maintain Railroad Protective Liability insurance coverage with limits of \$2,000,000 per occurrence and \$6,000,000 in the aggregate. Developer shall name the City and the affected railroad as additional insured(s) on such policy for liability arising out of work performed under the Agreement.

9. Requirements Common to All Policies.

a. Developer shall be solely responsible for reimbursing any deductible amount to the insurer, even if payment is being made on behalf of the City as an additional insured on Developer's policy. Any deductibles or self-insured retentions in excess of \$5,000 must be disclosed and approved in writing by the City.

b. Developer waives all rights of recovery it may otherwise have against the City (including its council members, employees and volunteers) to the extent the damages are covered by any of Developer's insurance policies as required in the Purchase Order.

c. All insurance required hereunder shall be placed with insurers that have a minimum A.M. Best's rating of A-/X and shall be licensed, admitted insurers authorized to do business in the State of Ohio.

d. A certificate(s) of insurance showing that Developer's insurance coverages are in compliance with the insurance requirements set forth herein must be completed by Developer's insurance agent, broker, or insurance company as of the Closing. All certificates (other than Ohio Workers' Compensation) shall provide for thirty (30) days' written notice to the City prior to cancellation or non-renewal of any insurance referred to therein. The certificate shall reference the City's status as an additional insured with primary/noncontributory coverage under both the General Liability and Auto policies.

e. Failure of the City to obtain certificate(s) or other evidence of full compliance with these insurance requirements (or failure of the City to identify and/or object to a deficiency in the certificate(s) that is/are provided by Developer) shall not be construed as a waiver of Developer's obligations to maintain such insurance. The City shall have the right, but not the obligation, to prohibit Developer from beginning performance under the Agreement until such certificates or other evidence that insurance has been placed in complete compliance with the above insurance requirements is received and approved by the City. Developer shall provide certified copies of all insurance policies required above within ten (10) days of written request from the City.

f. By requiring insurance herein, the City does not represent that coverage and limits will necessarily be adequate to protect Developer, and such coverage limits shall not be deemed as a limitation on Developer's liability under the indemnities granted to the City.

g. Any subcontractors engaged by Developer to perform the work shall comply with these insurance and indemnification provisions and shall provide primary/noncontributory coverage to the City as set forth herein.

h. A capitalized term not otherwise defined herein shall have the same meaning as is ascribed to it in the Agreement.

City Council Meeting Staff Report

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

Report From: Dave Jones, Director of Finance

Agenda Item: An Emergency Ordinance authorizing the issuance of Taxable Economic Development Refunding Revenue Bonds, Series 2020, of the City of Hamilton, Ohio in the maximum principal amount \$31,900,000 to provide funds for the purpose of refinancing costs of various capital improvements to the Champion Mill Site Project and financing grants to acquire, rehabilitate, improve and develop other real property within the City; providing for the pledge of revenues for the payment of such bonds; authorizing a Certificate of Award, a Bond Purchase Agreement, an Escrow Agreement, an Official Statement, a Continuing Disclosure Agreement; and authorizing other actions in connection with the issuance of such bonds; and declaring an emergency.

<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 checked="" type="checkbox"/> R Generate recreational investments <input checked="" type="checkbox"/> E Engage citizens in activities <input checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Emergency Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 8-12-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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): EOR2020-3-26 passed at 3-11-2020 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: \$ 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 authorize the issuance of bonds secured by the City's non-tax revenues for the purpose of (i) refinancing on a long-term basis the prior bonds issued to finance the redevelopment of the former Champion Mill site, and (ii) financing grants to the CIC and/or CORE in an aggregate amount estimated to be \$2 million, to be used to acquire, rehabilitate, improve, develop and redevelop real property within the City of Hamilton in furtherance of the purpose of the CIC and CORE?



Policy Alternative(s)

Council may choose not to adopt such legislation to authorize the issuance of bonds secured by the City's non-tax revenues for the purpose of (i) refinancing on a long-term basis the prior bonds issued to finance the redevelopment of the former Champion Mill site, and (ii) financing grants to the CIC and CORE in an aggregate amount estimated to be \$2 million, to be used to acquire, rehabilitate, improve, develop and redevelop real property within the City of Hamilton in furtherance of the purpose of the CIC and/or CORE.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to authorize the issuance of bonds secured by the City's non-tax revenues for the purpose of (i) refinancing on a long-term basis the prior bonds issued to finance the redevelopment of the former Champion Mill site, and (ii) financing grants to the CIC and CORE in an aggregate amount estimated to be \$2 million, to be used to acquire, rehabilitate, improve, develop and redevelop real property within the City of Hamilton in furtherance of the purpose of the CIC and CORE. Such authorization is recommended in order to refinance the outstanding Champion Mill bonds at this time to take advantage of currently low interest rates. Financing of the grants to the CIC and/or CORE in order to further advance the revitalization of the City of Hamilton's downtown business district and other areas of the City.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- The bonds are being issued pursuant to the Ordinance, Article VIII, Section 13 of the Ohio Constitution, and Chapter 165 of the Ohio Revised Code.

Fiscal Impact Summary

The fiscal impact below was copied directly from the staff report from EOR2020-3-26 passed by City Council March 11, 2020. The only additional fiscal impact would be debt service on an additional approximately \$2 million to the CIC and/or CORE to advance new redevelopment and rehabilitation projects.

Staff Report EOR2020-3-26 below:

There will be no direct impact on the City's budget because of these loans. Interest will be capitalized on these loans and no payments will become due until after the project is operational. The loans will be repaid by Champion Mill Land, LLC or Historic Mill Land 2, LLC (as applicable) from project cashflow. The original loan noted below for \$9 million was part of the original capital stack and authorized by EOR 2019-6-46. The proceeds will be used as follows:

Maximum amount of proceeds	29.9 million
Escrow to Hamilton Community Foundation – part of original loan	(3.1) million
Refinance City current debt outstanding	(3.75) million
Original loan to Historic Mill Land 2, LLC	(5.0) million
Capitalized interest and Issuance Costs (900K part of original loan)	<u>(2.8) million</u>
Net proceeds of new loan	15.25 million

Background Information

The City has previously issued its \$28,655,000 Taxable Special Obligation Nontax Revenue Bonds, Series 2020 (Champion Mill Project) to finance loans to advance the redevelopment of the Champion Mill site. Due to the global pandemic and related turmoil in the financial markets, such bonds were issued on a short-term basis. The financial markets have settled, and the City has the opportunity to refinance the prior bonds on a long-term basis at low interest rates. The purpose the proposed bonds is to refinance at such lower rates, as well as provide an additional approximately \$2 million to the CIC and/or CORE to advance new redevelopment and rehabilitation projects.

Attached Information

N/A

Copies Provided to:

N/A



EMERGENCY ORDINANCE NO. _____

AN EMERGENCY ORDINANCE AUTHORIZING THE ISSUANCE OF TAXABLE ECONOMIC DEVELOPMENT REFUNDING REVENUE BONDS, SERIES 2020, OF THE CITY OF HAMILTON, OHIO IN THE MAXIMUM PRINCIPAL AMOUNT OF \$31,900,000 TO PROVIDE FUNDS FOR THE PURPOSE OF REFINANCING COSTS OF VARIOUS CAPITAL IMPROVEMENTS TO THE CHAMPION MILL SITE PROJECT AND FINANCING GRANTS TO ACQUIRE, REHABILITATE, IMPROVE AND DEVELOP OTHER REAL PROPERTY WITHIN THE CITY; PROVIDING FOR THE PLEDGE OF REVENUES FOR THE PAYMENT OF SUCH BONDS; AUTHORIZING A CERTIFICATE OF AWARD, A BOND PURCHASE AGREEMENT, AN ESCROW AGREEMENT, AN OFFICIAL STATEMENT, A CONTINUING DISCLOSURE AGREEMENT; AUTHORIZING OTHER ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Hamilton, Ohio (the “City”) desired to facilitate the redevelopment of the former Champion Paper mill site into a mixed-use sports, hotel and conference complex (collectively, the “Champion Mill Project”); and

WHEREAS, the City desires to facilitate the acquisition, rehabilitation, improvement, development and redevelopment of other properties in the City’s downtown business district and other areas of the City through the provision of grants to The Community Improvement Corporation of Hamilton, Ohio, and/or The Consortium for Ongoing Reinvestment Efforts (the “Redevelopment Project” and together with the Champion Mill Project, the “Project”); and

WHEREAS, in accordance with Article VIII, Section 13 of the Ohio Constitution, this Council finds that each of the Champion Mill Project and the Redevelopment Project shall constitute a public purpose; and

WHEREAS, the Council of the City found and determined that it was necessary and in the best interest of the City to issue revenue bonds of the City to provide moneys to (i) provide grants, loans or otherwise make available funds in support of the Champion Mill Project, (ii) to redeem all of the City’s previously outstanding \$3,893,340.07 Property Acquisition and Improvement Refunding Note, Series 2019 (Taxable) (Non-Tax Revenues) (the “Note”), (iii) fund a debt service reserve account to support the repayment of such revenue bonds, if advisable, and (iv) pay costs of issuance of such revenue bonds; and

WHEREAS, the City issued its \$28,655,000 Taxable Special Obligation Nontax Revenue Bonds, Series 2020 (Champion Mill Project) (the “Original Bonds”) pursuant to Article VIII, Section 13 of the Ohio Constitution, Chapter 165 of the Ohio Revised Code, the Charter of the City, Emergency Ordinance No. EOR2019-6-46, passed by the City on June 12, 2019 (the “Original Bonds Ordinance”), as amended by Emergency Ordinance No. EOR2020-3-26, passed by the City on March 11, 2020, and the Certificate of Award authorized thereby (collectively with the Original Bonds Ordinance, the “Original Bond Legislation”), to (i) finance loans in support of the development or the redevelopment of the Champion Mill Project, (ii) refund the Note, (iii) fund capitalized interest and (iv) to pay costs associated with the issuance of the Original Bonds; and

WHEREAS, the Original Bonds are currently outstanding in the aggregate principal amount of \$28,655,000; all of which is expected to remain outstanding as of the issuance of the Series 2020 Bonds; and

WHEREAS, the Original Bonds are subject to mandatory tender on January 1, 2025, and it is in the interest of the City to refinance the Champion Mill Project on a long-term basis at favorable interest rates; and

WHEREAS, this Council finds and determines that it is necessary and in the best interest of the City to issue revenue bonds of the City to provide moneys to (i) provide grants, loans or otherwise make funds available to The Community Improvement Corporation of Hamilton, Ohio (the “CIC”), and/or The Consortium for Ongoing Reinvestment Efforts (“CORE”) for the purpose of facilitating the acquisition, rehabilitation, improvement, development and redevelopment of properties in the City’s downtown business district and other areas of the City, in furtherance of the purpose of the CIC and/or CORE, as applicable, which constitute public purposes of the City; (ii) pay debt service of and redeem all or a portion of the outstanding Original Bonds by currently refunding or advance refunding such bonds (iii) fund a debt service reserve account to support the repayment of the Series 2020 Bonds, if advisable, and (iv) pay costs of

Emergency Ordinance No. _____ (Cont'd)

issuance of the Series 2020 Bonds; and

WHEREAS, this Ordinance is hereby declared to be an emergency measure to provide for the immediate preservation of the peace, property, health or safety of the City and its citizens, the emergency being the urgent necessity of refinancing the Original Bonds at any such time in order to take advantage of low interest rates and reduce financing costs;

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

SECTION I: Definitions. In addition to the words and terms elsewhere defined in this Ordinance, unless the context or use clearly indicates another or different meaning or intent:

Any reference herein to the City or this Council, or to any officers or members thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "hereby," "hereto," "hereunder," and similar terms, mean this Ordinance.

"Certificate of Award" means the Certificate of Award authorized in Section VII hereof.

"Continuing Disclosure Agreement" means the Continuing Disclosure Agreement, if any, which shall constitute the continuing disclosure agreement made by the City for the benefit of the holders of the Series 2020 Bonds in accordance with the Rule, as executed by the City Manager and the Director of Finance, or either of them acting alone, in accordance with Section VII hereof.

"Escrow Agreement" means an Escrow Deposit Agreement, if necessary, dated the date of issuance of the Series 2020 Bonds, between the City and the Escrow Trustee, executed by the City Manager and the Director of Finance, or either of them acting alone.

"Escrow Fund" means the Original Bonds Refunding Escrow Fund, if necessary created pursuant to Section VIII and in accordance with the Escrow Agreement.

"Escrow Trustee" means the escrow trustee designated pursuant to the Escrow Agreement.

"Original Purchaser" means the purchaser of the Series 2020 Bonds named in the Certificate of Award.

"Rule" means Rule 15c2-12 prescribed by the SEC pursuant to the Securities Exchange Act of 1934, as amended.

"SEC" means the Securities and Exchange Commission.

"Series 2020 Bonds Proceedings" means, collectively, this Ordinance, the Certificate of Award, and such other proceedings of the City, including the Series 2020 Bonds, that provide collectively for, among other things, the rights of holders of the Series 2020 Bonds.

The captions and headings in this Ordinance are solely for convenience of reference and in no way define, limit or describe the scope or intent of any Sections, subsections, paragraphs, subparagraphs or clauses hereof. Reference to a Section means a section of this Ordinance unless otherwise indicated. Any reference herein to the City or this Council, or to any officers or members thereof, shall include those which succeed to their functions, duties or responsibilities pursuant to or by operation of law or who are lawfully performing their functions.

Unless the context shall otherwise indicate, words importing the singular number shall include the plural number, and vice versa, and the terms "hereof," "hereby," "hereto," "thereunder," and similar terms, mean this Ordinance.

Emergency Ordinance No. _____ (Cont'd)

SECTION II: Authorization of Bonds: Designation. It is hereby determined to be financially advantageous, necessary and in the best interest of the City to issue and this Council hereby determines that bonds of the City shall be issued in the maximum aggregate principal amount of \$31,900,000 (the "Series 2020 Bonds"), for the public purpose of providing moneys to (i) provide grants, loans or otherwise make funds available to the CIC and/or CORE for the purpose of facilitating the acquisition, rehabilitation, improvement, development and redevelopment of properties in the City's downtown business district and other areas of the City, in furtherance of the purpose of the CIC and/or CORE, as applicable, (ii) pay debt service of and redeem all or a portion of the outstanding Original Bonds by currently refunding and/or advance refunding such bonds (iii) fund a debt service reserve fund, if advisable as determined by the Director of Finance, and (iv) pay costs relating to the issuance of the Series 2020 Bonds. The Series 2020 Bonds shall be designated "City of Hamilton, Taxable Special Obligation Nontax Revenue Refunding Bonds, Series 2020 (Redevelopment Projects)", or such other designation set forth in the Certificate of Award, and shall express upon their face the purpose for which they are issued and that they are issued pursuant to the Act and this Ordinance.

This Council hereby determines that the Series 2020 Bonds are being issued to finance the Redevelopment Project and refinance the Champion Mill Project at favorable interest rates on a long-term basis, create and preserve employment opportunities, and improve the economic welfare of the people of the City, as permitted under Article VIII, Section 13 of the Ohio Constitution. The Series 2020 Bonds shall be issued pursuant to the Charter of the City, the Series 2020 Bonds Proceedings, Article VIII, Section 13 of the Ohio Constitution, and Chapter 165 of the Ohio Revised Code (the "Act"). The aggregate principal amount of the Series 2020 Bonds shall not exceed \$31,900,000 and shall be an amount determined by the City Manager and the Director of Finance in the Certificate of Award authorized herein to be the aggregate principal amount of Series 2020 Bonds that is required to be issued at this time for the purpose stated hereinabove.

SECTION III: Terms and Execution of the Series 2020 Bonds. The Series 2020 Bonds shall be issued in the forms and denominations, shall be numbered, dated and payable, and shall mature and be subject to optional and mandatory redemption as determined by the City Manager and the Director of Finance in the Certificate of Award. The Series 2020 Bonds shall bear interest at the rate or rates per year as shall be determined by the City Manager and the Director of Finance in the Certificate of Award, which determination shall be in the best interest of and financially advantageous to the City; provided that the net interest cost for the Series 2020 Bonds determined by taking into account the respective principal amounts of the Series 2020 Bonds and terms to maturity or mandatory sinking fund redemption requirements, if any, of those principal amounts of Series 2020 Bonds shall not exceed 7.00%. The Certificate of Award is incorporated herein by reference. The Series 2020 Bonds shall be executed on behalf of the City by the manual or facsimile signatures of the City Manager and the Director of Finance, and may, but shall not be required to, bear the seal of the corporation or a facsimile thereof. In case any officer whose signature or a facsimile thereof shall appear on the Series 2020 Bonds shall cease to be such officer before the issuance or delivery of the Series 2020 Bonds, such signature or facsimile thereof shall nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until after that time.

The Series 2020 Bonds shall bear the manual authenticating signature of an authorized representative of such bank or trust company as is selected by the Director of Finance to act as paying agent, registrar and transfer agent (the "Paying Agent and Registrar") for the Series 2020 Bonds. The principal amount of, and interest on, the Series 2020 Bonds shall be payable at the principal office of the Paying Agent and Registrar. The Director of Finance is hereby authorized to enter into a Registrar Agreement with the Paying Agent and Registrar on terms he determines are most advantageous to the City and in form satisfactory to bond counsel, in order to provide for the services of the Paying Agent and Registrar as authenticating agent, registrar and paying agent for the Series 2020 Bonds, all of which shall be conclusively evidenced by the signing of the Registrar Agreement and amendments thereto. The Series 2020 Bonds shall not be valid or obligatory for any purpose or shall be entitled to any security or benefit under the Series 2020 Bond Proceedings unless and until the certificate of authentication printed on the Series 2020 Bonds are signed by the Paying Agent and Registrar as authenticating agent. Authentication by the Registrar shall be conclusive evidence that the Series 2020 Bond so authenticated has been duly issued, signed and delivered under, and is entitled to the security and benefit of, the Series 2020 Bond Proceedings. The certificate of authentication may be signed by any authorized officer or employee of the

Emergency Ordinance No. _____ (Cont'd)

Paying Agent and Registrar.

The Series 2020 Bonds shall be transferable by the registered holder thereof in person or by his attorney duly authorized in writing at the principal office of the Paying Agent and Registrar upon presentation and surrender thereof to the Paying Agent and Registrar. The City and the Paying Agent and Registrar shall not be required to transfer the Series 2020 Bonds during the 15-day period preceding any interest payment date, and no such transfer shall be effective until entered upon the registration records maintained by the Paying Agent and Registrar. Upon such transfer, a new Series 2020 Bonds of authorized denominations of the same maturity and for the same aggregate principal amount will be issued to the transferee in exchange therefor.

The City and the Paying Agent and Registrar may deem and treat the registered holder of the Series 2020 Bonds as the absolute owner thereof for all purposes, and neither the City nor the Paying Agent and Registrar shall be affected by any notice to the contrary.

SECTION IV: Sale of the Series 2020 Bonds. The Series 2020 Bonds will be purchased by such entity identified in the Certificate of Award, (the "*Original Purchaser*"), pursuant to a Bond Purchase Agreement in a form acceptable to the City Manager and the Director of Finance and consistent with the purposes of this Ordinance (the "*Bond Purchase Agreement*"), at the purchase price set forth therein, and on the terms and conditions to be determined in the Certificate of Award and described in the Bond Purchase Agreement. The appropriate officers of the City are authorized and directed to make on behalf of the City the necessary arrangements to establish the date, location, procedure and conditions for the delivery of the Series 2020 Bonds to the Original Purchaser, and to take all steps necessary to effect due execution and delivery to the Original Purchaser of the Series 2020 Bonds (or temporary bonds delivered in lieu of definitive Series 2020 Bonds until their preparation and delivery can be effectuated) under the terms of this Ordinance, the Bond Purchase Agreement and the Certificate of Award. The execution of the Bond Purchase Agreement by the City Manager and the Director of Finance is hereby authorized and shall constitute the conclusive approval of the purchase price and the terms and conditions of purchase of the Series 2020 Bonds, and no further action of this Council shall be required.

The proceeds from the sale of the Series 2020 Bonds received by or on behalf of the City shall be paid into the proper fund or funds, and those proceeds are hereby appropriated and shall be used for the purposes for which the Series 2020 Bonds are being issued, all as set forth in the Certificate of Award and the Bond Purchase Agreement.

SECTION V: Pledged Revenues. The Series 2020 Bonds shall be secured by the City's Non-tax Revenues (as hereinafter defined), and the City hereby pledges for the prompt payment of the same. Notwithstanding the foregoing pledge, the City may, and is hereby authorized to, pay debt service on the Series 2020 Bonds from any lawfully available monies of the City. The Series 2020 Bonds shall not constitute a general obligation or pledge of the full faith and credit of the City.

For purposes of this Ordinance, "*Non-tax Revenues*" means all moneys of the City which are not moneys raised by taxation, to the extent available for such purposes, including, but not limited to the following: (a) grants from the United States of America and the State of Ohio; (b) payments in lieu of taxes as now or hereafter authorized and available under State statute; (c) fines and forfeitures which are deposited in the City's General Fund; (d) fees deposited in the City's General Fund from properly imposed licenses and permits; (e) investment earnings on the City's General Fund and which are credited to the City's General Fund; (f) investment earnings of other funds of the City that are credited to the City's General Fund; (g) proceeds from the sale of assets which are deposited in the City's General Fund; (h) charges for services and rental income which is deposited in the City's General Fund; and (i) gifts and donations.

The City may issue additional obligations secured by Non-Tax Revenues provided that prior to the issuance of any additional obligations on a parity with the Series 2020 Bonds, the City shall be required to furnish certification by the Director of Finance showing that the aggregate amount of Non-tax Revenues received during the fiscal year immediately preceding the issuance of such additional obligations is equal to a multiple, as determined by Director of Finance in the Bond Purchase Agreement or other appropriate certificate or agreement prior to the issuance of the Series 2020 Bonds, of the largest amount required to be paid in any succeeding calendar year to meet debt service payment requirement of all such parity

Emergency Ordinance No. _____ (Cont'd)

obligations and the Series 2020 Bonds. Any such obligations secured by Non-tax Revenues, other than the Series 2020 Bonds, shall be issued only upon separate authorization by this Council.

SECTION VI: Application for Rating; Bond Insurance; Credit Support Instrument. If, in the judgment of the City Manager and the Director of Finance, the filing of an application for (i) a rating on the Series 2020 Bonds by one or more nationally-recognized rating agencies, (ii) a credit support instrument for a debt service reserve fund, if any, to support payment of principal and interest on the Series 2020 Bonds, or (iii) a policy of insurance from a company or companies to better assure the payment of principal of and interest on the Series 2020 Bonds, is in the best interest of and financially advantageous to the City, the City Manager and the Director of Finance, or either of them, acting alone, is authorized to prepare and submit those applications, to provide to each such agency or company such information as may be required for the purpose, and to provide further for the payment of the cost of obtaining each such rating or policy, except to the extent otherwise paid from proceeds of the Series 2020 Bonds to the extent available and otherwise from any other funds lawfully available and that are appropriated or shall be appropriated for that purpose. The City Manager and the Director of Finance are hereby authorized to, to the extent necessary or required, to enter into any agreements, in the name of and on behalf of the City, that the City Manager, Director of Finance and Director of Law deem necessary in connection with obtaining that bond insurance or other credit support instrument.

SECTION VII: Authorization of the Bond Purchase Agreement, Certificate of Award, Official Statement, Continuing Disclosure Agreement and All Other Documents to be Executed by the City. The City Manager and the Director of Finance are authorized and directed to execute, acknowledge and deliver in the name and on behalf of the City, the Certificate of Award and the Bond Purchase Agreement in such form and substance consistent with this Ordinance and not substantially adverse to the City and approved by the officers executing the same on behalf of the City. The approval of the Bond Purchase Agreement by said officers shall be conclusively evidenced by the execution of the Bond Purchase Agreement by such officers.

The City Manager and the Director of Finance, or either of them, acting alone, are authorized and directed, if advisable and deemed necessary, on behalf of the City and in their official capacities, to (i) prepare or cause to be prepared, and make or authorize modifications, completions or changes of or supplements to, a disclosure document in the form of an official statement relating to the original issuance of the Series 2020 Bonds, (ii) determine and to certify or otherwise represent, when the official statement is to be "deemed final" (except for permitted omissions) by the City as of its date or is a final official statement for purposes of paragraph (b) of the Rule, (iii) use and distribute, or authorize the use and distribution of those official statements and supplements thereto in connection with the original issuance of the Series 2020 Bonds, and (iv) complete and sign those official statements and any supplements thereto as so approved, together with such certificates, statements or other documents in connection with the finality, accuracy and completeness of those official statements and any supplements, as they may deem necessary or appropriate.

For the benefit of the holders and beneficial owners from time to time of the Series 2020 Bonds, the City agrees to provide or cause to be provided such financial information and operating data, audited financial statements and notices of the occurrence of certain events, in such manner as may be required for purposes of the Rule. The City Manager and the Director of Finance are authorized to complete, sign and deliver the Continuing Disclosure Agreement, in the name and on behalf of the City, in form and substance consistent with this Ordinance. The Continuing Disclosure Agreement is approved, together with any changes or amendments that are not inconsistent with this Ordinance and not substantially adverse to the City and that are approved by the City Manager and the Director of Finance on behalf of the City, all of which shall be conclusively evidenced by the signing of the Continuing Disclosure Agreement or amendments thereto.

The Director of Finance is further authorized and directed to establish procedures in order to ensure compliance by the City with its Continuing Disclosure Agreement, including timely provision of information and notices as described above. Prior to making any filing required under the Rule, the Director of Finance shall consult with and obtain legal advice from, as appropriate, the Law Director and bond counsel selected by the City. The Director of Finance, acting in the name and on behalf of the City, shall be entitled to rely upon any such legal advice in determining whether a filing should be made. The performance by the City of

Emergency Ordinance No. _____ (Cont'd)

its Continuing Disclosure Agreement shall be subject to the annual appropriation of any funds that may be necessary to perform it.

The City Manager and the Director of Finance, or either of them, acting alone, are hereby separately authorized and directed to take any and all actions and to execute such financing statements, assignments, documents, certificates and other instruments and/or agreements that may be necessary or appropriate in the opinion of Frost Brown Todd LLC, as Bond Counsel, in order to effect the issuance of the Series 2020 Bonds and the intent of this Ordinance. The City Clerk, or other appropriate officer of the City, shall certify a true transcript of all proceedings had with respect to the issuance of the Series 2020 Bonds, along with such information from the records of the City as is necessary to determine the regularity and validity of the issuance of the Series 2020 Bonds.

SECTION VIII: Call for Redemption; Escrow Trustee; Escrow Agreement; Escrow Fund. If deemed advisable by the Director of Finance, in order to provide for the investment of those proceeds of the Series 2020 Bonds to be applied to the redemption of, or the payment of the principal of and interest on, the Original Bonds, the City Manager and the Director of Finance, or either of them acting alone, are hereby authorized to designate in the Certificate of Award, or otherwise, a bank or trust company authorized to do business in the State of Ohio to act as Escrow Trustee. The City Manager and the Director of Finance, or either of them acting alone, shall sign and deliver, in the name of the City, such Escrow Agreement between the City and the Escrow Trustee, in form and substance consistent with this Ordinance in order to effect the redemption of the Original Bonds. To the extent necessary, the Escrow Fund provided for in the Escrow Agreement is hereby created. Such signature or signatures shall constitute the conclusive approval of the Escrow Agreement or amendments thereto. The City Manager and the Director of Finance, or either of them acting alone, shall provide for the payment of the services rendered and for reimbursement of expenses incurred pursuant to the Escrow Agreement, except to the extent paid from the proceeds of the Series 2020 Bonds to the extent available and then from other money lawfully available and appropriated or to be appropriated for that purpose. The Escrow Trustee, the financial advisor to the City, the Underwriter, or any nationally recognized bond counsel approved by the Director of Finance is hereby authorized to execute and file on behalf of the City any subscriptions for United States Treasury Obligations, State and Local Government Series, as may be necessary, in order to fund, in part, any escrow in connection the defeasance and redemption of the Original Bonds.

Acting pursuant to the Original Bond Legislation, the outstanding Original Bonds are hereby called for redemption as set forth in the Certificate of Award (the "*Original Bonds Redemption Date*"), at the required redemption price of the principal amount thereof, and the Director of Finance is hereby authorized and directed to cause the outstanding Original Bonds to be called for redemption on the Original Bonds Redemption Date and arrange for the notice of redemption to be given in accordance with the applicable provisions of the Original Bond Legislation.

In order to provide for the payment of (a) interest on the outstanding Original Bonds following the delivery of the Series 2020 Bonds and through the Original Bonds Redemption Date, (b) the principal (if any) of the outstanding Original Bonds maturing on or prior to the Original Bonds Redemption Date, and (c) the principal of the outstanding Original Bonds to be called for redemption on the Original Bonds Redemption Date, the City covenants and agrees with the Escrow Trustee and with the owners of the outstanding Original Bonds that the City will take, and will cause the Escrow Trustee to take, all steps required by the terms of the Escrow Agreement to carry out such payments. The City covenants and agrees to take, or cause to be taken, all steps required by this Ordinance, the Escrow Agreement, and the Original Bond Legislation to carry out such payments so that the outstanding Original Bonds are not deemed to be outstanding. The City shall provide for the provision of the verification and for the payment of any fee associated with the provision of the verification from the proceeds of the Series 2020 Bonds to the extent available and otherwise from other lawfully available funds of the City, which funds are hereby appropriated for such purpose to the extent necessary.

SECTION IX: No Personal Liability. No recourse under or upon any obligation, covenant, acceptance, or agreement contained in this Ordinance, or in any Series 2020 Bond, or the Bond Purchase Agreement, or under any judgment obtained against the City or by the enforcement of any assessment or by any legal or equitable proceeding by virtue of any constitution or statute or otherwise, or under any circumstances, shall be had against any officer as such, past, present, or future, of the City, either directly or through the

Emergency Ordinance No. _____ (Cont'd)

City, or otherwise, for the payment for or to the City or any receiver thereof, or for or to any holder of any Series 2020 Bond, or otherwise, of any sum that may be due and unpaid by the City upon any of the Series 2020 Bonds. Any and all personal liability of every nature, whether at common law or in equity, or by statute or by constitution or otherwise, of any such officer, as such, to respond by reason of any act or omission on his or her part, or otherwise, for, directly or indirectly, the payment for or to the City or any receiver thereof, or for or to the owner or any holder of any Series 2020 Bond, or otherwise, of any sum that may remain due and unpaid upon any Series 2020 Bond, shall be deemed to be expressly waived and released as a condition of and consideration for the execution and delivery of the Bond Purchase Agreement, and the issuance of the Series 2020 Bonds.

SECTION X: No Debt or Tax Pledge. Anything in this Ordinance, the Bond Purchase Agreement, the Series 2020 Bonds or any other agreement or instrument to the contrary notwithstanding, neither this Ordinance, the Series 2020 Bonds, or the Bond Purchase Agreement shall represent or constitute a general obligation debt or pledge of the faith and credit or the taxing power of the City, and each Series 2020 Bond shall contain on the face thereof a statement to that effect. Nothing herein shall be deemed to prohibit the City, of its own volition, from using, to the extent it may be lawfully authorized to do so, any resources or revenues other than Non-Tax Revenues for the fulfillment of any of the terms, conditions or obligations of the Series 2020 Bonds, the Bond Purchase Agreement, this Ordinance or the Series 2020 Bonds.

SECTION XI: Satisfaction of Conditions for Bond Issuance. This Council determines that all acts and conditions necessary to be performed by the City or to have been met precedent to and in issuing of the Series 2020 Bonds in order to make them legal, valid and binding special obligations of the City have been performed and have been met, in regular and due form as required by law; and that the Series 2020 Bonds are being authorized and issued pursuant to this Ordinance, the Certificate of Award, the Bond Purchase Agreement, the Act and other authorizing provisions of law.

SECTION XII: Severability. If any section, paragraph or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such section, paragraph or provision shall not affect any of the remaining provisions of this Ordinance.

SECTION XIII. Book Entry Series 2020 Bonds. This Council hereby determines that the Series 2020 Bonds may, but are not required to, be issued in Book-Entry-Only form through The Depository Trust Company, New York, New York. The Letter of Representations is hereby ratified and confirmed.

So long as the Series 2020 Bonds are in Book-Entry-Form, the following covenants and agreements of the City shall be in effect:

(a) Definitions.

“*Beneficial Owner*” means the person in whose name a Series 2020 Bond is recorded as the beneficial owner of such Bond by the respective systems of DTC and each of the DTC Participants.

“*CEDE & Co*” means CEDE & Co, the nominee of DTC, and any successor nominee of DTC with respect to the Series 2020 Bonds.

“*DTC*” means The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York, and its successors and assigns.

“*DTC Participant*” means banks, brokers or dealers who are participants of DTC.

“*Letter of Representations*” means the Blank Letter of Representations dated May 1, 1997, as supplemented from time to time, from the City to DTC, or any other instrument of similar effect.

The Series 2020 Bonds shall initially be issued in global book entry form registered in the name of CEDE & Co, as nominee for DTC.

Emergency Ordinance No. _____ (Cont'd)

While in book entry form, payment of interest for Series 2020 Bonds registered in the name of CEDE & Co shall be made by wire transfer or such other manner as permitted by the Letter of Representations, to the account of CEDE & Co on the maturity date at the address indicated for CEDE & Co in the bond register.

(b) Book Entry Bonds.

(i) Except as provided in Section XIII(c) hereof, the registered owner of all of the Series 2020 Bonds shall be DTC and the Series 2020 Bonds shall be registered in the name of CEDE & Co, as nominee for DTC.

(ii) The Series 2020 Bonds shall be initially issued in the form of a single fully registered global certificate with respect to each maturity Series 2020 Bonds, or portion of any such maturity to the extent any maturity includes inconsistent terms. Upon initial issuance, the ownership of such Series 2020 Bonds shall be registered in the City's bond register in the name of CEDE & Co, as nominee of DTC. The Paying Agent and Registrar and the City may treat DTC (or its nominee) as the sole and exclusive registered owner of the Series 2020 Bonds registered in its name for the purposes of payment of the principal, or redemption price of or interest on the Series 2020 Bonds, selecting the Series 2020 Bonds or portions thereof to be redeemed, giving any notice permitted or required to be given to bondholders under this ordinance, registering the transfer of Series 2020 Bonds, obtaining any consent or other action to be taken by bondholders and for all other purposes whatsoever; and neither the Paying Agent and Registrar nor the City shall be affected by any notice to the contrary. Neither the Paying Agent and Registrar nor the City shall have any responsibility or obligation to any DTC Participant, any person claiming a beneficial ownership interest in the Series 2020 Bonds under or through DTC or any DTC Participant, or any other person which is not shown on the registration books of the Paying Agent and Registrar as being a registered owner, with respect to the accuracy of any records maintained by DTC or any DTC Participant; the payment of DTC or any DTC Participant of any amount in respect of the principal or redemption price of or interest on the Series 2020 Bonds; any notice which is permitted or required to be given to bondholders under this ordinance; the selection by DTC or any DTC Participant of any person to receive payment in the event of a partial redemption of the Series 2020 Bonds; or any consent given or other action taken by DTC as holder of the Series 2020 Bonds. The Paying Agent and Registrar shall pay from moneys available hereunder all principal of, and premium, if any, and interest on the Series 2020 Bonds only to or "upon the order of" DTC (as that term is used in the Uniform Commercial Code as adopted in the State of Ohio), and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to the principal of, and premium, if any, and interest on the Series 2020 Bonds to the extent of the sum or sums so paid. Except as otherwise provided in Section XIII(c) hereof, no person other than DTC shall receive an authenticated Series 2020 Bond certificate for each separate stated maturity evidencing the obligation of the City to make payments of principal of, and premium, if any, and interest pursuant to this ordinance. Upon delivery by DTC to the Paying Agent and Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of CEDE & Co, and subject to the provisions of this ordinance with respect to transfers of Series 2020 Bonds, the word "CEDE & Co" in this ordinance shall refer to such new nominee of DTC.

(c) Delivery of Series 2020 Bond Certificates. In the event the City determines that it is in the best interest of the Beneficial Owners that they be able to obtain Series 2020 Bond certificates, the City may notify DTC and the Paying Agent and Registrar, whereupon DTC will notify the DTC Participants, of the availability through DTC of Bond certificates. In such event, the Paying Agent and Registrar shall issue, transfer and exchange, at the City's expense, Series 2020 Bond certificates as requested by DTC in appropriate amounts. DTC may determine to discontinue providing its services with respect to the Series 2020 Bonds at any time by giving notice to the City and the Paying Agent and Registrar and discharging its responsibilities with respect thereto under applicable law. Under such circumstances (if there is no successor securities depository), the City and Paying Agent and Registrar shall be obligated to deliver Series 2020 Bond certificates as described in this ordinance, provided that the expense in connection therewith shall be paid by DTC. In the event Series 2020 Bond certificates are issued, the provisions of this ordinance shall apply to, among other things, the transfer and exchange of such certificates and the method of payment of principal of, premium, if any, and interest on such certificates. Whenever DTC requests the City and the

Emergency Ordinance No. _____ (Cont'd)

Paying Agent and Registrar to do so, the Paying Agent and Registrar and the City will cooperate with DTC in taking appropriate action after reasonable notice (i) to make available one or more separate certificates evidencing the Series 2020 Bonds to any DTC Participant having Series 2020 Bonds credited to its DTC account or (ii) to arrange for another securities depository to maintain custody of certificates evidencing the Series 2020 Bonds.

SECTION XIV: Sunshine Law. The Council of the City of Hamilton, Ohio hereby finds and determines that all formal actions relative to the adoption 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, Ohio Revised Code, except as otherwise permitted thereby.

SECTION XV: Emergency. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to issue and sell the Series 2020 Bonds, which is necessary to enable to the City to take advantage of favorable interest rates in connection with the refinancing of the Original Bonds; wherefore, this Ordinance shall be in full force and effect immediately upon 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. EOR2020-8-_____ adopted by the Council of the City of Hamilton, Ohio, at the Regular Meeting on the 26th day of August, 2020.

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

RECEIPT

Received this ___ day of _____, 2020, a certified copy of the foregoing Emergency Ordinance No. EOR2020-8-_____ of the City of Hamilton, Ohio.

Roger Reynolds
County Auditor

By: _____
Deputy County Auditor

4830-9412-3962v7

City Council Meeting Staff Report

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

Report From: Edward Wilson III, AICP, Associate Planner II

Agenda Item: An ordinance approving a Major Amendment to Plan Hamilton, the City's Comprehensive Plan, adding the North End Corridor Revitalization Plan to the Plan. (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 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 checked="" type="checkbox"/> O General operations
<p>Ordinance or Resolution <i>Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 8-26-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 9-9-2020 <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): 8-12-2020 Caucus Report City Council Meeting Planning Commission: 7-16-2020 (Public Hearing)</p>	
<p>Contract</p>	<input type="checkbox"/> Contract Required	<input checked="" type="checkbox"/> Additional Document(s) Attached
<p>Fiscal Impact</p>	Budgeted: \$200.00 Expenditure: \$200.00 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 approve a Major Amendment to Plan Hamilton, the City's Comprehensive Plan, adding the North End Corridor Revitalization Plan to the Plan?

Policy Alternative(s)

Council may choose not to adopt such legislation to approve a Major Amendment to Plan Hamilton.

Staff Recommendation

Staff recommends that Council receives this report, concurs in the recommendation of the Planning Commission and adopts the necessary legislation for a Major Amendment to Plan Hamilton, the City's Comprehensive Plan, adding the North End Corridor Revitalization Plan to the Plan based on the Planning Commission's recommendation to approve from its July 16, 2020 meeting.



Statutory/Policy Authority

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

Fiscal Impact Summary

The City's current fiscal impact includes any staff time allotted to the preparation of the documentation for a Major Amendment to Plan Hamilton, the City's Comprehensive Plan, adding the North End Corridor Revitalization Plan to the Plan estimated at approximately \$200.00.

Background Information

The proposal is a submitted request by Planning Staff on behalf of the Second Ward residents to have the North End Corridor Revitalization Plan adopted as part of Plan Hamilton, the city's newly adopted comprehensive plan. The proposal represents a "Major Amendment" to Plan Hamilton. City Council takes final action to approve or disapprove a Major Amendment to Plan Hamilton.

North End Corridor Revitalization Plan

The North End Corridor Revitalization Plan is a comprehensive study that catalogs existing conditions and gathers public input to establish a plan for neighborhood improvements, guides new development, and highlights investment opportunities within the North End. The plan was drafted by Miami University students in conjunction with the North End neighborhood, City of Hamilton staff, and input from community residents and organizations.

The plan focuses on the revitalization of North End, notably the main neighborhood corridor of Heaton Street. The plan proposes revitalization through the improvement of existing housing stock, streetscape improvements, activating vacant commercial properties, and improved amenities at key locations in the neighborhood, all while maintaining the integrity and character of the existing community. The study area is centered on Heaton Street, North Martin Luther King Boulevard, Route 4, and North Seventh Street. Critical areas studied include the following:

- Current land uses
- Community spaces
- Catalog of buildings/spaces that are being underutilized
- Issues facing the community
- Visualizations of potential land uses
- Gateway signage and neighborhood features
- Streetscape improvements
- Potential for green space improvements
- Targeted revitalization efforts
- Suggestions for investments to best serve the community members

Planning Commission Recommendation

On July 16, 2020, the Planning Commission recommended Council approve a Major Amendment to Plan Hamilton, the City's Comprehensive Plan, adding the North End Corridor Revitalization Plan to the Plan

Planning Department Recommendation

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 and directs the passage of the necessary legislation.

Attached Information

- 1) Exhibit A - North End Corridor Revitalization Plan
- 2) Exhibit B - Planning Commission Staff Report, July 16, 2020

Copies Provided to:

N/A



North End

Exponential Potential

Corridor Revitalization Plan



Contents

- (1) Introduction
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An aerial photograph of a residential neighborhood. The image shows a mix of house styles, including a prominent white two-story house with a porch on the left, and a red brick building in the center. A road with a yellow center line runs diagonally from the bottom left towards the top right. The background is filled with more houses and green trees. The overall scene depicts a revitalized urban area.

Introduction

A Revitalized North End

Introduction: Planning a Stronger North End

The North End neighborhood is one of Hamilton's Seventeen Strong neighborhoods. At its peak, the area was a blue-collar neighborhood closely tied to the surrounding paper mills and other industries. However, as the factories closed, the neighborhood fell into decline. Although this neighborhood maintains many community strengths, we recognize the limitless potential for revitalization. With proper investment and new initiatives, the North End can return the neighborhood to the thriving place that it used to be.

Revitalization planning can help identify areas for improvement to guide policies, public and private investment, and shape new development. Our team of student planners created a plan focused on the Heaton St. corridor between Route 4 and Martin Luther King Jr. Blvd. Our revitalization goal can be completed through improvements to community space, streetscaping, connectivity, and economic development. In acknowledgment with the recently adopted Plan Hamilton, we created neighborhood-specific initiatives that align with both Plan Hamilton as well as community desired goals. With the strategies presented in this plan, the North End can once again become a thriving neighborhood.



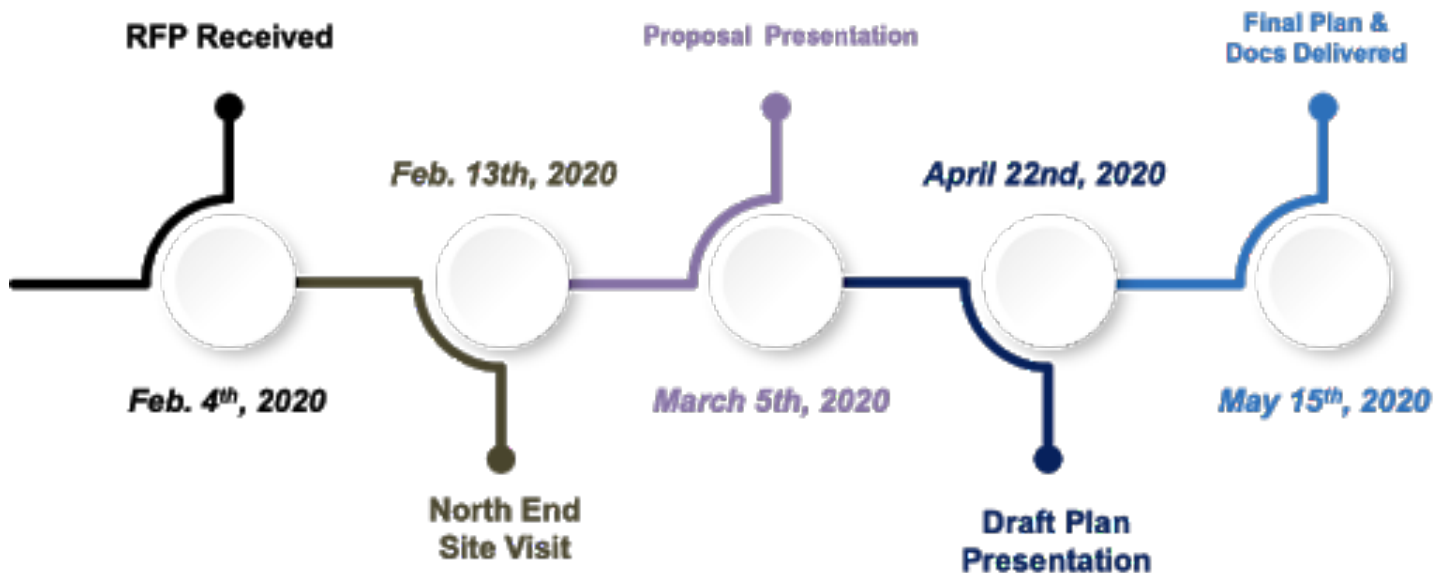
An aerial photograph of a residential neighborhood. In the foreground, a paved road with yellow lane markings runs diagonally from the bottom left towards the top right. Several cars are parked along the side of the road. To the left of the road, there are several houses of varying colors, including white, yellow, and red. Some houses have porches and are surrounded by green lawns. In the background, there are more houses and a dense line of green trees. Further back, there are larger, multi-story buildings, possibly apartment complexes or commercial buildings, interspersed with more trees. The overall scene depicts a typical suburban or urban residential area.

Revitalization Planning

A Multifaceted Process

Public Engagement: A Multi-Step Process of Analysis and Community Engagement

As elaborated in our request for a proposal and in Plan Hamilton, we were tasked with creating contextually appropriate revitalization strategies for the North End. This entails an analysis of the social and built environment, followed by recommendations stemming from best practices and methods. In order to produce a quality corridor revitalization plan, we conducted a site visit, presented best practices to a variety of stakeholders, presented a draft of our recommendations, and eventually completed a finalized corridor revitalization plan.



Detailed map of our planning process

Site Visit

In order to better understand the needs of the community, our group turned towards public engagement. Our first interaction with the neighborhood was during our initial site visit in February. During this visit, we got a better sense of the state of the neighborhood. Additionally, we were able to interact with some of the residents and understand some of the challenges that the North End faces.



Proposal Presentation

As a precursor to our charette, we wanted to introduce our team and elaborate on best practices used successfully in neighborhoods across the country. We presented a series of successful examples within the following best practice methods: community vibrancy, complete streets, community space, connectivity, and economic development. Our goal with the proposal presentation was to set the stage for the community members for the following activity, the charette.

We are grateful to have residents, community leaders, and city employees in attendance. The feedback that we received was constructive and fairly representative of many residents living in the North End neighborhood.

Community Input Workshop

To develop a better understanding of the specific goals of the residents, our group conducted a workshop in early March. The group was made up of residents, community leaders, and city employees. During the exercise, we asked the participants various questions regarding their views on the neighborhood and to mark up various maps. Some examples of questions include: where they view the borders of the North End, the best places for a gateway into the neighborhood, and areas for redevelopment.



Goals/Objectives

After our workshop exercise with community members, we had a better idea of the goals we should have for this neighborhood plan. We also took into account the broader goals for the city of Hamilton specified in Plan Hamilton. The following goals will help to guide the North End in their revitalization process.

Plan Hamilton goals

- Create a sense of place in our 17 neighborhoods
- Create a vibrant community
- Introduce high-quality parks to residents and visitors
- Land use and development policies align with community objectives

North End Goals

- Improve neighborhood vibrancy
- Create connections with the surrounding neighborhoods
- Improve infrastructure for pedestrians and cyclists
- Create more economic opportunities

An aerial photograph of a residential neighborhood. The scene shows a mix of single-story and two-story houses, some with porches and lawns. A paved road with yellow lane markings runs diagonally through the lower half of the image. There are several cars parked along the road. The background is filled with more houses and a dense line of green trees. The overall atmosphere is that of a quiet, established community.

Community Space

Building a Vibrant Place

Community Space

Gateways

Neighborhood gateways establish a sense of place and an inviting atmosphere. Entrance signage is typically the first vibrancy feature that greets both visitors and members of the community upon arriving into the neighborhood. In order to truly establish Heaton Corridor as a gateway to Hamilton, the North End should incorporate entrance signage.

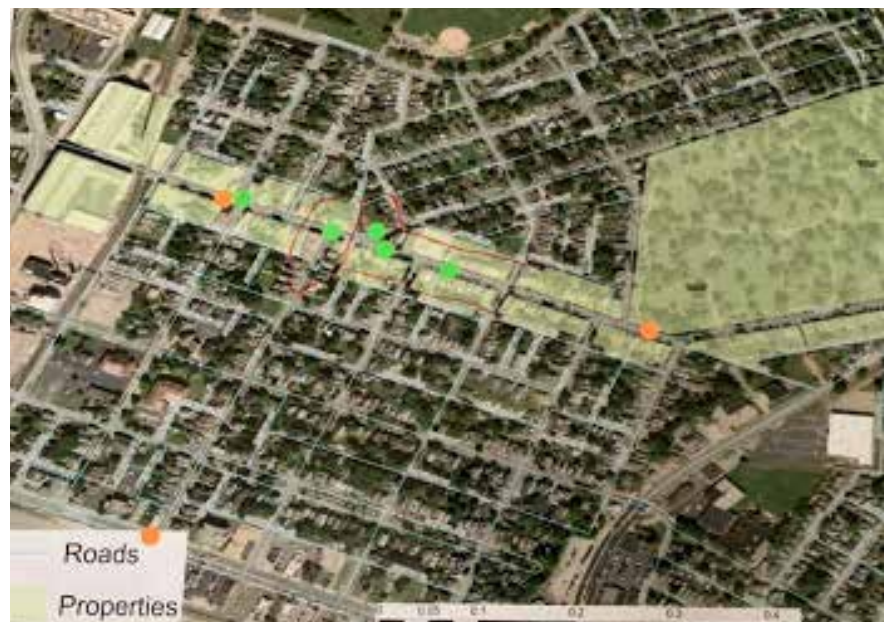


Gateway sign in Hamilton, Ohio



Monument sign (pole-mounted) in Parksville, B.C.

Stakeholder input helped us define neighborhood boundaries and optimal gateway locations. Attached is an image of a map utilized during the charette. The orange stickers were placed by community leaders and represent areas that they believe are entrances to the North End.



North End map marked up by community members

Alternative Gateway Signage Styles and Locations:

Monument Signage (Pole Mounted):

Locations like Heaton and N 6th are important for signaling entrance into the neighborhood. A monument sign would be a good use of any corner lots similar to the one in the following image.



Rendering of potential pole mounted monument sign at Heaton & N 6th

Monument Signage:

Other possible locations, such as High and N 7th, are perfect areas for larger entrance signage. A pole monument style sign can be placed in areas where there is limited sidewalk space, such as in the following image.



Rendering of potential monument sign at High and N 7th

Overhead Gateway:

The most impactful entrances into the neighborhood were identified at Heaton and MLK as well as Route 4 and Heaton. Incorporating an overhead sign paired with North End inspired murals should be used to greet both visitors and neighbors. Additionally, Route 4 and Heaton could utilize a monument sign with various flowers to create a friendly entrance. That being said, these entrances can cement Heaton Corridor as the “gateway to Hamilton”.



Conceptual rendering of a gateway entrance at Heaton and MLK



Conceptual rendering of a monument sign with flowers at Route 4 and Heaton

Public Artwork

Murals: “Building a sense of community”

Murals are used as an outlet to showcase the history of a neighborhood, provide direction towards the future, or simply convey a story. In addition to building a strong sense of community, murals attract activity and make the surrounding area more walkable.

While our plan highlights possible mural locations, mural theme and execution would be coordinated between StreetSpark and the Community. Themes mentioned by stakeholders included baseball legend Joe Nuxhall and manufacturing history (ex. Ford TractorPlan).



Renderings of murals: Minnick's & Food Town

Fire Hydrant Art: “Creating a vibrant neighborhood”

Fire hydrant painting is an example of a fairly low-cost vibrancy technique. By painting various fire hydrants in a given community, the neighborhood is adding both and flair. The abundance of fire hydrants on Heaton St. mean that there are endless possibilities for local involvement. StreetSpark is a public art program that works to install various art projects throughout the city of Hamilton. The hydrants to the left are examples of painted Hamilton hydrants. While some hydrants have already been painted in the North End, more could provide vibrancy on Heaton St.



Painted hydrants enhance vibrance across Hamilton and could be expanded along Heaton.

Community Gardens

Community gardens have been used in neighborhoods across the country due to the vast array of benefits attached with them. Not only do these community incubators create a stronger sense of belonging among community members and provide healthy food for the surrounding neighborhood, but they also make efficient use of vacant land.

Potential locations for community gardens identified during our community input workshop are as follows:

- Heaton & N 10th
- 927 Vine (across from the Hamilton North End Market)



Conceptual rendering of a community garden at N 10th & Heaton

Recreational Areas

One of the ideas behind recreational green space is to rehabilitate existing parks and vacant lots into viable options for the community to exercise and enjoy. The focal point identified by the North End Community members was the Joe Nuxhall Baseball Field. By revamping the vacant field adjacent to the baseball diamonds into multiple soccer fields, there can be more utility and more green space.



Rendering of Joe Nuxhall Fields repurposed for Spooky Nook sports.

An aerial photograph of a residential neighborhood. In the foreground, a paved road with a yellow center line runs diagonally from the bottom left towards the middle right. Several cars are visible on the road. To the left of the road, there are several houses, including a prominent white two-story house with a dark roof. In the background, there is a dense line of green trees, and beyond that, more residential buildings and a larger white building. The overall scene depicts a typical suburban or urban residential area.

Streetscape

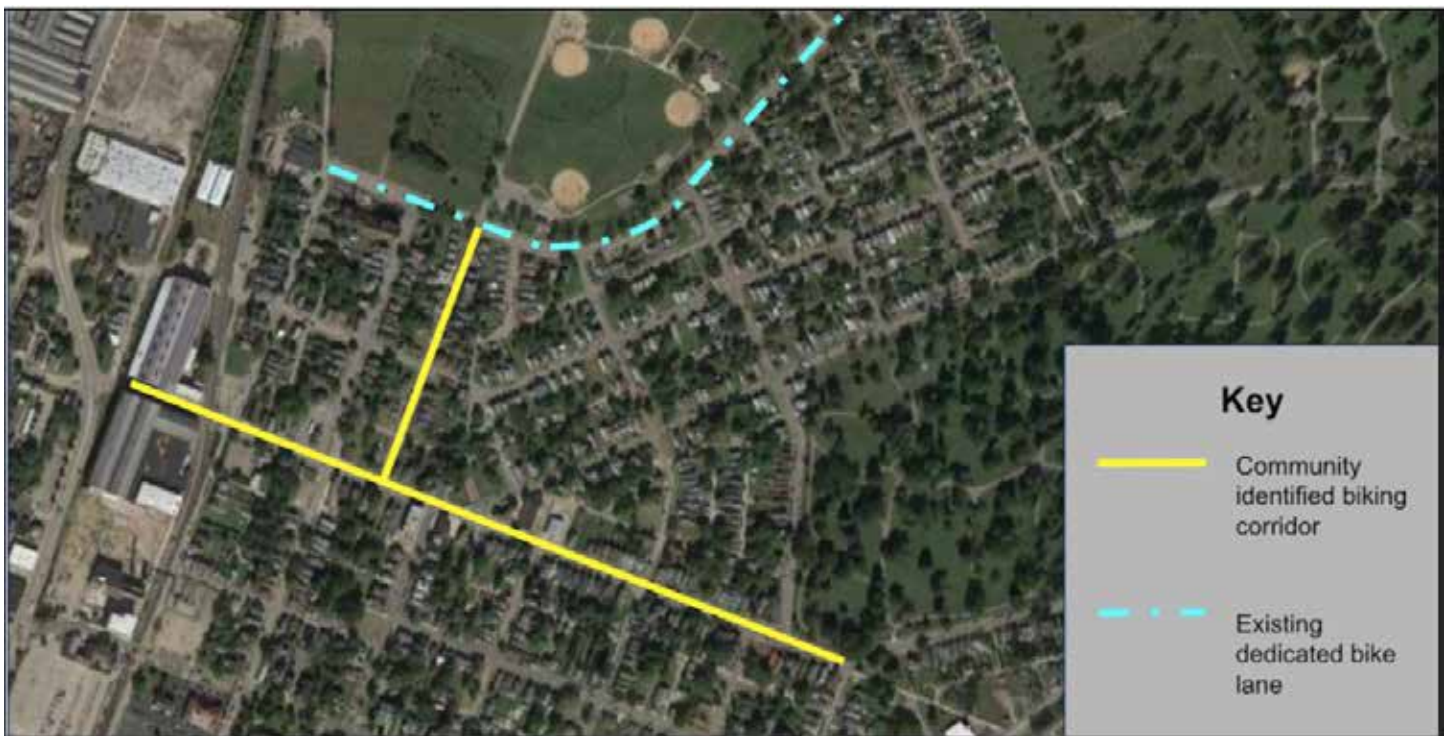
Safe Mobility and Livability

Connectivity

Plan Hamilton places an emphasis on improving mobility and livability. North End streets are both transportation corridors and neighborhood centers. Connecting Heaton St. with abutting neighborhoods, such as Dayton Lane, parks, and the multi-use trail along the Hamilton Hydraulic Canal will improve mobility and livability. As one of Hamilton’s traditional neighborhoods, the North End features existing connectivity features such as sidewalks on both sides of the road. In order to identify how we can build upon the current elements connecting the North End, we discussed common routes and daily routines that residents within the North End use.

Corridor Analysis:

Biking Corridor



Community identified biking corridor based on community input workshop

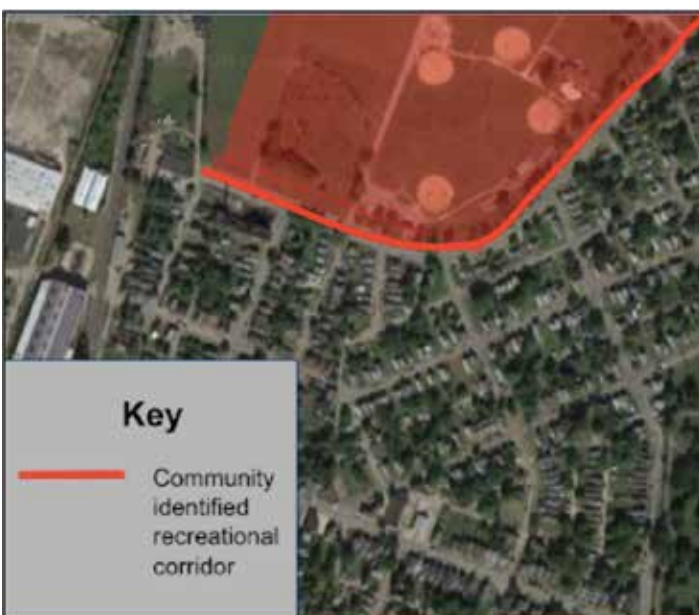
The community leaders in our workshop identified a desire to be greater connected to Joe Nuxhall Field. Currently, there is a dedicated bike lane on Joe Nuxhall Blvd., stretching from N 6th to where Joe Nuxhall Blvd becomes Campbell Dr. A possible way to connect Joe Nuxhall Field to Heaton St., one of the North End’s main arterials, is through dedicated bike lanes on both Heaton and N. 7th St.

Primary Pedestrian Corridor



Heaton is both a major corridor for pedestrians as well as vehicles. Our reasoning is that community members have identified this major artery in the North End as where they would like to see the most revitalization. This, partnered with Plan Hamilton’s goal of promoting walkability, is a strong reason to target Heaton as a “gateway to Hamilton”.

Recreational Corridor



Joe Nuxhall Field was mentioned a multitude of times during our community input session. Community leaders expressed their interest towards the possibility of incorporating a vast area of recreational activities at Joe Nuxhall Field. Not only would this make the fields more appealing to Spooky Nook visitors, but the fields would be more functional for the North End community.

Streetscaping

Existing Conditions

The streetscaping improvements will mainly be focused along Heaton Street, as it is a main corridor in the neighborhood. The street will also become a major thoroughfare with the opening of the Spooky Nook Sports complex, which will lead to an increase in traffic. Our goal as emphasized by the North End community is to focus on improving pedestrian safety as well as traffic calming. This goal will be accomplished through implementing principles of Complete Streets.



Existing Heaton St at N 7th St



Existing Heaton St at Greenwood Ave

What are Complete Streets?



Complete street template from NACTO Urban Street Design Guide

Complete streets are streets designed with best practices to be safe and accessible for all users, of all ages and abilities.

Pedestrian Safety and Traffic Calming

Marked Crosswalk

Reduces pedestrian-vehicle conflict by designating an area for pedestrians to cross the street. Using a stripe pattern in the crosswalk.



Marked crossing. Source NACTODesign

Rapid Flashing Beacon

Alerts motorists of pedestrians in the crosswalk, to ensure yielding and decrease any conflict.



Rapid flashing beacon. Source TAPCO

Curb Extension

Reduces crossing distance for pedestrians by extending the sidewalk into the parking lane. They also calm traffic as well as provide opportunities for street trees or planters.



Curb extension. Source NACTO

Vertical Speed Control Elements

A portion of the road or an entire intersection is raised 3"-3.5". Encourages yielding to pedestrians in crosswalks and calms traffic.



Raised intersection. Source NACTO

Possible Pedestrian Safety Improvements and Locations

Pedestrian safety is one of the main improvements to be made in the North End. Currently, there are only two marked intersections on this section of Heaton Street. During the charrette exercise, stakeholders indicated areas along Heaton Street that needed a crosswalk. Each crossing can be accompanied with rapid flashing beacons.

Locations for marked crosswalk

- Heaton and N 6th (Location 2)
- Heaton and N 9th (Location 3)

Location for Speed Table

- Heaton between N 8th and N 9th (Location 1)



Possible locations for crosswalks

Existing



Possible speed table at Heaton St. between N 8th St. and N 9th St. with rapid flash beacons.

Recommended



Existing



Potential marked crossing at Heaton St. at N 6th St. with rapid flash beacons.

Recommended



Existing



Possible marked crossing at Heaton St. at N 9th St. with rapid flash beacons.

Recommended



Sidewalk Enhancement to increase accessibility

In addition to pedestrian safety, sidewalk enhancement is also critical to the success of pedestrian-oriented mobility. Enhancements such as added benches and street trees create a welcoming environment for pedestrians, promoting walking. Additionally, businesses are encouraged to utilize the front of their building in order to create a more vibrant experience. Beyond the sidewalk are areas designated for cyclists, promoting safe mobility.



Possible street furniture on 7th and Heaton Street with colored bike lanes.

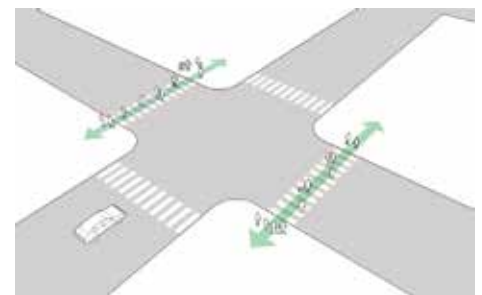
Heaton Street & Greenwood Avenue Intersection



1. **Raised Intersection**- The entire intersection is raised 3-3.5 inches to enforce yielding to pedestrians as well as slower speeds.



2. **Marked Crosswalks**- Designated areas for pedestrians to cross marked by stripes to reinforce pedestrian safety accompanied by rapid flashing beacons.



3. **Curb Extension**- Extension of the sidewalk into the parking lane. Decreases crossing distance for pedestrians and calm traffic.



4. **Street Trees or Planters**- Encourages walkability and improves the sidewalk landscape, making it more inviting to pedestrians also has traffic calming effects.

An aerial photograph of a residential neighborhood. The scene shows a mix of house styles, including a prominent white two-story house with a porch on the left, a red brick house in the center, and various other houses in shades of blue, yellow, and white. A paved road with a yellow center line runs diagonally from the bottom left towards the top right. There are several cars parked along the road. The area is surrounded by lush green trees, and in the background, larger multi-story buildings are visible. The overall atmosphere is that of a well-established, diverse community.

Lot Assessment

Preserving the Foundation

Street Façade

Comprehensive Overview

The importance of the Heaton Street Façade will be a direct reflection of the first impressions that visitors will have both coming into and leaving Hamilton’s Spooky Nook Complex. Heaton Street is a prime area for the North End Residents to showcase their character and channel redevelopment assessment and funding. Buildings along Heaton Street provide the face of the North End. While rich with historic architecture, many structures need reinvestment and revitalization. This comprehensive overview of the Heaton Street Corridor is intended to guide the implementation of best practices set forth in this plan.



Through both windshield surveys and in-person analysis of the exterior housing, all properties adjacent to Heaton Avenue were evaluated. The existing conditions were then inventoried and assessed for redevelopment and reinvestment potential.

Predetermined Approach

The City of Hamilton has initiated the beginning of a Block by Block building Analysis Tool. The City of Hamilton's Neighborhoods team used this property rating key to assess property conditions in both the North End and Lindenwald neighborhoods to pilot a blight assessment tool.



This same Building Analysis Tool has been implemented on the Heaton Street corridor for a more in-depth analysis of the property condition. Through both windshield surveys and an in-person assessment, the housing exteriors were evaluated. The primary focus of the assessment was on properties directly adjacent to Heaton Street, although properties within the same block and on streets visible to Heaton Street have also been considered for redevelopment and further assessment.

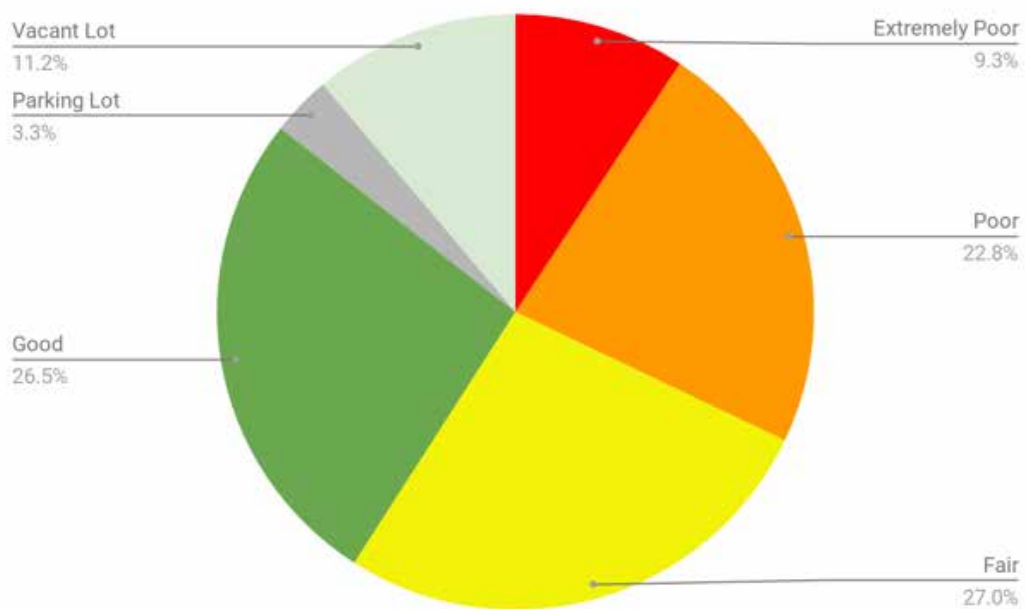
Parcel Assessment and Results

The following map is the current analysis of the Heaton Street corridor. This street is the leading area expected to experience an influx of visitors bringing both traffic and economic opportunity. Although the Heaton Street Façade is in disrepair, investment redevelopment here will create a wealth of revitalization and economic vitality. The North End Neighbors are focused on this area and redirecting community driven tools as well as city reinvestment, non-profit, and private pay tools. Through the analysis of these properties, you can see what areas are mostly devastated and which areas need minimal intervention. This tool enables a strategic approach to acquisition, investment, and intervention.

As a key to this map it is important to consider the following:

Conditions considered are both temporary and significant conditions. Properties graded at a one (red) or a two (orange) are suffering from significant and possibly structural damage. Properties graded at a 3 (yellow) or a 4 (green) have little to no exterior damage but may need minor exterior cleanup and restoration. Additional considerations that should be assessed are proximity to park space, vacant buildings, and empty lots.

The overall analysis gives us the following results:



Vacant Properties

Vacant properties hold a substantial amount of ground on Heaton Street. As vacant properties currently sit unused, there are missed opportunities to make a blank space a beautiful place. The hazards that come along with vacant properties ultimately end up costing neighbors and municipalities far more in the long run.

The results of the block by block analysis on Heaton Street showed there was an empty and vacant lot identified on all but one block.

Vacant Buildings graded at one (1) are damaged beyond repair and are prime areas for vagrancy loitering and fostering illegal activities. Vacant buildings in poor conditions are a leading hazard for fire damage in neighborhoods and are prime locations for the allocation of demolition funds.

Empty Lots yield endless possibilities. These are places where both community members and other stakeholders can take advantage of low maintenance opportunities for community vibrancy.

Empty Lots yield endless possibilities. These are places where both community members and other stakeholders can take advantage of low maintenance opportunities for community vibrancy.



Targeting Revitalization Efforts

The following are tools that can be applied to the North End to help facilitate growth and prosperity within the neighborhood.

Neighborhood Initiatives

There are tools that are readily available to the North End Neighborhood to use on a smaller scale. The following are approaches the residents of the North End can use on a community-driven basis.

- Side lot program (City Intervention) serves as a means to get currently vacant lots into the hands of neighborhood residents. This applies to recently vacant lots that are directly abutting residential property. Side lot programs have guidelines and are implemented towards property owners in good standing with the City, as well as abiding by Health, Planning, and Zoning ordinances.
- Love your Block Implementation is a neighborhood revitalization grant from the to be used to support the efforts of citizen groups and local nonprofits to fight property blight through home repairs, lot transformations, and community cleanups.
- Micro-Grant Vision is intended to serve the residents of Hamilton by providing materials or reimbursable financial support for programs, projects, or events that promote citizen engagement, enhance the beautification of the neighborhood, and improve safety within the community.



Residential Redevelopment

The Neighborhood Housing Services (NHS) of Hamilton, Inc. is a nonprofit community development organization that revitalizes communities. The NHS, in partnership with residents, the business community, government, and community leaders work on infill development which in turn raises price points in the housing stock. NHS restores neighborhoods one lot at a time while keeping the historical essence of the neighborhood secure.



The application of the corridor analysis should be directed in a way that encourages growth in both the residential quality of life and economic vitality. Residential restoration and redevelopment have had a significant impact on economic success, health, safety, and have restored market comps in a



stagnant residential market. A multitude of private resources are available to the City of Hamilton and have a proven positive impact on revitalizing Hamilton's Traditional neighborhoods. Public-Private partnerships have been essential in both parks including Marcum Park, and have had tremendous success with restoration in historic neighborhoods such as German Village with the help of C.O.R.E.

While the North End is deemed one of Hamilton's Traditional Neighborhoods, that does not take away the history that lies within the district. There are 28 historic structures still standing in Hamilton's North End Neighborhood. While most are on the southern end of Heaton Street, all contribute to the Historic essence and Heaton Street Facade.

Historic Preservation

Investing in the North End's history dives deep into the German and Appalachian culture of the area. Celebrated for its industrial past and hard-working residents who thrived in it, these historic structures were once the homes of those who built the foundation of this neighborhood. The majority of the remaining historic buildings lie within a 4 block corridor which also happens to be surrounding the Heart of Heaton Street.



905 Heaton St



821 Heaton St



715 Heaton St



615 Heaton St.

An aerial photograph of a residential neighborhood. The scene shows a mix of single-story and two-story houses, some with gabled roofs and others with flat roofs. A paved road with a yellow center line runs diagonally from the bottom left towards the top right. There are several cars parked along the road. The houses are surrounded by green trees and lawns. In the background, there are larger, multi-story buildings, possibly apartment complexes or schools. The overall atmosphere is that of a typical suburban or urban neighborhood.

Economic Development

Investing in a Brighter
Future

Economic Development

Existing Conditions

North End residents have expressed a strong desire for more economic development and increased investment in the neighborhood. The North End has a rich history as a home for hard-working people that made a living in the surrounding factories and mills. However, as the factories closed and jobs were lost, the once prosperous community began to decline. The initiatives we are recommending are meant to build off of recent momentum to reverse this trend and aim to attract new residents, visitors, and businesses to the North End.



The North End is rich with historic architecture and spaces ripe for reinvestment and redevelopment

Activating Vacant Commercial

The North End has numerous vacant commercial spaces in prime locations. While attracting long-term tenants is often the priority, there should be a concerted effort to activate these spaces in some way until then. Our main recommendation is to encourage pop-up shops in these spaces until long-term tenants can be secured. Pop-up shops provide some revenue for property upkeep, while also encouraging entrepreneurship and contributing to the vibrancy of the community.



Potential vacant/underused commercial sites for activation

Additional programs that could help secure longer-term tenants include the introduction of a lease guarantor program and encouraging leases based on percent rent. The lease guarantor program would involve a community organization guaranteeing a portion of commercial leases to reduce the default risk to landlords for taking on a new to market or unproven tenant. The use of percent rent lease agreements would base the rent paid by tenants on their revenue to reduce the risk of opening. This could be especially useful to employ if the city acquires any commercial spaces in the neighborhood.



Potential vacant activation at 363 N 7th St



Glencove Building Cleveland, OH after reactivation

New Residential Development

The North End has a strong desire to improve the quality of their housing stock and to attract new residents to vacant and dilapidated homes. The area is designated as a traditional neighborhood, which is characterized primarily by higher density detached single-family homes and smaller multi-family properties, such as duplexes.

The primary focus going forward should remain on rehabilitating the existing homes when feasible. However, multiple contiguous vacant sites could be combined and lend themselves to slightly higher intensity projects, like townhouses. The successful completion of a larger new construction project in the neighborhood could encourage further development and raise housing standards throughout the neighborhood.

The reasons for pursuing this type of development include:

- Lower construction cost per unit than detached single-family homes
- Greater availability of government incentives than single-family homes
- Increased density without significantly deviating from current development patterns

Case Study: Infill Affordable Townhouse Project - Dayton, OH



Germantown Village was recently completed in Dayton, OH. The public-private partnership was built primarily on city-owned land and made use of the Low Income Housing Tax Credit Program and various government grant programs. It provides high-quality affordable housing and has spurred additional development nearby.

Adaptive Reuse of Industrial Buildings

The opening of the Spooky Nook Sports Complex will undoubtedly bring visitors from all over the country to Hamilton, Ohio. The North End's close proximity to the Spooky Nook complex puts it in a prime location to reap the economic benefits of this if the neighborhood can create compelling reasons to visit. One of the North End's greatest assets is the former paper mill at the edge of the neighborhood.

The Vision:

Former industrial spaces like this paper mill can provide a focal point for mixed-use redevelopment to attract visitors, while also providing benefits for current residents. Possible uses are virtually limitless and could include retail, office, multifamily, or even hospitality uses. The goal would be to attract a mixture of uses and model the project off of other successful adaptive reuse projects throughout the United States.



Abandoned paper mill: Hamilton, possible location for mixed use redevelopment

Successful Adaptive Reuse Projects



Retail Farmers Market: Findlay Market has helped catalyze mixed-use development in Cincinnati, OH



Art and Entertainment Venue: The Mellwood Arts Center attracts visitors for art exhibitions in Louisville, KY



Residential: A Wonder Bread bakery brought a restaurant and new housing options to Columbus, OH



Hospitality: a former engine factory has become one of the best hotels in Oklahoma City, OK

An aerial photograph of a residential neighborhood. The scene shows a mix of house styles, including a prominent white two-story house with a porch and a red brick building. A road with a yellow center line runs diagonally through the lower half of the image. The background is filled with green trees and more buildings, suggesting a dense urban or suburban area. The overall image has a slightly faded, blue-tinted appearance.

Implementation

Step-by-Step Growth

Implementation Phases

Implementing our North End revitalization plan will take a lot of time, resources, and planning. In order to make the transformation as feasible as possible, we believe that it should be approached on a phase by phase basis. The initial phases would require the least amount of resources with a focus on short term growth. The final phases would require the most resources and planning but would yield the most significant impacts on the North End community.

Phase 1:

The facilitation of community space and city beautification initiatives can be done in the early stages of our revitalization plan. This phase needs to be done closely with the North End community members in order to be as impactful as possible. Additionally, public art needs to be incorporated to reflect local culture and the vision of the North End residents.



Phase 2:

Working with the Ohio Department of Transportation, the city can begin to implement the strategies outlined while following the guidelines set in place. Starting with the easiest strategies would build interest and create momentum throughout the entirety of the phase. For funding, the Ohio Department of Transportation has a grant program to help with new streetscaping as a way to promote alternative modes of mobility. Additionally, a Hamilton streets levy was recently passed



Phase 3:

The pinnacle of housing facade rehab is identification and implementation of preservation strategies. Vacant lot activation would be the initial focus. This would occur through the side lot program, urban and community gardens and parklets. The neighborhoods team can help facilitate grant proposals and projects. The second and most time consuming task would be to get stakeholders involved in the negotiating of housing stock redevelopment. Lastly, it will be necessary for public and private resources to come together (CORE and NHS) to facilitate these commercial and residential projects.



Phase 4:

The economic development initiatives in this plan are bold ideas that will take time to implement and often require collaboration with the private sector. The focus at the beginning of implementation should be creating the recommended programs that will be easier to implement than many of the specific projects. The first step for implementing the larger projects is connecting with the property owners and other stakeholders to sell them on the community's vision.



Conclusion

The North End has been identified as one of Hamilton’s “17 Strong Neighborhoods” for its limitless potential for revitalization. Neighborhood-scale planning, focused on the Heaton St corridor, can build upon Plan Hamilton to meet the goals set out in the Plan Hamilton comprehensive plan: improve residents’ quality of life, the walkability of neighborhoods, creating a stable environment to grow businesses and jobs through redevelopment, and improving local connections to developing community assets. The rich history of the North End, the substantial areas of parks and recreation, and the higher densities within the community have inspired community leaders and now, our team, to dream big and have a bold vision for what the North End could be. We are beyond grateful to be part of this ongoing revitalization process and we thank the community for their invested time, and trust in our team.



About Us

The North End Miami University Planning Team is composed of nine urban planning students with varying experiences and skill sets. We are thankful for the opportunity to work with the City of Hamilton and to the people of the North End for opening their community to us. Our goal is to communicate a vision highlighted by both North End residents and Plan Hamilton. Additionally, we want to provide a series of possible outlets to facilitate the creation of a revitalized North End.



Alex Macaуда - 2020, Finance, Urban and Regional Planning
Madison Jeffries - 2020, Urban and Regional Planning
Ryan Kelly - 2020, Finance, Urban and Regional Planning
Gergana Stambolieva - 2021, Urban and Regional Planning
Muchen Cao -2020, Geography, Urban and Regional Planning
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Mason Kuhn - 2020, Urban and Regional Planning
Jessica Harp- 2020, Urban and Regional Planning



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For the Planning Commission Meeting of July 16, 2020

To: Planning Commission
From: Daniel Tidyman, Associate Planner
Liz Hayden, Planning Director
Date: July 16, 2020

Subject: AGENDA ITEM #5 – New Business
Major Amendment to Plan Hamilton adding the North End Corridor Revitalization Plan to the Plan.

Date: July 8, 2020

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 North End neighborhood is one of Hamilton’s Seventeen Strong neighborhoods. At its peak, the area was a blue-collar neighborhood closely tied to the surrounding paper mills and other industries. However, as the factories closed, the neighborhood fell into decline. Although this neighborhood maintains many community strengths, we recognize the limitless potential for revitalization. With proper investment and new initiatives, the North End can return to the thriving place that it used to be. The plan was drafted by Miami students, City of Hamilton staff, and input from community residents and organizations.

Revitalization planning can help identify areas for improvement to guide policies, public and private investment, and shape new development. Our team of student planners created a plan focused on the Heaton St. corridor between Route 4 and Martin Luther King Jr. Blvd. Our revitalization goal can be completed through improvements to community space, streetscaping, connectivity, and economic development. In acknowledgment with the recently adopted Plan Hamilton, we created neighborhood-specific initiatives that align with both Plan Hamilton as well as community desired goals.

The City of Hamilton is pleased to provide accommodations to disabled individuals and encourage their participation in city government. Should special accommodations be required, please contact Community Development’s office at 513-785-7350 (24) hours before the scheduled meeting.



With the strategies presented in this plan, the North End can once again become a thriving neighborhood. Some of the recommendations made include:

- Gateways and entrance signage
- Public artwork
- Community gardens and recreation areas
- Bike and pedestrian path improvement
- Adaptive reuse of vacant properties

Section B: Petition Review:

The proposal is a submitted request by Planning Staff on behalf of the North End residents to have the North End Corridor Revitalization Plan adopted as part of Plan Hamilton, the city's newly adopted comprehensive plan. The proposal represents a "Major Amendment" to Plan Hamilton. City Council takes final action to approve or disapprove a Major Amendment to Plan Hamilton. The Planning Commission can choose to deny the proposed application or provide a favorable recommendation to City Council to approve the North End Corridor Revitalization Plan.

Section C: Recommendation:

The Planning Department recommends the following motion:

The Planning Commission provide a favorable recommendation to City Council to approve the North End Corridor Revitalization Plan.

Section D: Staff Comments / Basis:

1. The plan is consistent with recommendations of Plan Hamilton which call out for revitalization of neighborhoods surrounding the urban core.
2. The plan is consistent with recommendations of and goals of 17 Strong which identifies the North End and other neighborhoods in the City as inextricably tied to the overall success of the City of Hamilton.
3. The Plan provides a roadmap for future comprehensive study that inventories existing conditions and public input to establish a plan, or roadmap, to guide new development, neighborhood improvements, and investment opportunities within the North End.

Report continued on the next page





Attachments:

Exhibit A – [North End Corridor Revitalization Plan](#)



ORDINANCE NO. _____

AN ORDINANCE APPROVING A MAJOR AMENDMENT TO PLAN HAMILTON, THE CITY'S COMPREHENSIVE PLAN, ADDING THE NORTH END CORRIDOR REVITALIZATION PLAN TO THE PLAN. (City of Hamilton, Applicant).

WHEREAS, the City of Hamilton, Ohio, strives to preserve and enhance the Quality of life, community character and well-being offered to those who live, work, and visit the community; and

WHEREAS, the City's comprehensive plan, Plan Hamilton, will serve as a guide to the planning and development decisions of the city for the next fifteen years; and

WHEREAS, Planning Staff requests on behalf of the North End residents to have the North End Corridor Revitalization Plan adopted as part of Plan Hamilton, the city's comprehensive plan; and

WHEREAS, the North End Corridor Revitalization Plan proposal represents a "Major Amendment" to Plan Hamilton; and

WHEREAS, the North End Corridor Revitalization Plan is a comprehensive study that inventories existing conditions and public input to establish a plan, or roadmap, to guide new development, neighborhood improvements, and investment opportunities within the North End neighborhood; and

WHEREAS, the plan was drafted by Miami students in conjunction with the North End neighborhood, City of Hamilton staff, and input from community residents and organizations; and

WHEREAS, the plan focuses on the revitalization of the main neighborhood corridor of Heaton Street, improvement of existing housing stock, streetscape improvements, activating vacant commercial properties, and improved amenities at key locations in the neighborhood, and integrity of the existing community; and

WHEREAS, Plan Hamilton should be updated from time to time to respond to changes in the community and to maintain its accuracy, relevancy, and usefulness as a decision-making tool; and

WHEREAS, the North End Corridor Revitalization Plan was approved by the Hamilton Planning Commission at its meeting on July 16, 2020, which was a public hearing; and

WHEREAS, Council wishes to amend Plan Hamilton by adding the North End Corridor Revitalization Plan in order to create, promote, and enhance the quality of life for residents living in North End and residents of Hamilton.

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

SECTION I: That Council does hereby amend Plan Hamilton by adding the North End Corridor Revitalization. A copy of the North End Corridor Revitalization is on file in the City of Hamilton Planning Department office.

SECTION II: The City Manager shall be authorized to implement an official policy regarding the continual maintenance and periodic technical update of the North End Corridor Revitalization Plan as a key component of Plan Hamilton.

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

Ordinance No. _____ (Cont'd)

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

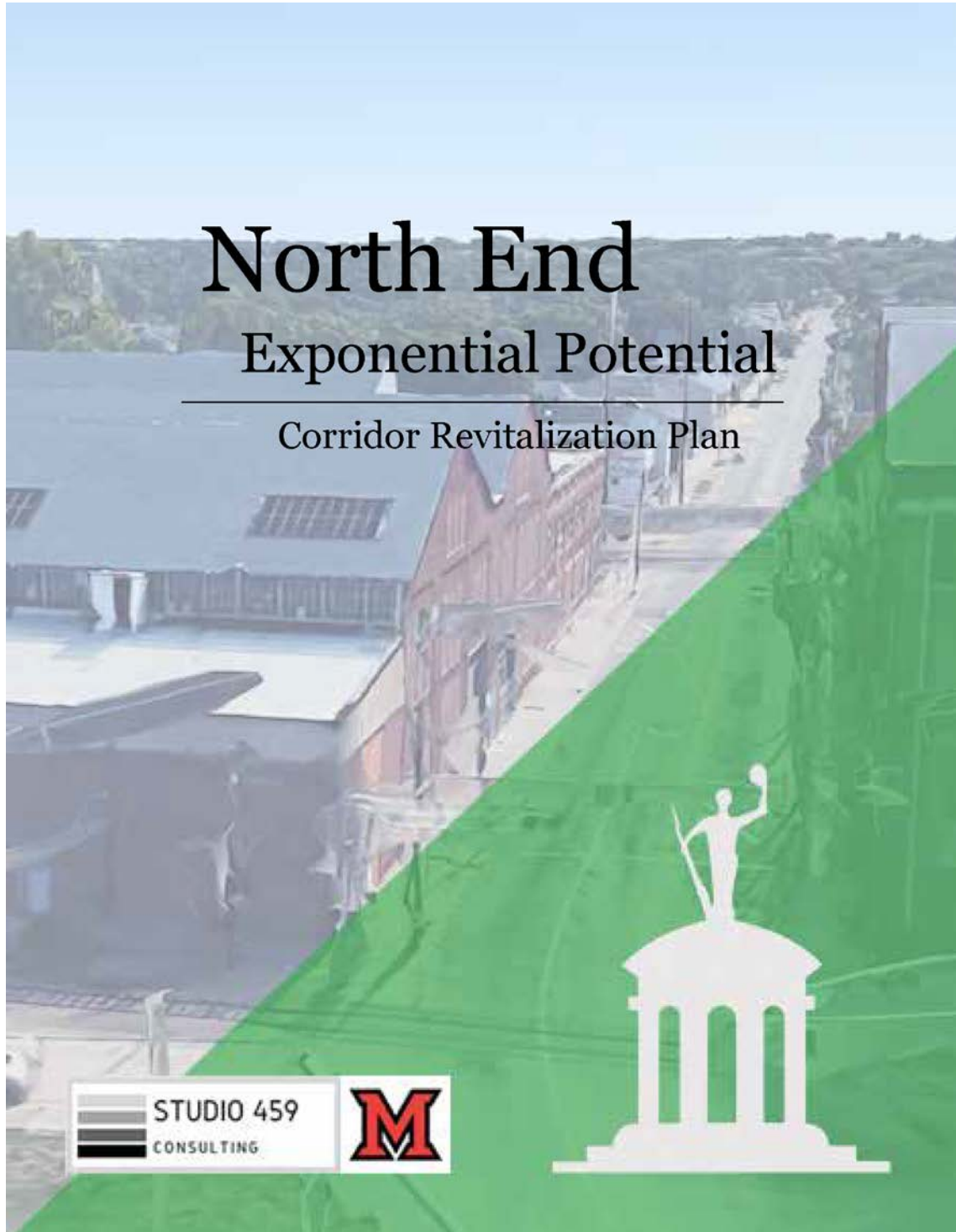
City Clerk

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: Joshua A. Smith, City Manager

Agenda Item: An Emergency Ordinance authorizing and directing the City Manager to execute a Purchase and Sale Agreement and related actions related to certain real property located at 335 and 339 Main Street, Hamilton, Ohio 45013. (Ritzi Body Shop, Inc. and Ritzi Holdings, LTD, Owner).

<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 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>Emergency Ordinance</i></p>	<input checked="" type="checkbox"/> 1 st Reading Date: 8-26-2020 <input checked="" type="checkbox"/> 2 nd Reading Date: 8-26-2020 <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 checked="" 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 and direct the purchase of property at 335 Main Street from Ritzi Body Shop, Inc. and property at 339 Main Street from Ritzi Holdings, LTD?

Policy Alternative(s)

Council may choose not to adopt such legislation to authorize and direct the purchase of property at 335 Main Street from Ritzi Body Shop, Inc. and property at 339 Main Street from Ritzi Holdings, LTD. This would halt the Purchase and Sale agreement and the City would not be able to retain the properties for future development.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to authorize and direct the purchase of property at 335 Main Street from Ritzi Body Shop, Inc. and property at 339 Main Street from Ritzi Holdings, LTD.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Section 3.01 (A) (8), Powers of Council

Fiscal Impact Summary

The City would purchase the property at 335 Main Street for \$182,500.00 and the property at 339 Main Street for \$182,500.00 for a combined total of \$365,000.00.

Background Information

Ritzi Body Shop, Inc. owns the real estate at 335 Main Street (Parcel No. P6412102000105) and Ritzi Holdings, LTD owns the real estate located at 339 Main Street (Parcel No. P6412102000001 and P6412102000008) and both entities desire to sell these properties. The City desires to purchase these key properties for future economic development.

Attached Information

N/A

Copies Provided to:

N/A



EMERGENCY ORDINANCE NO. _____

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A PURCHASE AND SALE AGREEMENT AND RELATED ACTIONS RELATED TO CERTAIN REAL PROPERTY LOCATED AT 335 AND 339 MAIN STREET, HAMILTON, OHIO 45013. (Ritzi Body Shop, Inc. and Ritzi Holdings, LTD, Owner).

WHEREAS, the City of Hamilton, Ohio has a desire to purchase certain property located at 335 Main Street (Parcel No. P6412102000105) and 339 Main Street (Parcel No. P6412102000001 and P6412102000008) which are described more fully in attached Exhibit No. 1 (hereafter the "Property"); and

WHEREAS, the City has agreed to purchase said Property from Ritzi Body Shop, Inc. and Ritzi Holdings, LTD (hereafter collectively referred to as the "Seller") who owns said Property for Three Hundred and Sixty-Five Thousand and 00/100 Dollars (\$365,000.00); and

WHEREAS, pursuant to Section 3.01(A)(8) of the City Charter, Council must approve purchase of property for City purposes; and

WHEREAS, Council desires to authorize the purchase of said Property located at 335 and 339 Main Street from Seller and to authorize and direct the City Manager to take all actions necessary to effect such purchase; and

WHEREAS, Council determines that the purchase of this Property is necessary for economic development purposes; and

WHEREAS, the subject matter herein constitutes an emergency measure for the reasons (a) that it provides for the immediate preservation of the public health, safety and welfare of the community by allowing the City to acquire this key piece of property and thereby controlling the future redevelopment and (b) it permits the City to comply with closing provisions of the Purchase and Sale Agreement (the "Agreement");

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

SECTION I: That all of the prior actions taken by the City Manager or his designee in connection with the purchase of the Property for a total of Three Hundred and Sixty-Five Thousand and 00/100 Dollars (\$365,000.00) and the execution of the Agreement are hereby ratified, and the City Manager is further hereby authorized and directed to pay the purchase price and execute and deliver all of the closing documents required by the Agreement as seen in Exhibit No.2 attached hereto, incorporated herein by reference and made a part hereof subject to any amendments recommended to the City Manager by the Director of Law.

Seller	Purchaser	Address	Parcel Identification
Ritzi Body Shop, Inc.	City of Hamilton	335 Main Street	P6412102000105
Ritzi Holdings, LTD.	City of Hamilton	339 Main Street	P6412102000001 P6412102000008

SECTION II: 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

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

Emergency Ordinance No. _____ (cont'd)

EXHIBIT NO. 1



335, 339 Main St

Exhibit #1

City of Hamilton
HAMILTON COUNTY ONT.

Date: 8/29/2020

The information published in this map is a public resource for general information and is provided for use only as a geographic representation. The City of Hamilton makes no warranty in the content, accuracy, or timeliness of the information published herein and assumes no liability for any errors, omissions, or delays in the publication of this information or the use of the same.

1 inch = 100 feet

PURCHASE AND SALE AGREEMENT

THIS PURCHASE AND SALE AGREEMENT (“Agreement”) is made and entered into as of this ____ day of _____, 2020 (“Effective Date”), by and among, Ritzi Body Shop, Inc., an Ohio corporation (“Body Shop”); Ritzi Holdings, LTD, an Ohio limited liability company (“Holdings”); and the City of Hamilton, Ohio, an Ohio municipal corporation (“Purchaser”). Body Shop and Holdings are hereinafter collectively referred to as “Seller”.

WITNESSETH:

WHEREAS, Body Shop owns the real estate located at 335 Main Street in Hamilton, Butler County, Ohio, which is more fully described on Exhibit A attached hereto (the “Body Shop Property”); and

WHEREAS, Holdings owns the real estate located at 339 Main Street in Hamilton, Butler County, Ohio, which is more fully described on Exhibit B attached hereto (the “Holdings Property”); and

WHEREAS, the Body Shop Property and the Holdings Property together with all easements and privileges appurtenant to each, all reservations, rights of way, strips and gores of land, mineral rights, water rights and remainders in any way belonging, remaining or appertaining to either; and all improvements, fixtures, trees and minerals located on each are collectively hereinafter referred to as the “Property”; and

WHEREAS, Seller desires to sell the Property to Purchaser and Purchaser desires to purchase the Property; and

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

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

ARTICLE I – PURCHASE AND SALE

1.1 Agreement of Purchase and Sale. Subject to the terms and conditions set forth in this Agreement, Seller agrees to sell and convey the Property to Purchaser, and Purchaser agrees to buy the Property from Seller.

1.2 Transfer. The Property will be transferred to Purchaser at the Closing (defined below) in broom-clean condition, free and clear of all of: (a) the rights of any tenant under any recorded or unrecorded lease or other agreement or understanding; and (b) all of the personal property belonging to either Seller or to any former tenant or occupant of the Property. The provisions of this Section shall survive the Closing.

ARTICLE II – EARNEST MONEY AND PURCHASE PRICE

2.1 Earnest Money. Within five (5) calendar days after its execution of this Agreement, Purchaser will deposit with Seller the sum of Five Thousand and 00/100 (\$5,000.00) Dollars as the earnest money (the “Earnest Money”) under this Agreement. The Earnest Money shall be non-refundable but applied to the Purchase Price (defined below) at Closing.

2.3 Purchase Price. The purchase price (“Purchase Price”) for the Property shall be Three Hundred Sixty- Five Thousand and 00/100 (\$365,000.00) Dollars. The Earnest Money shall be applied to the Purchase Price at the Closing. The Purchase Price, less the Earnest Money and the prorations provided for in Section 4.4 hereof, shall be paid by Purchaser to Seller at Closing.

2.4 Allocation. The Purchase Price shall be allocated to the Property as follows; provided, however, Seller retains the right to change the allocation at any time prior to Closing:

(a) Body Shop Property (335 Main Street)	\$182,500.00
(b) Holdings Property (339 Main Street)	<u>\$182,500.00</u>
Total:	\$365,000.000

ARTICLE III – CONDITIONS TO THE OBLIGATIONS OF PURCHASER

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

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

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

If, after using reasonable efforts, Seller fails to Cure a Title Objection within the Cure Period, Purchaser shall have the right to elect to either: (i) waive such Title Objections which Seller fails to Cure and accept such title to the Property as Seller will convey; or (ii) terminate this Agreement by giving a written notice of termination to Seller and Title Company prior to or at the Closing. Seller shall retain the Earnest Money free and clear of any claim of Purchaser. After termination, Purchaser shall have no further liability to Seller or obligations under this Agreement, except for those obligations which survive the termination of this Agreement. Each party shall bear its own costs incurred hereunder.

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

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

(b) Title Insurance. At Closing, Purchaser will purchase an owner's policy of title insurance in the amount of the Purchase Price, insuring that title to the Property is vested in Purchaser at Closing, subject only to Permitted Encumbrances (such title insurance policy being hereinafter referred to as the "Owner's Policy"). The cost of the Owner's Policy will be paid by Purchaser. If Purchaser is unable to obtain an Owner's Policy that is acceptable to Purchaser, in Purchaser's sole and absolute discretion, or a marked-up Title Commitment and irrevocable written confirmation that the Title Company will issue the Owner's Policy consistent with the marked-up Title Commitment, then Purchaser shall have the right to terminate this Agreement by giving written notice of termination to Seller and Title Company prior to or at the Closing. After termination, Purchaser will have no further liability to Seller or obligations under this Agreement, except for those obligations which survive the termination of this Agreement. Each party shall bear its own costs incurred hereunder.

(c) Due Diligence. Purchaser shall have the right to perform its due diligence inspections as set forth in Section 6.1.

(d) Sale "As Is, Where Is". Purchaser acknowledges and agrees that at closing, Seller shall sell and convey to Purchaser and Purchaser shall accept the Property "AS IS, WHERE IS, WITH ALL FAULTS," except to the extent expressly provided otherwise in this Agreement and any document executed by Seller and delivered to Purchaser at Closing. Except as expressly set forth in this Agreement, Purchaser has not relied and will not rely on, and Seller has not made and is not liable for or bound by, any express or implied warranties, guarantees, statements, representations or information pertaining to the Property or relating thereto (including specifically, without limitation, property marketing packages distributed with respect to the Property) made or furnished by Seller, Seller's property manager, or any real estate broker, agent

or third party representing or purporting to represent Seller, to whomever made or given, directly or indirectly, orally or in writing. Purchaser represents that it is a knowledgeable, experienced and sophisticated purchaser of real estate and that, except as expressly set forth in this Agreement, it is relying solely on its own expertise and that of Purchaser's consultants in purchasing the Property. Purchaser will conduct such inspections and investigations of the Property as Purchaser deems necessary, including, but not limited to, the physical and environmental conditions thereof, and shall rely upon same. By failing to terminate this Agreement prior to the expiration of the Due Diligence Period, Purchaser acknowledges that Seller will have afforded Purchaser a full opportunity to conduct such investigations of the Property as Purchaser deemed necessary to satisfy itself as to the condition of the Property and the existence or non-existence or curative action to be taken with respect to any Hazardous Substances on or discharged from the Property, and will rely solely upon same, other than such representations, warranties and covenants of Seller as are expressly set forth in this Agreement.

If, as a result of its due diligence, Purchaser determines that the Property is, for any reason or no reason, unacceptable to Purchaser, in its sole and absolute discretion, Purchaser shall have the right to terminate this Agreement by giving written notice thereof to Seller and Title Company prior to or at the Closing. If this Agreement is terminated, then neither party shall have any liability to the other or any further rights or obligations under this Agreement, except for those obligations which survive the termination of this Agreement. After termination, Seller shall retain the Earnest Money free and clear of any claim of Purchaser. Each party shall bear its own costs incurred hereunder.

ARTICLE IV – CLOSING

4.1 Closing. The closing ("Closing") for the delivery of the Deeds (defined below) for the Property, the payment of the balance of the Purchase Price and the delivery of the other instruments provided for in this Agreement shall be held at 10:00 A.M. on the forty-fifth (45th) day following the Effective Date (the "Closing Date"). The Closing shall take place at the office of the Title Company, 246 High Street, Hamilton, Ohio. Time is of the essence.

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

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

(a) Deliver a General Warranty Deed (the "Deed" and collectively, the "Deeds"), fully executed and acknowledged by each Seller, conveying fee simple title to its portion of the Property to Purchaser, free and clear of all liens and encumbrances, subject only to Permitted Encumbrances;

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

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

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

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

(f) Deliver the keys its part of the Property and such other documents as the Title Company or Purchaser may request.

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

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

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

(c) Execute the Closing Statement.

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

The provisions of this Section 4.4 shall survive the Closing.

ARTICLE V – LOSS

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

resulting therefrom and the Purchase Price shall be reduced by the amount of Seller's insurance deductible; or (b) to terminate this Agreement by giving written notice of termination to Seller and Title Company prior to or at the Closing. Seller shall retain the Earnest Money free and clear of any claim of Purchaser. Thereafter, neither Purchaser nor Seller shall have any liability to the other or any further rights or obligations under this Agreement, except for those obligations which survive the termination of this Agreement. Each party shall bear its own costs incurred hereunder.

ARTICLE VI - RIGHT OF ENTRY

6.1 Right of Entry. Prior to Closing or until the earlier termination of this Agreement, the employees, agents and contractors of Purchaser shall have the right to enter upon the Property, provided a 24 hour notice is provided and should be made during normal business hour or as agreed to by the Seller, to conduct such due diligence investigations of the Property as they deem appropriate. All due diligence will be conducted at no cost or expense to Seller. Any on-site inspection of the Property shall be conducted in such a manner that will not harm or damage the Property.

Purchaser and any contractor of Purchaser conducting inspections on the Property shall be insured under a public liability insurance policy insuring against injury to persons or damage to Property prior to entry upon the Property. Purchaser agrees to promptly repair any damage to the Property resulting from Purchaser's activities under this Article VI. The provisions of this paragraph shall survive the termination of this Agreement.

ARTICLE VII - REPRESENTATIONS AND WARRANTIES

7.1 Seller's Representations and Warranties. Each Seller hereby represents and warrants to Purchaser that all of the following representations and warranties are true, complete and correct as of the Effective Date and shall be true, complete and correct as of the Closing and shall survive the Closing for a period of one (1) year except the one (1) year limitation shall not apply to the representations and warranties set forth in paragraphs (a) and (b) below:

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

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

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

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

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

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

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

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

ARTICLE VIII – SELLER'S COVENANTS

8.1 Agreements. Each Seller covenants and agrees that, prior to the Closing, it: (a) will not solicit, nor will it entertain or respond to, any offers for the purchase or lease of the Property or any part of it; and (b) will terminate the rights of all persons to occupy the Property or any part of it, and cause any such occupant to remove all of their personal property from the Property.

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

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

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

ARTICLE IX – MISCELLANEOUS

9.1 Brokerage Commission. Seller and Purchaser represent, one to the other, that no broker or agent is involved in this transaction who would be entitled to a fee or commission as a result of this transaction except for John Stretch of North Ridge Realty Group (“Broker”). Seller will pay any commission or other fee owed to Broker in connection with this Agreement or the sale of the Property. Any fees, costs and/or commissions owing to any broker or agent (other than Broker) shall be the sole responsibility of the party contracting for such broker or agent and such party shall remain fully responsible for and shall pay and defend the other party against any claims, losses, costs, damages and or expenses (including but not limited to reasonable attorney’s fees) for a fee or commission do or alleged to be due as a result of the activities of that party. The provisions of this paragraph shall survive the Closing or the earlier termination of this Agreement.

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

If to Purchaser: 345 High Street
 Hamilton, OH 45011

If to Seller: 961 Mark Avenue
 Hamilton, OH 45013

Such notice, if delivered personally or by overnight courier service, shall be deemed given and delivered at the time of delivery; or, if sent by certified mail, shall be deemed given and delivered additional two (2) business days after the time of mailing with appropriate postage attached thereto.

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

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

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

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

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

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

9.9 No Offer Until Executed. The submission of this Agreement to Seller for examination or consideration does not constitute an offer to purchase the Property by Purchaser and this Agreement shall become effective, if at all, only upon the full execution and delivery thereof by Purchaser and Seller but in no event later than five (5) days after Hamilton City Council has passed emergency legislation authorizing the purchase of the Property by the Purchaser.

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

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

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

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

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

9.15 "Day"; "Business Day"; Computation of Time. All references to "days" in this Agreement shall be construed to mean calendar days unless otherwise expressly provided and all references to "business days" shall be construed to mean days other than a Saturday, Sunday or legal holiday in Hamilton, Ohio. In computing any period of time pursuant to this Agreement, the

day of the act or event from which the designated period of time begins to run will not be included. The last day of the period so computed will be included, unless it is not a business day, in which event the period runs until the end of the next business day.

(SIGNATURE PAGE TO FOLLOW)

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

Ritzi Body Shop, Inc., an Ohio corporation

By: _____

Ritzi Holdings, LTD.,
an Ohio limited liability company

By: _____

City of Hamilton, Ohio,
an Ohio municipal corporation

By: _____

Approved as to Form:

City Law Director

EXHIBIT A

See Page 103.00
HAMILTON CORP
FIRST WARD SOUTH SIDE

MAIN ST

SE ST

SE ST

NE ST

ROSS AVE

ROSS AVE

HUESTON ST

MAIN ST

VACATED 4/22/88 OR 2/28/93-90

HAMILTON
FIRST WARD, SOUTH SIDE

SD ST

SD ST

BODY SHOP
PROPERTY

ND ST

See Page 110.00
HAMILTON CORP
FIRST WARD, SOUTH SIDE

See Page 002.00
HAMILTON CORP
FIRST WARD, NORTH SIDE

SC ST

SC ST

NC ST

ROSS AVE

See Page 101.00
HAMILTON CORP
FIRST WARD, SOUTH SIDE

Revised Date: 2/3/15
Taxing District(s): PG412

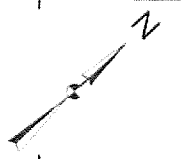


102.000

HAMILTON
FIRST WARD, SOUTH SIDE

See Page 002.00
HAMILTON CORP
FIRST WARD, NORTH SIDE

102,000



Scale: 1"=50'
Revised Date: 2/3/15
Taxing District(s): PG412

MAIN ST

MAIN ST

MAIN ST

NE ST

ND ST

NC ST

See Page 103.00
HAMILTON CORP
FIRST WARD, SOUTH SIDE

EXHIBIT B

See Page 101.00
HAMILTON CORP
FIRST WARD, SOUTH SIDE

*Holdings
PROPERTY*

SE ST

SD ST

SC ST

ROSS AVE

ROSS AVE

ROSS AVE

ROSS AVE

ROSS AVE

SE ST

HUESTON ST

SD ST

SC ST

See Page 110.00
HAMILTON CORP
FIRST WARD, SOUTH SIDE

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: A resolution authorizing and directing the execution of a Community Reinvestment Area Agreement with Hamilton High Holdings LLC.

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 type="checkbox"/> O General operations
Ordinance or Resolution <i>Resolution</i>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 8-26-2020 <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): EOR2020-7-69 passed on 7-22-20 City Council Meeting	
Contract	<input checked="" type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: \$ N/A Expenditure: \$ N/A Source Funds:	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to adopt legislation to authorize the execution of a Community Reinvestment Area Agreement with Hamilton High Holdings LLC?

Policy Alternative(s)

Council may choose not to adopt such legislation to authorize the execution of a Community Reinvestment Area Agreement with Hamilton High Holdings LLC.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to authorize the execution of a Community Reinvestment Area Agreement with Hamilton High Holdings because it will realize new investments and increase property values in the City of Hamilton.



Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Emergency Ordinance No. EOR2012-7-57, adopted June 27, 2012
- Sections 3735.65 through 3735.70 of the Ohio Revised Code

Fiscal Impact Summary

There will be no fiscal impact to the General Fund.

Background Information

The City has received a request for local tier tax abatement through the Community Reinvestment Area program from Hamilton High Holdings LLC (HHH). The property is located at 1045 High Street, Hamilton, Ohio 45011 (Parcel ID# P6441022000002 & P6441022000037).

The total project is estimated at \$1,025,000 (\$300,000 of that investment is towards the construction of the structure which would be exempted under the Community Reinvestment Area). This involves the construction of a 2,000 square foot commercial building for a Biggby Coffee location. HHH estimates Biggby Coffee could employ up to five (5) full-time positions upon completion of the building.

Biggby Coffee is a franchised company, founded in East Lansing, Michigan in 1995. As of 2019, the chain has expanded to over 230 locations throughout the United States, namely in Michigan, Florida, Illinois, Kentucky, Ohio, New Jersey, North Carolina, South Carolina, Wisconsin, and Indiana.

The request of HHH is for a fifty percent (50%) reduction of real property tax liability for ten (10) years. This request reflects the negotiations the City entered into with the applicant in order to bring this project to the City of Hamilton.

We have a draft agreement that is being reviewed by Hamilton High Holdings. Consequently, there may be minor revisions recommended to the City Manager by the Director of Economic Development and by the Director of Law necessary to finalize this transaction.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND DIRECTING THE EXECUTION OF A COMMUNITY REINVESTMENT AREA AGREEMENT WITH HAMILTON HIGH HOLDINGS LLC.

WHEREAS, pursuant to Emergency Ordinance No. EOR2012-7-57, adopted June 27, 2012, the Council of the City of Hamilton, Ohio established a Community Reinvestment Area in the City to authorize real property tax exemptions as authorized by Sections 3735.65 through 3735.70 of the Ohio Revised Code (ORC); and

WHEREAS, pursuant to that legislation, the results of negotiations as approved by City Council shall be set in writing in a Community Reinvestment Area Agreement (CRAA) as outlined in ORC Section 3735.671; and

WHEREAS, the City has been in discussions with representatives of Hamilton High Holdings LLC (HHH) relative to their request to enter into a CRAA that will provide for local tier tax abatement through the CRA program for the proposed construction of a commercial facility, located at 1045 High Street (Parcel ID# P6441022000002 & P6441022000037) within the City; and

WHEREAS, while the total project is estimated at One Million and Twenty-Five Thousand and 00/100 Dollars (\$1,025,000.00), including the construction of a 2,000 square feet commercial building, only the construction investment will be eligible for the CRA tax abatement; and

WHEREAS, HHH, which will lease the property to an end user upon construction completion estimates an end user could employ up to five (5) full-time employees at the facility, has requested a fifty percent (50%) reduction of real property tax liability for ten (10) years; and

WHEREAS, Council desires to authorize and direct the City Manager to execute said CRAA on behalf of the City;

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

SECTION I: That the City Manager is hereby authorized and directed to execute a Community Reinvestment Area Agreement with Hamilton High Holdings, relative its operations within the City of Hamilton, Ohio, thereby encouraging the retention of jobs and the potential expansion of employment opportunities within the corporate limits of the City. Said agreement shall be and read substantially in the form of Exhibit No. 1, attached hereto, incorporated herein by reference and made a part hereof, subject to any amendments recommended to the City Manager by the Director of Economic Development and the Director of Law.

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, 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

Resolution No. _____ (cont'd)

EXHIBIT NO. 1

COMMUNITY REINVESTMENT AREA AGREEMENT

This agreement made and entered into by and between the City of Hamilton, Butler County, Ohio, a municipal corporation with its main offices located at 345 High Street, Hamilton, Ohio 45011 (hereinafter referred to as the "CITY") and Hamilton High Holdings LLC, a limited liability company with its main offices located at 7162 Reading Road, Suite 730, Cincinnati, Ohio 45237 (hereinafter referred to as "HHH"), WITNESSETH;

WHEREAS, the CITY has encouraged the development of real property and the acquisition of personal property located in the area designated as a Community Reinvestment Area; and

WHEREAS, HHH is desirous of constructing a Biggby Coffee franchise (hereinafter referred to as the "PROJECT") within the boundaries of the aforementioned Community Reinvestment Area, provided that the appropriate development incentives are available to support the economic viability of said PROJECT; and

WHEREAS, the Council of the City of Hamilton, Ohio by Emergency Ordinance No. OR2012-7-57 adopted July 3, 2012 and Emergency Ordinance No. OR2013-2-25 adopted February 27, 2013, designated the area as an "Community Reinvestment Area" pursuant Chapter 3735 of the Ohio Revised Code; and

WHEREAS, effective May 14, 2013, the Director of Development Services Agency of the State of Ohio determined that the aforementioned area designated in said Emergency Ordinance No. OR2013-2-25 contained the characteristics set forth in Section 3735.66 of the Ohio Revised Code and confirmed said area as a Community Reinvestment Area under said Chapter 3735; and

WHEREAS, the CITY, having the appropriate authority for the stated type of project, is desirous of providing HHH with incentives available for the development of the PROJECT in said Community Reinvestment Area under Chapter 3735 of the Ohio Revised Code; and

WHEREAS, HHH submitted a proposed agreement application (herein attached as Exhibit A) to the CITY said application (hereinafter referred to as "APPLICATION"); and

WHEREAS, HHH has remitted the required state application fee of \$750.00 made payable to the Ohio Development Services Agency with the application to be forwarded to said department with a copy of the final agreement; and

WHEREAS, the Economic Development Department of the CITY has investigated the application of HHH and has recommended the same to the Council (and/or Board of Commissioners) of the CITY on the basis that HHH is qualified by financial responsibility and business experience to create and preserve employment opportunities in said Community Reinvestment Area and improve the economic climate of the CITY; and

WHEREAS, the project site as proposed by HHH is located in the Hamilton City School District and the Board of Education of the Hamilton City School District has been notified in accordance with Section 5709.83 and been given a copy of the APPLICATION; and

WHEREAS, pursuant to Section 3735.67(A) and in conformance with the format required under Section 3735.671(B) of the Ohio Revised Code, the parties hereto desire to set forth their agreement with respect to matters hereinafter contained;

Resolution No. _____ (cont'd)

NOW, THEREFORE, in consideration of the mutual covenants hereinafter contained and the benefit to be derived by the parties from the execution hereof, the parties herein agree as follows:

1. HHH shall construct a Biggby Coffee franchise. The property is located at 1045 High Street, Hamilton, Ohio 45011 (Parcel ID# P6441022000002 & P6441022000037) and will be approximately 2,000 square feet in size. The total project cost is estimated at \$1.025 million.

The PROJECT will involve a total investment by HHH and/or others of \$1,025,000 (One Million Twenty-Five Thousand) dollars, plus or minus 10%, at the 1045 High Street location. Included in this investment of \$300,000 (Three Hundred Thousand) dollars for construction of the new retail facility to be exempted under the Community Reinvestment Area.

The PROJECT is anticipated to begin October 2020 and all acquisition, construction and installation will be completed by March 2021.

2. HHH is constructing this retail facility for Biggby Coffee and could have up to 5 full-time (FTE) permanent job opportunities. The tenant of the facility will create the estimated number of employees at the project site.

HHH currently has zero (0) full-time permanent employees, zero (0) part-time permanent employees, zero (0) full-time temporary employees, and zero (0) part-time permanent employees at the project site. In total, HHH has zero (0) full-time permanent employees, part-time permanent employees, full-time temporary employees, and part-time temporary employees in the State of Ohio.

3. "HHH shall provide to the proper Tax Incentive Review Council any information reasonably required by the council to evaluate the property owner's compliance with the agreement, including returns filed pursuant to section 5711.02 of the Ohio Revised Code if requested by the council."

4. The CITY hereby grants HHH a tax exemption for real property improvements made to the PROJECT site pursuant to Section 3735.67 of the Ohio Revised Code and shall be in the following amounts:

Percentage of Exemption	Exemption Term	
	50%	10 Years

Each identified project improvement will receive a ten (10) year exemption period. The exemption commences the first year for which the Real Property exemption would first be taxable were that property not exempted from taxation. No exemption shall commence after (December 31, 2021) nor extend beyond (December 31, 2031).

HHH must file the appropriate tax forms with the County Auditor to effect and maintain the exemptions covered in the agreement.

5. HHH shall pay an annual fee equal to the greater of one percent of the dollar value of incentives offered under the agreement or five hundred dollars: provided, however, that if the value of the incentives exceeds two hundred fifty thousand dollars, the fee shall not exceed two thousand five hundred dollars.

The fee shall be made payable to the City of Hamilton, Ohio once per year for each year the agreement is effective on the days and in the following forum (check). The fee is to be paid to Economic Development Department and made out to City of Hamilton, Ohio. This fee shall be deposited in a special fund created for such purpose and shall be used exclusively for the purpose of complying with section 3735.671(D) of the

Resolution No. _____ (cont'd)

revised code and by the tax incentive review council created under section 3735.671(D) of the revised code exclusively for the purposes of performing the duties prescribed under that section.

6. "HHH shall pay such real and tangible personal property taxes as are not exempted under this agreement and are charged against such property and shall file all tax reports and returns as required by law. If HHH fails to pay such taxes or file such returns and reports, all incentives granted under this agreement are rescinded beginning with the year for which such taxes are charged or such reports or returns are required to be filed and thereafter."

7. "The CITY shall perform such acts as are reasonably necessary or appropriate to effect, claim, reserve, and maintain exemptions from taxation granted under this agreement including, without limitation, joining in the execution of all documentation and providing any necessary certificates required in connection with such exemptions."

8. "If for any reason the Community Reinvestment Area designation expires, the Director of the Ohio Development Services Agency revokes certification of the zone, or the CITY revokes the designation of the zone, entitlements granted under this agreement shall continue for the number of years specified under this agreement, unless HHH materially fails to fulfill its obligations under this agreement and the CITY terminates or modifies the exemptions from taxation granted under this agreement."

9. "If HHH materially fails to fulfill its obligations under this agreement, or if the CITY determines that the certification as to delinquent taxes required by this agreement is fraudulent, the CITY may terminate or modify the exemptions from taxation granted under this agreement and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this agreement."

10. "HHH hereby certifies that at the time this agreement is executed, HHH does not owe any delinquent real or tangible personal property taxes to any taxing authority of the State of Ohio, and does not owe delinquent taxes for which HHH is liable under Chapter 5733., 5735., 5739., 5741., 5743., 5747., or 5753. of the Revised Code, or, if such delinquent taxes are owed, HHH currently is paying the delinquent taxes pursuant to an undertaking enforceable by the State of Ohio or an agent or instrumentality thereof, has filed a petition in bankruptcy under 11 U.S.C.A. 101, et seq., or such a petition has been filed against HHH. For the purposes of the certification, delinquent taxes are taxes that remain unpaid on the latest day prescribed for payment without penalty under the chapter of the Revised Code governing payment of those taxes."

11. HHH affirmatively covenants that it does not owe: (1) any delinquent taxes to the State of Ohio or a political subdivision of the State; (2) any moneys to the State or a state agency for the administration or enforcement of any environmental laws of the State; and (3) any other moneys to the State, a state agency or a political subdivision of the State that are past due, whether the amounts owed are being contested in a court of law or not.

12. "HHH and the CITY acknowledge that this agreement must be approved by formal action of the legislative authority of the CITY as a condition for the agreement to take effect. This agreement takes effect upon such approval."

13. "The CITY has developed a policy to ensure recipients of Community Reinvestment Area tax benefits practice non-discriminating hiring in its operations. By executing this agreement, HHH is committing to following non-discriminating hiring practices acknowledging that no individual may be denied employment solely on the basis of race, religion, sex, disability, color, national origin, or ancestry."

Resolution No. _____ (cont'd)

14. "Exemptions from taxation granted under this agreement shall be revoked if it is determined that HHH, any successor property owner, or any related member (as those terms are defined in Section 3735.671 of the Ohio Revised Code) has violated the prohibition against entering into this agreement under Division (E) of Section 3735.671 or Section 5709.62 or 5709.63 of the Ohio Revised Code prior to the time prescribed by that division or either of those sections.

15. HHH affirmatively covenants that it has made no false statements to the State or local political subdivisions in the process of obtaining approval of the Community Reinvestment Area incentives. If any representative of HHH has knowingly made a false statement to the State or local political subdivision to obtain the Community Reinvestment Area incentives, HHH shall be required to immediately return all benefits received under the Community Reinvestment Area Agreement pursuant ORC Section 9.66(C)(2) and shall be ineligible for any future economic development assistance from the State, any state agency or a political subdivision pursuant to ORC Section 9.66(C)(1). Any person who provides a false statement to secure economic development assistance may be guilty of falsification, a misdemeanor of the first degree, pursuant to ORC Section 2921.13(D)(1), which is punishable by a fine of not more than \$1,000 and/or a term of imprisonment of not more than six months.

16. " This agreement is not transferable or assignable without the express, written approval of the CITY."

IN WITNESS WHEREOF, the City of Hamilton, Ohio, by Joshua A. Smith, its City Manager, and pursuant to Resolution No. R_____, has caused this instrument to be executed this ____ day of _____, 2020; and _____ by _____, its _____, has caused this instrument to be executed on this ____ day of _____, 2020.

Hamilton High Holdings LLC
A limited liability company

By: _____
a limited liability company,
a Member

By: _____
_____,

By: _____

Date: _____

City of Hamilton, Ohio

By: _____

Joshua A. Smith
City Manager

Date: _____

APPROVED AS TO FORM:

Letitia S. Block, Esq.
Director of Law
City of Hamilton, Ohio

City Council Meeting Staff Report

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

Report From: Lauren Nelson, Business Development Specialist

Agenda Item: A resolution approving the conveyance of certain real property acquired through the Land Bank to adjoining property owners as sidelots (1325 Allstatter Avenue; 141, 143, & 147 Chestnut Street; 422 Pershing Avenue; 1115 Ross Avenue; 1126 Ross Avenue & P6412013000011 located adjacent to 1126 Ross Avenue; 512 S. Fourth Street; 123 Wilson 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>Resolution</i></p>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 8-26-2020 <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 convey the vacant lot at 1325 Allstatter Avenue to Roberto Mendoza; 141, 143 & 147 Chestnut Street to Karmella Pilgrim; 422 Pershing Avenue to Jerome Isreal; 1115 Ross Avenue to Mary Katherine Sherry; 1126 Ross Avenue & P6412013000011 located adjacent to 1126 Ross Avenue to Florence Callahan; 512 S. Fourth Street to Fannie Holmes; and 123 Wilson Street to Jimmie L. & Gwendolyn Boyd, who all own property contiguous to the specified lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 1325 Allstatter Avenue to Roberto Mendoza; 141, 143 & 147 Chestnut Street to Karmella Pilgrim; 422 Pershing Avenue to Jerome Isreal; 1115 Ross Avenue to Mary Katherine Sherry; 1126 Ross Avenue & P6412013000011 located adjacent to 1126 Ross Avenue to Florence Callahan; 512 S. Fourth Street to Fannie Holmes; and 123 Wilson Street to Jimmie L. & Gwendolyn Boyd, keep the property and maintain the lots.



Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to convey the vacant lot at at 1325 Allstatter Avenue to Roberto Mendoza; 141, 143 & 147 Chestnut Street to Karmella Pilgrim; 422 Pershing Avenue to Jerome Isreal; 1115 Ross Avenue to Mary Katherine Sherry; 1126 Ross Avenue & P6412013000011 located adjacent to 1126 Ross Avenue to Florence Callahan; 512 S. Fourth Street to Fannie Holmes; and 123 Wilson Street to Jimmie L. & Gwendolyn Boyd because it would help lessen density in the urban core, encourage home ownership, and increase property values.

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 these properties.

Background Information

The properties at 1325 Allstatter Avenue; 141, 143, & 147 Chestnut Street; 422 Pershing Avenue; 1115 Ross Avenue; 1126 Ross Avenue & P6412013000011 located adjacent to 1126 Ross Avenue; 512 S. Fourth Street; and 123 Wilson Street were acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank). The properties are eligible for the side lot program and are in an urban renewal area.

Roberto Mendoza owns the property at 1329 Allstatter Avenue. Karmella Pilgrim owns the property at 137 Chestnut Street. Jerome Isreal owns the property at 418 Pershing Avenue. Mary Katherine Sherry owns the property at 1113 Ross Avenue. Florence Callahan owns the property at 1130 Ross Avenue. Fannie Holmes owns the property at 508 S. Fourth Street. Jimmie L. & Gwendolyn Boyd own the property at 121 Wilson Street. Each of these residents seek to expand the yard of their properties by purchasing the adjoining vacant property for One Hundred and 00/100 Dollars (\$100.00) through the City's Side Lot Program.

Address	Parcel Identification
1325 Allstatter Avenue , Hamilton, OH	P6451031000047
141, 143, & 147 Chestnut Street, Hamilton, OH	P6421010000068 P6421010000069 P6421010000070
422 Pershing Avenue, Hamilton, OH	P6441032000114
1115 Ross Avenue, Hamilton, OH	P6412013000033
1126 Ross Avenue, Hamilton, OH	P6412013000009
Ross Avenue, Hamilton, OH	P6412013000011
512 S. Fourth Street, Hamilton, OH	P6441032000092 P6441032000096 P6441032000101
123 Wilson Street, Hamilton, OH	P6421007000042

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY ACQUIRED THROUGH THE LAND BANK TO ADJOINING PROPERTY OWNERS AS SIDELOTS. (1325 Allstatter Avenue; 141, 143, & 147 Chestnut Street; 422 Pershing Avenue; 1115 Ross Avenue; 1126 Ross Avenue & P641201300011 located adjacent to 1126 Ross Avenue; 512 S. Fourth Street; 123 Wilson Street).

WHEREAS, the City of Hamilton, Ohio has received requests from Roberto Mendoza, Karmella Pilgrim, Jerome Isreal, Mary Katherine Sherry, Florence Callahan, Fannie Holmes, and Jimmie L. & Gwendolyn Boyd to acquire properties 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 these properties, acquired through the Land Bank, are not needed for a public purpose, are located in an Urban Renewal Area and are contiguous to the residential properties owned by Roberto Mendoza, Karmella Pilgrim, Jerome Isreal, Mary Katherine Sherry, Florence Callahan, Fannie Holmes, and Jimmie L. & Gwendolyn Boyd; and

WHEREAS, no other eligible contiguous property owner applied to acquire these Properties pursuant to the Land Reutilization Policies and Procedures set forth in Resolution No. R2012-10-49, adopted October 24, 2012 ("Land Reutilization Policies"); and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton 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 each 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 these properties 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 these City-owned properties to Roberto Mendoza, Karmella Pilgrim, Jerome Isreal, Mary Katherine Sherry, Florence Callahan, Fannie Holmes, and Jimmie L. & Gwendolyn Boyd and to authorize and direct the City Manager to take all actions necessary to effect such conveyance;

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

SECTION I: That this Council hereby declares its intent to sell the following City-owned properties acquired through the Land Bank, which are more fully described below, and as seen in Exhibit Nos. 1 - 7, to each 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.

Resolution No. _____ (cont'd)

Purchaser	Address	Parcel Identification	Exhibit No.
Roberto Mendoza	1325 Allstatter Avenue	P6451031000047	1
Karmella Pilgrim	141, 143, & 147 Chestnut Street	P6421010000068 P6421010000069 P6421010000070	2
Jerome Isreal	422 Pershing Avenue	P6441032000114	3
Mary Katherine Sherry	1115 Ross Avenue	P6412013000033	4
Florence Callahan	1126 Ross Avenue Ross Avenue	P6412013000009 P6412013000011	5
Fannie Holmes	512 S. Fourth Street	P6441032000092 P6441032000096 P6441032000101	6
Jimmie L. & Gwendolyn Boyd	123 Wilson Street	P6421007000042	7

SECTION II: That this Council hereby finds that the conveyance of said properties 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 resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

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

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO



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**
 1325 Allstatter Avenue

ArcGIS Web Map



EXHIBIT NO. 2



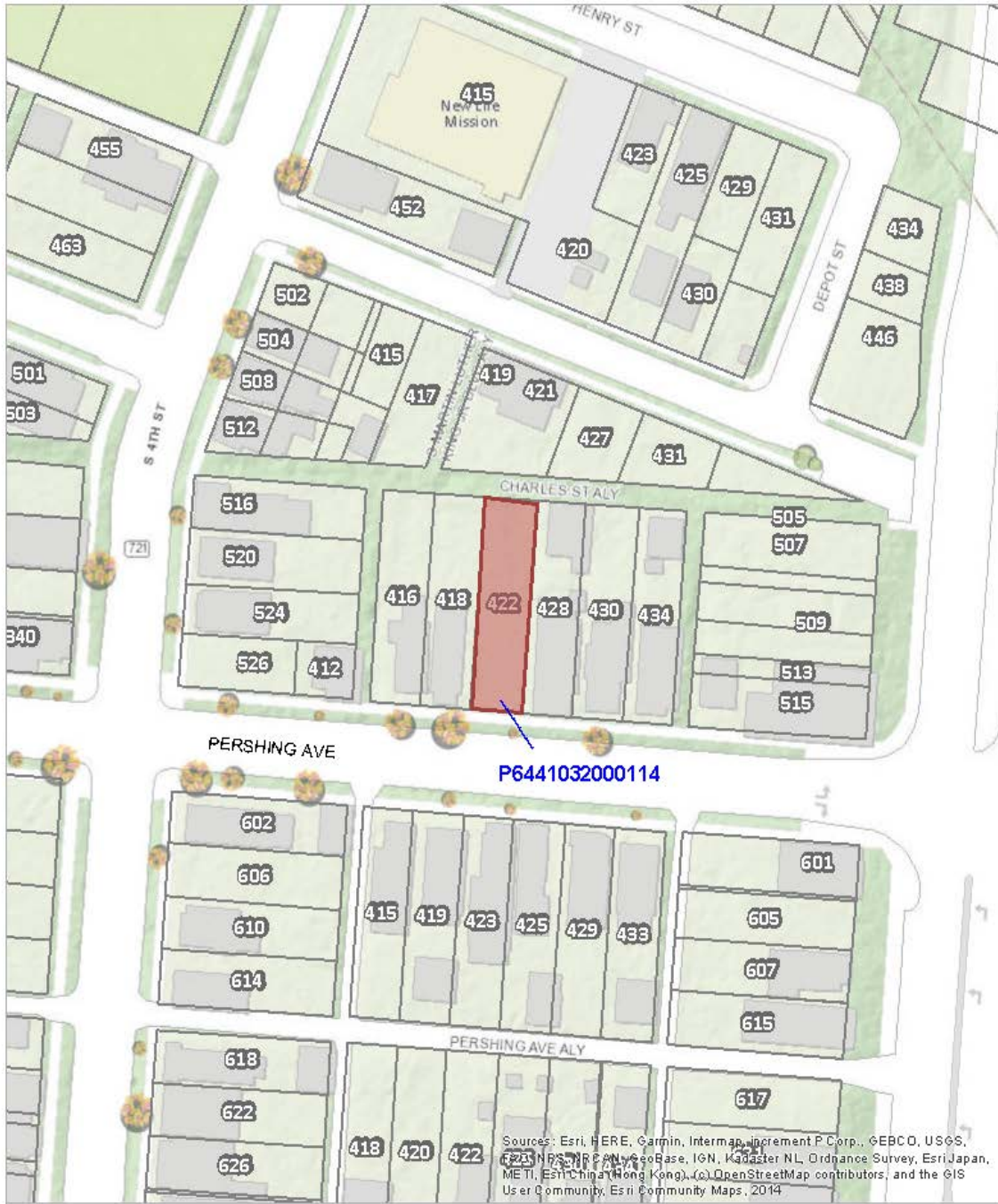
Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAO, NPS, NRCAN, GeoBase, IGN, Kadaster NL, Ordnance Survey, Esri Japan, METI, Esri China (Hong Kong), Swisstopo, Mapbox Contributors, and the GIS User Community, Esri Community Maps, 2014

Areas
 141, 143, & 147 Chestnut Street

ArcGIS Web Map



EXHIBIT NO. 3



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

Areas
 422 Pershing Avenue

ArcGIS Web Map



Resolution No. _____ (cont'd)

EXHIBIT NO. 4



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
■ 1115 Ross Avenue

ArcGIS Web Map

City of Hamilton
JULIEN COUNTY 2010

Date: 8/19/2020

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1 inch = 94 feet

EXHIBIT NO. 5



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, FAD, 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
1126 Ross Ave & adjacent Ross Avenue parcel

ArcGIS Web Map



EXHIBIT NO. 6



Sources: Esri, HERE, Garmin, Intermap, increment P Corp., GEBCO, USGS, 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

EXHIBIT NO. 7



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), Swisstopo, Mapbox, OpenStreetMap contributors, and the GIS User Community, Esri-Community Maps, 2014

Areas
 123 Wilson Street

ArcGIS Web Map



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: A resolution approving the conveyance of certain real property located within the City of Hamilton, Ohio's Urban Renewal Area to adjoining property owners as sidelots. (417 Charles Street; 750 Millikin Street, 906 S. Front Street).

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 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
Ordinance or Resolution <i>Resolution</i>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 8-26-2020 <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: \$ Expenditure: \$ Source Funds:	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to adopt legislation to convey the vacant lot at 417 Charles Street to Fannie Holmes; 750 Millikin Street to Ted Lunsford; and 906 S. Front Street to Carl L. Brown, who all own property contiguous to the specified lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to convey the vacant lot at 417 Charles Street to Fannie Holmes; 750 Millikin Street to Ted Lunsford; and 906 S. Front Street to Carl L. Brown, keep the property and maintain the lots.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to convey the vacant lot at 417 Charles Street to Fannie Holmes; 750 Millikin Street to Ted Lunsford; and 906 S. Front Street to Carl L. Brown because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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 these properties.

Background Information

The properties at 417 Charles Street, 750 Millikin Street, and 906 S. Front Street were acquired by the City of Hamilton from Larry Combs TR, Walter & Marguerite Weissinger, and Wells Fargo Bank Minnesota NA TR, respectively. The properties are eligible for the side lot program and are in an urban renewal area.

Fannie Holmes owns the property at 415 Charles Street. Ted Lunsford owns the property at 752 Millikin Street. Carl L. Brown owns the property at 908 S. Front Street. Each of these residents seek to expand the yard of their properties by purchasing the adjoining vacant property for One Hundred and 00/100 Dollars (\$100.00) through the City's Side Lot Program.

Address	Parcel Identification
417 Charles Street, Hamilton, OH	P6441032000102
750 Millikin Street, Hamilton, OH	P6412118000029 P6412118000030
906 S. Front Street, Hamilton, OH	P6421014000051

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION APPROVING THE CONVEYANCE OF CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF HAMILTON, OHIO'S URBAN RENEWAL AREA TO ADJOINING PROPERTY OWNERS AS SIDELOTS. (417 Charles Street; 750 Millikin Street; 906 S. Front Street).

WHEREAS, the City of Hamilton, Ohio has received requests from Fannie Holmes, Ted Lunsford, and Carl L. Brown to acquire properties acquired from Larry Combs TR, Walter & Marguerite Weissinger, and Wells Fargo Bank Minnesota NA TR, respectively, 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 these properties are not needed for a public purpose, are located in an Urban Renewal Area, and are contiguous to the residential properties owned by Fannie Holmes, Ted Lunsford, and Carl L. Brown; and

WHEREAS, no other eligible contiguous property owner applied to acquire these Properties pursuant to the Land Reutilization Policies and Procedures set forth in Resolution No. R2012-10-49, adopted October 24, 2012 ("Land Reutilization Policies"); and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton 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 each 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 Transfer Agreement with each purchaser to ensure that the purchaser maintain the property according to certain standards and requirements; and

WHEREAS, Council determines that the conveyance of these properties 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 these City-owned properties to Fannie Holmes, Ted Lunsford, and Carl L. Brown and to authorize and direct the City Manager to take all actions necessary to effect such conveyance;

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

SECTION I: That this Council hereby declares its intent to sell the following City-owned properties acquired from Larry Combs TR, Walter & Marguerite Weissinger, and Wells Fargo Bank Minnesota NA TR, respectively, which are more fully described below, and as seen in Exhibit Nos. 1 - 3, to each applicant for One Hundred and 00/100 Dollars (\$100.00), subject to the terms of a Transfer Agreement, and waives any additional acquisition costs pursuant to the Land Reutilization Policies.

Purchaser	Address	Parcel Identification	Exhibit No.
Fannie Holmes	417 Charles Street	P6441032000102	1
Ted Lunsford	750 Millikin Street	P6412118000029 P6412118000030	2
Carl L. Brown	906 S. Front Street	P6421014000051	3

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

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

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

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1



- Areas**
- 512 S. Fourth Street
 - 417 Charles Street

ArcGIS Web Map



Date: 8/19/2020

The information contained in this report 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 the information in this report is at the user's sole risk.

1 inch = 94 feet

EXHIBIT NO. 2



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
750 Millikin Street

ArcGIS Web Map

City of Hamilton
JULIEN COURVILLE

EXHIBIT NO. 3



Areas
906 S. Front Street

ArcGIS Web Map

City of Hamilton
JULIUS ROY Y 5110

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: A resolution approving the lease of certain real property acquired through the Land Bank to adjoining property owners as sidelots (3 Booth Avenue; 1224 Greenwood Avenue; 424 N. Seventh Street and P6431017000039 & P643101700049 located adjacent to 424 N. Seventh Street; 1114 Reservoir Street; 621 vine 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>Resolution</i></p>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 8-26-2020 <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 lease the vacant lot at 3 Booth Avenue to David Wayne Hensley; 1224 Greenwood Avenue to Sarah Greene; 424 N. Seventh Street and P6431017000039 & P643101700049 located adjacent to 424 N. Seventh Street to Virginia Sams; 1114 Reservoir Street to Barbara J. Jarvis; and 621 Vine Street to Sherry D. Driggers, who all own property contiguous to the specified lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to lease the vacant lot at 3 Booth Avenue to David Wayne Hensley; 1224 Greenwood Avenue to Sarah Greene; 424 N. Seventh Street and P6431017000039 & P643101700049 located adjacent to 424 N. Seventh Street to Virginia Sams; 1114 Reservoir Street to Barbara J. Jarvis; and 621 Vine Street to Sherry D. Driggers, keep the property and maintain the lots.



Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to lease the vacant lot at 3 Booth Avenue to David Wayne Hensley; 1224 Greenwood Avenue to Sarah Greene; 424 N. Seventh Street and P6431017000039 & P643101700049 located adjacent to 424 N. Seventh Street to Virginia Sams; 1114 Reservoir Street to Barbara J. Jarvis; and 621 Vine Street to Sherry D. Driggers because it would help lessen density in the urban core, encourage home ownership, and increase property values.

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

Fiscal Impact Summary

The City will reduce future financial responsibilities for maintenance of these properties.

Background Information

The properties at 3 Booth Avenue; 1224 Greenwood Avenue; 424 N. Seventh Street and P6431017000039 & P643101700049 located adjacent to 424 N. Seventh Street; 1114 Reservoir Street; 621 vine Street were acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) and are in an urban renewal area.

The properties are located in the City of Hamilton’s North End neighborhood. Because possible routes for a future North Hamilton Crossing are currently being evaluated, which may affect the North End neighborhood, City staff recommends maintaining ownership of all City-owned property in this neighborhood at this time. A lease option for qualifying homeowner occupants living immediately adjacent to a city-owned vacant lot is sought to allow these residents to utilize the additional greenspace next to their homes.

David Wayne Hensley owns the property at 522 N. Seventh Street and P6431022000028 located adjacent to 522 N. Seventh Street & 3 Booth Avenue. Sarah Greene owns the property at 1220 Greenwood Avenue. Virginia Sams owns the property at 428 N. Seventh Street. Barbara J. Jarvis owns the property at 1110 Reservoir Street. Sherry D. Driggers owns the property at 443 N. Seventh Street. Each of these residents seek to expand the yard of their properties by leasing the adjoining vacant property for One and 00/100 Dollar (\$1.00) per year.

Address	Parcel Identification
3 Booth Avenue, Hamilton, OH	P6431022000088
1224 Greenwood Avenue, Hamilton, OH	P6431031000051 P6431031000052
424 N. Seventh Street, Hamilton, OH	P6431017000038
N. Seventh Street, Hamilton, OH	P6431017000039
Heaton Street, Hamilton, OH	P6431017000049
1114 Reservoir Street, Hamilton, OH	P6431028000057
621 Vine Street, Hamilton, OH	P6431017000002

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION APPROVING THE LEASE OF CERTAIN REAL PROPERTIES ACQUIRED THROUGH THE LAND BANK TO ADJOINING PROPERTY OWNERS AS SIDELOTS. (3 Booth Avenue; 1224 Greenwood Avenue; 424 N. Seventh Street and P6431017000039 & P643101700049 located adjacent to 424 N. Seventh Street; 1114 Reservoir Street; 621 Vine Street).

WHEREAS, the City of Hamilton, Ohio has received requests from David Wayne Hensley, Sarah Greene, Virginia Sams, Barbara J. Jarvis, and Sherry D. Driggers to acquire properties 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 these properties may be needed for a public purpose in the future, are located in an Urban Renewal Area, and are contiguous to the residential properties owned by David Wayne Hensley, Sarah Greene, Virginia Sams, Barbara J. Jarvis, and Sherry D. Driggers; and

WHEREAS, no other eligible contiguous property owners applied to acquire these Properties; and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton Codified Ordinances, pending the disposition or retention by the City of property in a project area, such property may be leased for such uses as may otherwise be lawful and desirable, even though such uses are not then in conformity with the urban renewal plan, pending the disposition or retention of such property for redevelopment in accordance with the urban renewal plan; and

WHEREAS, City Administration has determined that leasing costs should be waived and that each property should be leased to the applicant for One and 00/100 Dollar (\$1.00) per year; and

WHEREAS, it is also necessary to authorize the City Manager to execute a Lease Agreement with each lessee to ensure that the lessee maintain the property according to certain standards and requirements; and

WHEREAS, Council determines that the leasing of these properties 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 leasing of these City-owned properties to David Wayne Hensley, Sarah Greene, Virginia Sams, Barbara J. Jarvis, and Sherry D. Driggers, and to authorize and direct the City Manager to take all actions necessary to effect such leases;

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

SECTION I: That this Council hereby declares its intent to lease the following City-owned properties acquired through the Land Bank, which are more fully described below, and as seen in Exhibit Nos. 1-5, to each applicant for One and 00/100 Dollar (\$1.00) per year, subject to the terms of a Lease Agreement, and waives any additional leasing costs.

Lessee	Address	Parcel Identification	Exhibit No.
David Wayne Hensley	3 Booth Avenue	P6431022000088	1
Sarah Greene	1224 Greenwood Avenue	P6431031000051 P6431031000052	2
Virginia Sams	424 N. Seventh Street N. Seventh Street Heaton Street	P6431017000038 P6431017000039 P6431017000049	3
Barbara J. Jarvis	1114 Reservoir Street	P6431028000057	4
Sherry D. Driggers	621 Vine Street	P6431017000002	5

Resolution No. _____ (cont'd)

SECTION II: That this Council hereby finds that the leasing of said properties is in the public interest and is made pursuant to Section 175.10 of the City of Hamilton Codified Ordinances.

SECTION III: That the City Manager is authorized and directed to execute any and all documents necessary to effect this leasing, including but not limited to a Lease Agreement with each lessee to ensure that the lessee maintains the property according to certain standards and requirements, subject to the conditions set forth herein.

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

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

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

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1



EXHIBIT NO. 2



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
 1224 Greenwood Avenue

ArcGIS Web Map



EXHIBIT NO. 3



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

ArcGIS Web Map

City of Hamilton
CIVILIS COOY Y SIND

Areas

- 424 N. Seventh Street,
- N. Seventh Street, & Heaton Street

Date: 8/20/2020

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1 inch = 94 feet

EXHIBIT NO. 4

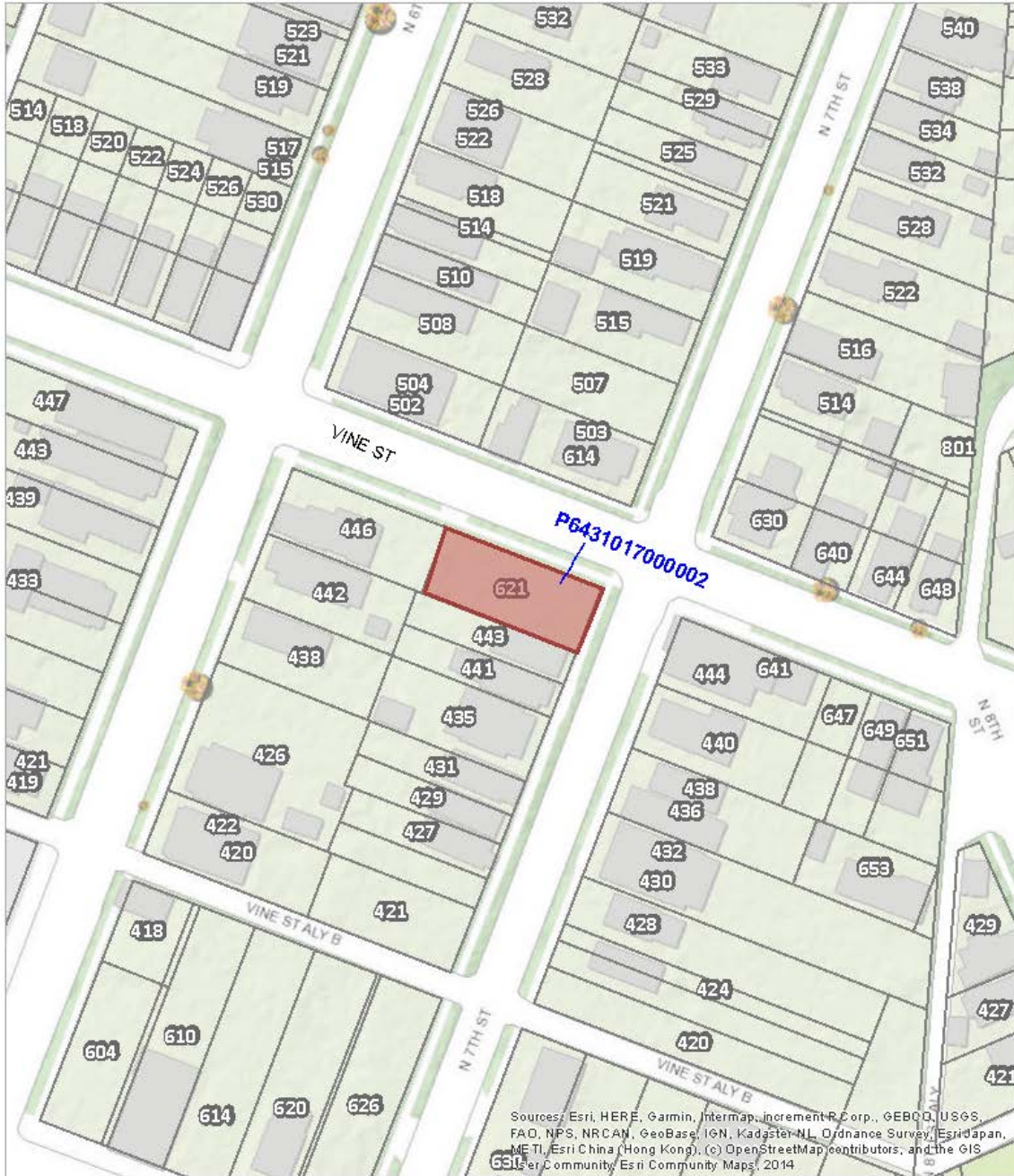


Areas
[Red square icon] 1114 Reservoir Street

ArcGIS Web Map



EXHIBIT NO. 5



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: A resolution approving the lease of certain real property acquired through the Land Bank to adjoining property owners as sidelots (1215 Long Street; 1228 Long Street; 636 S. Eleventh Street; 704 S. Ninth Street; 427 S. Thirteenth 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>Resolution</i></p>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 8-26-2020 <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 lease the vacant lot at 1215 Long Street to Richard D. Rice, Jr.; 1228 Long Street to Nicolas Arcos Mendez; 636 S. Eleventh Street to Evelyn Spurlock; 704 S. Ninth Street to Adan Dolores; and 427 S. Thirteenth Street to Rick Blanton, who all own property contiguous to the specified lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to lease the vacant lot at 1215 Long Street to Richard D. Rice, Jr.; 1228 Long Street to Nicolas Arcos Mendez; 636 S. Eleventh Street to Evelyn Spurlock; 704 S. Ninth Street to Adan Dolores; and 427 S. Thirteenth Street to Rick Blanton, keep the property and maintain the lots.



Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to lease the vacant lot at 1215 Long Street to Richard D. Rice, Jr.; 1228 Long Street to Nicolas Arcos Mendez; 636 S. Eleventh Street to Evelyn Spurlock; 704 S. Ninth Street to Adan Dolores; and 427 S. Thirteenth Street to Rick Blanton because it would help lessen density in the urban core, encourage home ownership, and increase property values.

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

Fiscal Impact Summary

The City will reduce future financial responsibilities for maintenance of these properties.

Background Information

The properties at 1215 Long Street; 1228 Long Street; 636 S. Eleventh Street; 704 S. Ninth Street; and 427 S. Thirteenth Street were acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) and are in an urban renewal area.

The properties are located in the City of Hamilton’s Jefferson neighborhood. City staff recommends maintaining ownership of all city-owned property in this neighborhood at this time as future plans for strategic redevelopment in the neighborhood are considered. A lease option for qualifying homeowner occupants living immediately adjacent to a city-owned vacant lot is sought to allow these residents to utilize the additional greenspace next to their homes.

Richard D. Rice, Jr. owns the property at 1213 Long Street. Nicolas Arcos Mendez owns the property at 1226 Long Street. Evelyn Spurlock owns the property at 638 S. Eleventh Street. Adan Dolores owns the property at 702 S. Ninth Street. Rick Blanton owns the property at 425 S. Thirteenth Street. Each of these residents seek to expand the yard of their properties by leasing the adjoining vacant property for One Dollar (\$1.00) per year.

Address	Parcel Identification
1215 Long Street, Hamilton, OH	P6451011000009
1228 Long Street, Hamilton, OH	P6451004000030
636 S. Eleventh Street, Hamilton, OH	P6451003000102
704 S. Ninth Street, Hamilton, OH	P6441039000062
427 S. Thirteenth Street, Hamilton, OH	P6441036000023

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION APPROVING THE LEASE OF CERTAIN REAL PROPERTIES ACQUIRED THROUGH THE LAND BANK TO ADJOINING PROPERTY OWNERS AS SIDELOTS. (1215 Long Street; 1228 Long Street; 636 S. Eleventh Street; 704 S. Ninth Street; 427 S. Thirteenth Street).

WHEREAS, the City of Hamilton, Ohio has received requests from Richard D. Rice, Jr., Nicolas Arcos Mendez, Evelyn Spurlock, Adan Dolores, and Rick Blanton to acquire properties 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 these properties may be needed for a public purpose in the future, are located in an Urban Renewal Area, and are contiguous to the residential properties owned by Richard D. Rice, Jr., Nicolas Arcos Mendez, Evelyn Spurlock, Adan Dolores, and Rick Blanton; and

WHEREAS, no other eligible contiguous property owners applied to acquire these Properties; and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton Codified Ordinances, pending the disposition or retention by the City of property in a project area, such property may be leased for such uses as may otherwise be lawful and desirable, even though such uses are not then in conformity with the urban renewal plan, pending the disposition or retention of such property for redevelopment in accordance with the urban renewal plan; and

WHEREAS, City Administration has determined that leasing costs should be waived and that each property should be leased to the applicant for One and 00/100 Dollar (\$1.00) per year; and

WHEREAS, it is also necessary to authorize the City Manager to execute a Lease Agreement with each lessee to ensure that the lessee maintain the property according to certain standards and requirements; and

WHEREAS, Council determines that the leasing of these properties 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 leasing of these City-owned properties to Richard D. Rice, Jr., Nicolas Arcos Mendez, Evelyn Spurlock, Adan Dolores, and Rick Blanton, and to authorize and direct the City Manager to take all actions necessary to effect such leases;

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

SECTION I: That this Council hereby declares its intent to lease the following City-owned properties acquired through the Land Bank, which are more fully described below, and as seen in Exhibit Nos. 1-5, to each applicant for One and 00/100 Dollar (\$1.00) per year, subject to the terms of a Lease Agreement, and waives any additional leasing costs.

Lessee	Address	Parcel Identification	Exhibit No.
Richard D. Rice, Jr.	1215 Long Street	P6451011000009	1
Nicolas Arcos Mendez	1228 Long Street	P6451004000030	2
Evenlyn Spurlock	636 S. Eleventh Street	P6451003000102	3
Adan Dolores	704 S. Ninth Street	P6441039000062	4
Rick Blanton	427 S. Thirteenth Street	P6441036000023	5

SECTION II: That this Council hereby finds that the leasing of said properties is in the public interest and is made pursuant to Section 175.10 of the City of Hamilton Codified Ordinances.

Resolution No. _____ (cont'd)

SECTION III: That the City Manager is authorized and directed to execute any and all documents necessary to effect this leasing, including but not limited to a Lease Agreement with each lessee to ensure that the lessee maintains the property according to certain standards and requirements, subject to the conditions set forth herein.

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

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

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

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1



P6451011000009

Areas

 1215 Long Street

ArcGIS Web Map



EXHIBIT NO. 2



EXHIBIT NO. 3



EXHIBIT NO. 4



EXHIBIT NO. 5



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: A resolution approving the lease of certain real property acquired through the Land Bank to adjoining property owners as sidelots (864 Central Avenue; 1215 Grand Boulevard; 1225 Grand Boulevard & P6451034000035 located adjacent to 1225 Grand Boulevard).

<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>Resolution</i></p>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 8-26-2020 <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 lease the vacant lot 864 Central Avenue to Wayne Jarrett; 1215 Grand Boulevard to John Weislogel; and 1225 Grand Boulevard & P6451034000035 located adjacent to 1225 Grand Boulevard to Robert N. & Sheila R. Thompson, who all own property contiguous to the specified lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to lease the vacant lot at 864 Central Avenue to Wayne Jarrett; 1215 Grand Boulevard to John Weislogel; and 1225 Grand Boulevard & P6451034000035 located adjacent to 1225 Grand Boulevard to Robert N. & Sheila R. Thompson, keep the property and maintain the lots.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to lease the vacant lot at 864 Central Avenue to Wayne Jarrett; 1215 Grand Boulevard to John Weislogel; and 1225 Grand Boulevard & P6451034000035 located adjacent to 1225 Grand Boulevard to Robert N. & Sheila R. Thompson because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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

Fiscal Impact Summary

The City will reduce future financial responsibilities for maintenance of these properties.

Background Information

The properties at 864 Central Avenue; 1215 Grand Boulevard; 1225 Grand Boulevard & P6451034000035 located adjacent to 1225 Grand Boulevard were acquired by the City of Hamilton from the Butler County Land Reutilization Corporation (Land Bank) and are in an urban renewal area.

The properties are located on main thoroughfares, in strategic areas of focus for the City of Hamilton (Central Avenue and Grand Boulevard). City staff recommends maintaining ownership of all city-owned property in these areas at this time. A lease option for qualifying homeowner occupants living immediately adjacent to a city-owned vacant lot is sought to allow these residents to utilize the additional greenspace next to their homes.

Wayne Jarrett owns the property at 860 Central Avenue. John Weislogel owns the property at 1209 Grand Boulevard. Robert N. & Sheila R. Thompson own the property at 1223 Grand Boulevard. Each of these residents seek to expand the yard of their properties by leasing the adjoining vacant property for One Dollar (\$1.00) per year.

Address	Parcel Identification
864 Central Avenue, Hamilton, OH	P6441044000023
1215 Grand Boulevard, Hamilton, OH	P6451034000028
1225 Grand Boulevard, Hamilton, OH	P6451034000033
S. Thirteenth Street, Hamilton, OH	P6451034000035

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION APPROVING THE LEASE OF CERTAIN REAL PROPERTIES ACQUIRED THROUGH THE LAND BANK TO ADJOINING PROPERTY OWNERS AS SIDELOTS. (864 Central Avenue; 1215 Grand Boulevard; 1225 Grand Boulevard & P6451034000035 located adjacent to 1225 Grand Boulevard).

WHEREAS, the City of Hamilton, Ohio has received requests from Wayne Jarrett, John Weislogel, and Robert N. & Sheila R. Thompson to acquire properties 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 these properties may be needed for a public purpose in the future, are located in an Urban Renewal Area, and are contiguous to the residential properties owned by Wayne Jarrett, John Weislogel, and Robert N. & Sheila R. Thompson; and

WHEREAS, no other eligible contiguous property owners applied to acquire these Properties; and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton Codified Ordinances, pending the disposition or retention by the City of property in a project area, such property may be leased for such uses as may otherwise be lawful and desirable, even though such uses are not then in conformity with the urban renewal plan, pending the disposition or retention of such property for redevelopment in accordance with the urban renewal plan; and

WHEREAS, City Administration has determined that leasing costs should be waived and that each property should be leased to the applicant for One and 00/100 Dollar (\$1.00) per year; and

WHEREAS, it is also necessary to authorize the City Manager to execute a Lease Agreement with each lessee to ensure that the lessee maintain the property according to certain standards and requirements; and

WHEREAS, Council determines that the leasing of these properties 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 leasing of these City-owned properties to Wayne Jarrett, John Weislogel, and Robert N. & Sheila R. Thompson, and to authorize and direct the City Manager to take all actions necessary to effect such leases;

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

SECTION I: That this Council hereby declares its intent to lease the following City-owned properties acquired through the Land Bank, which are more fully described below, and as seen in Exhibit Nos. 1-3, to each applicant for One and 00/100 Dollar (\$1.00) per year, subject to the terms of a Lease Agreement, and waives any additional leasing costs.

Lessee	Address	Parcel Identification	Exhibit No.
Wayne Jarrett	864 Central Avenue	P6441044000023	1
John Weislogel	1215 Grand Boulevard	P6451034000028	2
Robert N. & Sheila R. Thompson	1225 Grand Boulevard S. Thirteenth Street	P6451034000033 P6451034000035	3

SECTION II: That this Council hereby finds that the leasing of said properties is in the public interest and is made pursuant to Section 175.10 of the City of Hamilton Codified Ordinances.

SECTION III: That the City Manager is authorized and directed to execute any and all documents necessary to effect this leasing, including but not limited to a Lease Agreement with each lessee to ensure that the lessee maintains the property according to certain standards and requirements, subject to

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

the conditions set forth herein.

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

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

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

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1



EXHIBIT NO. 2



Areas

 1215 Grand Boulevard

ArcGIS Web Map



Resolution No. _____ (cont'd)

EXHIBIT NO. 3



Areas
1225 Grand Boulevard &
S. Thirteenth Street

ArcGIS Web Map

City of Hamilton
JULY 1, 1827

Date: 8/21/2020

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 in the content, accuracy, or completeness of the information contained herein and assumes no liability for any errors. Any reliance on the information in the resolution is at the user's sole risk.

1 inch = 94 feet

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: A resolution approving the lease of certain real property located within the City of Hamilton, Ohio's Urban Renewal Area to an adjoining property owner as a sidelot. (530 N. Fifth Street).

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 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
Ordinance or Resolution <i>Resolution</i>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 8-26-2020 <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: \$ Expenditure: \$ Source Funds:	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to adopt legislation to lease the vacant lot at 530 N. Fifth Street to Keyonia Davis, who owns property contiguous to the specified lot?

Policy Alternative(s)

Council may choose not to adopt such legislation to lease the vacant lot 530 N. Fifth Street to Keyonia Davis, keep the property and maintain the lot.

Staff Recommendation

Staff recommends that Council receive this report and adopt the legislation to lease the vacant lot at 530 N. Fifth Street to Keyonia Davis because it would help lessen density in the urban core, encourage home ownership, and increase property values.



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

Fiscal Impact Summary

The City will reduce future financial responsibilities for maintenance of these properties.

Background Information

The property at 530 N. Fifth Street was acquired by the City of Hamilton from Mary E. Childers and is located in an urban renewal area.

The property is located in the City of Hamilton’s North End neighborhood. Because possible routes for a future North Hamilton Crossing are currently being evaluated, which may affect the North End neighborhood, City staff recommends maintaining ownership of all City-owned property in this neighborhood at this time. A lease option for qualifying homeowner occupants living immediately adjacent to a City-owned vacant lot is sought to allow these residents to utilize the additional greenspace next to their homes.

Keyonia Davis owns the property at 528 N. Fifth Street and seeks to expand the yard of her property by leasing the adjoining vacant property for One and 00/100 Dollar (\$1.00) per year.

Address	Parcel
530 N. Fifth Street, Hamilton, OH	P6431014000021

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION APPROVING THE LEASE OF CERTAIN REAL PROPERTY LOCATED WITHIN THE CITY OF HAMILTON, OHIO'S URBAN RENEWAL AREA TO AN ADJOINING PROPERTY OWNER AS A SIDELOT. (530 N. Fifth Street).

WHEREAS, the City of Hamilton, Ohio has received a request from Keyonia Davis to acquire a property acquired from Mary E. Childers, 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 may be needed for a public purpose in the future, is located in an Urban Renewal Area, and is contiguous to the residential property owned by Keyonia Davis; and

WHEREAS, no other eligible contiguous property owner applied to acquire this Property; and

WHEREAS, pursuant to Section 175.10 of the City of Hamilton Codified Ordinances, pending the disposition or retention by the City of property in a project area, such property may be leased for such uses as may otherwise be lawful and desirable, even though such uses are not then in conformity with the urban renewal plan, pending the disposition or retention of such property for redevelopment in accordance with the urban renewal plan; and

WHEREAS, City Administration has determined that leasing costs should be waived and that the property should be leased to the applicant for One and 00/100 Dollar (\$1.00) per year; and

WHEREAS, it is also necessary to authorize the City Manager to execute a Lease Agreement with the lessee to ensure that the lessee maintain the property according to certain standards and requirements; and

WHEREAS, Council determines that the leasing 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 leasing of this City-owned property to Keyonia Davis and to authorize and direct the City Manager to take all actions necessary to effect such lease;

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

SECTION I: That this Council hereby declares its intent to lease the following City-owned property acquired from Mary E. Childers, which is more fully described below, and as seen in Exhibit No. 1, to the applicant for One and 00/100 Dollar (\$1.00) per year, subject to the terms of a Lease Agreement, and waives any additional leasing costs.

Lessee	Address	Parcel Identification	Exhibit No.
Keyonia Davis	530 N. Fifth Street	P6431014000021	1

SECTION II: That this Council hereby finds that the leasing of said property is in the public interest and is made pursuant to Section 175.10 of the City of Hamilton Codified Ordinances.

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

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

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

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

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

Nicholas Garuckas, City Clerk
CITY OF HAMILTON, OHIO

EXHIBIT NO. 1



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

Areas
530 N. Fifth Street

ArcGIS Web Map



City Council Meeting Staff Report

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

Report From: Richard A. Engle, P.E., Director of Engineering

Agenda Item: A resolution authorizing and directing the filing of a grant application with the Ohio Department of Transportation (ODOT) Municipal Bridge Program for Bilstein Bridge Rehabilitation Project.

<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 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: 8-26-2020 <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>	<p>Budgeted: \$1,469,995 (2021-2023)</p> <p>Expenditure: \$1,469,995 (2021-2023)</p> <p>Source Funds: \$1,339,495 (ODOT) \$ 130,500 (City Fund 311 Infrastructure Renewal Fund)</p>	<p><i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i></p>

Policy Issue

Does the City Council wish to approve a Resolution which authorizes and directs the filing of a grant application with the Ohio Department of Transportation (ODOT) Municipal Bridge Program for funding the Bilstein Bridge Rehabilitation Project and to accept the grant if offered?

Policy Alternative(s)

Council may choose not to adopt such legislation so grant application will not be submitted. Grant is intended to be used to fund the proposed rehabilitation of Bilstein Bridge, which has been determined to be structural deficient, and improvements are needed in the near future. If grant application is not submitted, this project will be delayed until the City can accumulate adequate funding to proceed with the rehabilitation.



Staff Recommendation

It is the recommendation of this office Council receive this report and adopt a resolution authorizing and directing the filing of a grant application in the amount of \$1,339,495.00 with the Ohio Department of Transportation (ODOT) Municipal Bridge Program for the Bilstein Bridge Rehabilitation Project and to accept the grant if offered.

Statutory/Policy Authority

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

Fiscal Impact Summary

The fiscal impact to City will be \$130,950.00 for updating the existing construction drawings and bidding/contract documents, preparation of an Environmental Study and local match of 5% of construction cost. ODOT grant will contribute 95% of the construction cost. The City share will be budgeted in Fund 311 Infrastructure Renewal Fund in 2021 through 2023.

Background Information

Bilstein Bridge and all City bridges are inspected every year by an ODOT qualified bridge inspector. Bilstein Bridge ratings are General Appraisal – 5; Substructure Condition – 6; Superstructure Condition – 5; Deck Condition – 4. The bridge has been determined to be structural deficient based on Federal Highway Administration due to its Deck Condition Rating of 4. Presently, the Legal Bridge Load Limit is 100% so there is no reduced load. There is an annual average of 18,344 for daily traffic across this bridge, which makes it important to the City of Hamilton to maintain the bridge in good condition.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION AUTHORIZING AND DIRECTING THE FILING OF A GRANT APPLICATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) MUNICIPAL BRIDGE PROGRAM FOR BILSTEIN BRIDGE REHABILITATION PROJECT.

WHEREAS, the City of Hamilton, Ohio intends to submit a project for consideration for a grant in the amount of One Million Three Hundred Thirty Nine Thousand Four Hundred Ninety Five and 00/100 Dollars (\$1,339,495.00) from the Ohio Department of Transportation (ODOT) Municipal Bridge Program for funding of the Bilstein Bridge Rehabilitation Project which will restore structural deficiencies and replace the bridge deck; and

WHEREAS, the City has applied and received ODOT Municipal Bridge Program Funding previously for other bridge rehabilitation and replacement projects; and

WHEREAS, the City successfully managed these previous bridge projects using ODOT Municipal Bridge Program Funding to a satisfactory completion of the improvements; and

WHEREAS, the City's proposed Bilstein Bridge Rehabilitation Project meets the necessary criteria; and

WHEREAS, Council wishes to authorize and direct the filing of a grant application with the Ohio Department of Transportation (ODOT) Municipal Bridge Program for funding of the Bilstein Bridge Rehabilitation Project and accept said grant when and if it is awarded;

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

SECTION I: That the City Manager is hereby authorized and directed to submit an application for filing with the Ohio Department of Transportation (ODOT) Municipal Bridge Program for funding of the Bilstein Bridge Rehabilitation Project for a grant in the amount of One Million Three Hundred Thirty Nine Thousand Four Hundred Ninety Five and 00/100 Dollars (\$1,339,495.00) to fund the Bilstein Bridge Rehabilitation Project within the corporate limits of the City of Hamilton, Ohio.

SECTION II: That the City Manager is hereby authorized and directed to provide and execute any additional documents which may be required by ODOT to secure the aforesaid grant.

SECTION III: That, if said grant is approved and issued by ODOT, the City Manager is hereby authorized and directed to accept the same and comply with the conditions of the grant and the funding for the aforesaid project.

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____
City Clerk

CERTIFICATE

I, 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

Resolution No. _____ (cont'd)

CITY OF HAMILTON, OHIO

City Council Meeting Staff Report

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

Report From: David Jones, Director of Finance

Agenda Item: A resolution amending Resolution No. R2018-1-1; a resolution ordering the resurfacing and repair of streets and concrete where necessary and appropriate on various streets and avenues in the City of Hamilton, Ohio. (2017 Concrete Repair and Resurfacing Program – Assessment Roll).

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 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>Resolution</i>	<input type="checkbox"/> 1 st Reading Date: <input type="checkbox"/> 2 nd Reading Date: <input checked="" type="checkbox"/> Resolution Date: 8-26-2020 <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): Resolution No. R2018-1-1 passed at 1-10-2018 City Council Meeting	
Contract	<input type="checkbox"/> Contract Required	<input type="checkbox"/> Additional Document(s) Attached
Fiscal Impact	Budgeted: Expenditure: Source Funds: Fund 301 Special Assessments	<i>Please see further, more detailed information regarding the fiscal impact in the summary section of this report</i>

Policy Issue

Does City Council wish to approve a Resolution Amendment changing the number of years for unpaid balances levied to real estate taxes for the 2017 Concrete Repair and Resurfacing Program from five (5) years to ten (10) years?

Policy Alternative(s)

City Council may choose not to adopt such legislation to authorize the change of years for unpaid balances levied to real estate taxes for the 2017 Concrete Repair and Resurfacing Program from five (5) years to ten (10) years. This action would keep the number of annual installments at five (5) years.



Staff Recommendation

City administration recommends City Council adopt such legislation to authorize the change of years for unpaid balances levied to real estate taxes for the 2017 Concrete Repair and Resurfacing Program from five (5) years to ten (10) years.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Chapter 168, Procedures for Special Assessment Projects and the Board of Revision of Assessments, of the Hamilton Codified Ordinances

Fiscal Impact Summary

Interest at 1% assessed to the property owner will be charged as if it were a five-year assessment. There will be no additional interest charged to the property owner on the proposed ten-year assessment vs. the five-year assessment. The only financial impact to the City is lost interest income because the money would have been collected sooner had it been levied over five years. It is estimated that the interest income is less than \$10,000.

Background Information

The Special Assessments Fund (301) is a funding mechanism for each year's annual concrete and road resurfacing program. With the passage of the Street levy in March 2020, Council approved Resolution No. R2020-5-22 removing curb & gutter from the property owner's responsibility and placing it on the City. The 2017/2018 Concrete Repair and Resurfacing programs are the final years that curb & gutter work will be assessed to the property owner. In order to ensure that no undue financial burden is placed on the property owner, City administration is requesting to extend the repayment period.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. R2018-1-1; A RESOLUTION ORDERING THE RESURFACING AND REPAIR OF STREETS AND CONCRETE WHERE NECESSARY AND APPROPRIATE ON VARIOUS STREETS AND AVENUES IN THE CITY OF HAMILTON, OHIO. (2017 Concrete Repair and Resurfacing Program – Assessment Roll)

WHEREAS, City Administration has determined that Resolution No. R2018-1-1, adopted on January, 10, 2018, should be amended in order to change the number of assessed annual installments for unpaid balances from five (5) to ten (10) years;

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

SECTION I: The City Council of the City of Hamilton, Ohio does hereby amend Resolution No. 2018-1-1.

SECTION II: That Council declares it is necessary that the existing concrete sidewalks, curbs, and gutters hereinafter listed under the 2017 Concrete Repair and Resurfacing Program Assessment Roll shall be repaired on the lots adjacent to the property described in Exhibit No. 1, attached hereto and incorporated herein by reference, in accordance with standard plans and specifications of the City of Hamilton, Ohio, now on file in the office of the Director of Engineering of said City.

SECTION III: That the assessment shall be made by the method specified in Section 168.02(b) of the Codified Ordinances of the City of Hamilton, Ohio. That the mode of payment shall be full, partial or none when billed to the owners of said lots by the City of Hamilton, Ohio upon completion of the public improvement. If not paid in full, the balance shall be assessed and payable in ten (10) annual installments.

SECTION IV: The City Clerk shall certify a copy of this resolution to the Director of Finance and the Director of Finance is hereby directed to cause written notice of the passage of this resolution to be served upon the owners of said lots as required by law.

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, 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

Resolution No. _____ (cont'd)

EXHIBIT NO. 1

2017 CONCRETE REPAIR AND RESURFACING PROGRAM

[Continued on the following pages]

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EXHIBIT NO. 1

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412213000003 <i>CONTROL#:</i>	795 COLUMBIA RD <input type="text" value="101"/>	21455 ENT	GEURIN SHERRY K	795 COLUMBIA RD HAMILTON OH 45013 3609	<i>ACT:</i> <i>EFF:</i>				30	x	<
P6412213000059 <i>CONTROL#:</i>	910 GOLFVIEW DR <input type="text" value="102"/>	26290 ENT	BOTTOMS MARY E	910 GOLFVIEW DR HAMILTON OH 45013 3838	<i>ACT:</i> <i>EFF:</i>	3	2		40	4 x 15	<
P6412213000080 <i>CONTROL#:</i>	795 IMPALA PL <input type="text" value="103"/>	26296 ENT	UNTENER RUTH M	795 IMPALA AVE HAMILTON OH 45013 3816	<i>ACT:</i> <i>EFF:</i>	1	4		125	x	<
P6412213000081 <i>CONTROL#:</i>	930 GOLFVIEW DR <input type="text" value="104"/>	26990 ENT	SMITH ELZIE & LULA	930 GOLFVIEW DR HAMILTON OH 45013 3815	<i>ACT:</i> <i>EFF:</i>	7	4		65	8 x 18	<
P6412213000053 <i>CONTROL#:</i>	7 MARY ELAINE DR <input type="text" value="105"/>	27022 ENT	ANDREWS WALTER V & PATRICIA K	7 MARY ELAINE DR HAMILTON OH 45013 3832	<i>ACT:</i> <i>EFF:</i>	4			25	x	<
P6412213000131 <i>CONTROL#:</i>	952 GOLFVIEW DR <input type="text" value="106"/>	31736 ENT SEE PARCE	WYATT MARLANA C & CARL W	952 GOLFVIEW DR HAMILTON OH 45013 3815	<i>ACT:</i> <i>EFF:</i>				35	x	<
P6412213000130 <i>CONTROL#:</i>	956 GOLFVIEW DR <input type="text" value="107"/>	31735 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	<i>ACT:</i> <i>EFF:</i>				25	x	<
P6412213000129 <i>CONTROL#:</i>	960 GOLFVIEW DR <input type="text" value="108"/>	31734 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	<i>ACT:</i> <i>EFF:</i>				20	x	<
P6412213000128 <i>CONTROL#:</i>	964 GOLFVIEW DR <input type="text" value="109"/>	31733 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	<i>ACT:</i> <i>EFF:</i>				40	x	<

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2017 RESURFACING CONCRETE REPAIR PROGRAM
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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412213000127 <i>CONTROL#:</i>	970 GOLFVIEW DR <input type="text" value="110"/>	31732 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:				25	x	<
P6412213000126 <i>CONTROL#:</i>	976 GOLFVIEW DR <input type="text" value="111"/>	31731 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:				10	x	<
P6412213000125 <i>CONTROL#:</i>	1000 GOLFVIEW DR <input type="text" value="112"/>	31730 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:				20	x	<
P6412213000124 <i>CONTROL#:</i>	1004 GOLFVIEW DR <input type="text" value="113"/>	31729 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:				15	x	<
P6412213000123 <i>CONTROL#:</i>	1008 GOLFVIEW DR <input type="text" value="114"/>	31728 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:				10	x	<
P6412213000122 <i>CONTROL#:</i>	1012 GOLFVIEW DR <input type="text" value="115"/>	31727 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:					x	<
P6412213000121 <i>CONTROL#:</i>	1016 GOLFVIEW DR <input type="text" value="116"/>	31726 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:				40	x	<
P6412213000120 <i>CONTROL#:</i>	1020 GOLFVIEW DR <input type="text" value="117"/>	31725 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:				35	x	<
P6412213000119 <i>CONTROL#:</i>	1024 GOLFVIEW DR <input type="text" value="118"/>	31724 ENT COLUMBIA	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	ACT: EFF:				30	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412213000118 <i>CONTROL#:</i>	1028 GOLFVIEW DR <input type="text" value="119"/>	31723 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	<i>ACT:</i> <i>EFF:</i>				50	x	<
P6412213000117 <i>CONTROL#:</i>	1032 GOLFVIEW DR <input type="text" value="120"/>	31722 ENT SEE PARCE	311 NILLES LLC	311 NILLES RD F FAIRFIELD OH 45014 2601	<i>ACT:</i> <i>EFF:</i>				15	x	<
P6412213000116 <i>CONTROL#:</i>	1036 GOLFVIEW DR <input type="text" value="121"/>	31721 ENT COLUMBIA	HALLOCK DAVID ANDREW & NELSON JAMES M	1036 GOLFVIEW DR HAMILTON OH 45013	<i>ACT:</i> <i>EFF:</i>				10	x	<
P6412206000106 <i>CONTROL#:</i>	1037 GOLFVIEW DR <input type="text" value="122"/>	31720 ENT SEE PARCE	BROWN LAURA E	115 LAURA CT HAMILTON OH 45013 1269	<i>ACT:</i> <i>EFF:</i>				20	x	<
P6412206000105 <i>CONTROL#:</i>	1033 GOLFVIEW DR <input type="text" value="123"/>	31719 ENT COLUMBIA	GIULIANO JOE & ALLISON	1033 GOLFVIEW DR HAMILTON OH 45013 3852	<i>ACT:</i> <i>EFF:</i>	2			15	x	<
P6412206000104 <i>CONTROL#:</i>	1029 GOLFVIEW DR <input type="text" value="124"/>	31718 ENT COLUMBIA	CONRAD JEREMY & JULIE	1029 GOLFVIEW DR HAMILTON OH 45013	<i>ACT:</i> <i>EFF:</i>		1		25	6 x 18	<
P6412206000103 <i>CONTROL#:</i>	1025 GOLFVIEW DR <input type="text" value="125"/>	31717 ENT COLUMBIA	HARE TIMOTHY M & JANICE M	1025 GOLFVIEW DR HAMILTON OH 45013 3852	<i>ACT:</i> <i>EFF:</i>	1			55	x	<
P6412206000102 <i>CONTROL#:</i>	1021 GOLFVIEW DR <input type="text" value="126"/>	31716 ENT COLUMBIA	SCHROEDER KEITH & CHRISTY	1021 GOLFVIEW DR HAMILTON OH 45013 9819	<i>ACT:</i> <i>EFF:</i>	2			40	x	<
P6412206000101 <i>CONTROL#:</i>	1017 GOLFVIEW DR <input type="text" value="127"/>	31715 ENT COLUMBIA	TOKARCZYK JAQUELINE A & THOMAS J	1017 GOLF VIEW DR HAMILTON OH 45013 0358	<i>ACT:</i> <i>EFF:</i>	2			45	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000107 <i>CONTROL#:</i>	1009 GOLFVIEW DR 129	32109 ENT SEE RID P	311 NILLES LLC	311 NILLES RD FAIRFIELD OH 45014 2601	<i>ACT:</i> <i>EFF:</i>				80	x	<
P6412206000098 <i>CONTROL#:</i>	1005 GOLFVIEW DR 130	31712 ENT COLUMBIA	DAY JAMES W & CAROLYN SUE	1005 GOLFVIEW DR HAMILTON OH 45013 1269	<i>ACT:</i> <i>EFF:</i>				22	x	<
P6412206000097 <i>CONTROL#:</i>	1001 GOLFVIEW DR 131	31711 ENT COLUMBIA	COLE CARLENE	4801 FREDERICA ST OWENSBORO KY 42301	<i>ACT:</i> <i>EFF:</i>				10	x	<
P6412206000096 <i>CONTROL#:</i>	979 GOLFVIEW DR 132	31710 ENT COLUMBIA	SCHROEDER KEITH & CHRISTY	1021 GOLFVIEW DR HAMILTON OH 45013	<i>ACT:</i> <i>EFF:</i>	3			10	x	<
P6412206000095 <i>CONTROL#:</i>	975 GOLFVIEW DR 133	31709 ENT COLUMBIA	PARSLEY CHERYL A & MARK A	975 GOLFVIEW DR HAMILTON OH 45013 3814	<i>ACT:</i> <i>EFF:</i>				35	x	<
P6412206000094 <i>CONTROL#:</i>	971 GOLFVIEW DR 134	31708 ENT SEE PARCE	W PSI LLC	8645 STILLWATER ISLE MASON OH 45040 5020	<i>ACT:</i> <i>EFF:</i>				10	x	<
P6412213000115 <i>CONTROL#:</i>	967 GOLFVIEW DR 135	31707 ENT SEE PARCE	W PSI LLC	8645 STILLWATER ISLE MASON OH 45040 5020	<i>ACT:</i> <i>EFF:</i>				5	x	<
P6412213000114 <i>CONTROL#:</i>	963 GOLFVIEW DR 136	31706 ENT SEE PARCE	W PSI LLC	8645 STILLWATER ISLE MASON OH 45040 5020	<i>ACT:</i> <i>EFF:</i>				20	x	<
P6412213000113 <i>CONTROL#:</i>	959 GOLFVIEW DR 137	31705 ENT SEE PARCE	GUNDERSON JULIE	959 GOLFVIEW DR HAMILTON OH 45013 3814	<i>ACT:</i> <i>EFF:</i>				35	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412213000112 <i>CONTROL#:</i>	GOLFVIEW DR <input type="text" value="138"/>	31704 ENT SEE PARCE	HANNAHS MARY E	951 GOLFVIEW DR HAMILTON OH 45013 3814	ACT: EFF:				20	x	<
P6412213000111 <i>CONTROL#:</i>	951 GOLFVIEW DR <input type="text" value="139"/>	31703 ENT COLUMBIA	HANNAHS MARY E	951 GOLFVIEW DR HAMILTON OH 45013 3814	ACT: EFF:				40	x	<
P6412215000012 <i>CONTROL#:</i>	941 GOLFVIEW RD <input type="text" value="141"/>	30133 ENT	MEISTER MARK L & SHARON E	1601 ROSS HANOVER RD HAMILTON OH 45013 4142	ACT: EFF:				55	x	<
P6412213000109 <i>CONTROL#:</i>	929 GOLFVIEW DR <input type="text" value="142"/>	27398 ENT	JOHNSON CASSUS & LUTRICIA	929 GOLFVIEW DR HAMILTON OH 45013 3814	ACT: EFF:	1			50	x	<
P6412213000054 <i>CONTROL#:</i>	925 GOLFVIEW DR <input type="text" value="143"/>	26295 ENT	JOHNSON JAMES M	925 GOLFVIEW DR HAMILTON OH 45013 3814	ACT: EFF:	6			20	x	<
P6412213000055 <i>CONTROL#:</i>	921 GOLFVIEW DR <input type="text" value="144"/>	26294 ENT	KIHM MICHAEL A & SUSAN A	921 GOLFVIEW DR HAMILTON OH 45013 3814	ACT: EFF:	4			55	x	<
P6412213000056 <i>CONTROL#:</i>	917 GOLFVIEW DR <input type="text" value="145"/>	26293 ENT	ERION MARY ANN	917 GOLF VIEW DR HAMILTON OH 45013 3814	ACT: EFF:	4			30	x	<
P6412213000057 <i>CONTROL#:</i>	913 GOLFVIEW DR <input type="text" value="146"/>	26292 ENT	ROMMEL JENNIFER & DANIEL	913 GOLFVIEW DR HAMILTON OH 45013 3814	ACT: EFF:	4			45	x	<
P6412213000058 <i>CONTROL#:</i>	909 GOLFVIEW DR <input type="text" value="147"/>	26291 ENT	PORTER MERLE D & MARY LEE	909 GOLFVIEW DR HAMILTON OH 45013 3814	ACT: EFF:	3				x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412213000002 <i>CONTROL#:</i>	805 COLUMBIA RD <input type="text" value="148"/>	21456 ENT	ROBERTSON ERICA R	805 COLUMBIA RD HAMILTON OH 45013 3670	<i>ACT:</i> <i>EFF:</i>	2			25	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412212000022 <i>CONTROL#:</i>	581 SOUTHWOOD DR <input type="text" value="201"/>	19502 ENT	BLACK WILLIAM N & JULIE A	581 SOUTHWOOD DR HAMILTON OH 45013 3717	ACT: EFF:	7			45	x	<
P6412208000012 <i>CONTROL#:</i>	1024 SOUTHERN HILLS B <input type="text" value="202"/>	22001 ENT	BOWLING JAMES C & JULIE A	1024 SOUTHERN HILLS BLVD HAMILTON OH 45013 3766	ACT: EFF:	4	1			5 x 15	<
P6412208000013 <i>CONTROL#:</i>	1036 SOUTHERN HILLS B <input type="text" value="203"/>	22002 ENT	FRENCH DALE E & GAIL E	225 S WASHINGTON BLVD HAMILTON OH 45013 3547	ACT: EFF:	2			15	5 x 20	<
P6412208000014 <i>CONTROL#:</i>	1050 SOUTHERN HILLS B <input type="text" value="204"/>	22003 ENT	MCDULIN G MICHAEL & CHRISTINA H MOORE	1050 SOUTHERN HILLS BLVD HAMILTON OH 45013 3766	ACT: EFF:	6				5 x 25	<
P6412208000015 <i>CONTROL#:</i>	1066 SOUTHERN HILLS B <input type="text" value="205"/>	22004 ENT	FREDERICK LINDA A & JOSEPH M	1066 SOUTHERN HILLS BLVD HAMILTON OH 45013 3766	ACT: EFF:	3			50	x	<
P6412208000016 <i>CONTROL#:</i>	1074 SOUTHERN HILLS B <input type="text" value="206"/>	22005 ENT	BOWLING JAMES E & TONYA	1074 SOUTHERN HILLS BLVD HAMILTON OH 45013 3766	ACT: EFF:	9			25	5 x 15	<
P6412208000017 <i>CONTROL#:</i>	1094 SOUTHERN HILLS B <input type="text" value="207"/>	22006 ENT	GENTRY DEBORAH J & BLACK MARVELLA S	6107 CHABLIS DR HAMILTON OH 45011 5213	ACT: EFF:	6			40	x	<
P6412208000018 <i>CONTROL#:</i>	1104 SOUTHERN HILLS B <input type="text" value="208"/>	22007 ENT	BRUNNER WILLIAM CARL & PATRICIA LOUISE CO-TRS	1104 SOUTHERN HILLS BLVD HAMILTON OH 45013 3708	ACT: EFF:	2			70	x	<
P6412208000019 <i>CONTROL#:</i>	1120 SOUTHERN HILLS B <input type="text" value="209"/>	22008 ENT	BRYANT GLYNDON H & GERALDINE	1120 SOUTHERN HILLS BLVD HAMILTON OH 45013 3708	ACT: EFF:				35	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412208000020 <i>CONTROL#:</i>	1130 SOUTHERN HILLS B <input type="text" value="210"/>	22009 ENT	PALLAZZA ELAINE BORZCIK	1130 SOUTHERN HILLS BLVD HAMILTON OH 45013 3708	ACT: EFF:	5			50	8 x 22	<
P6412208000021 <i>CONTROL#:</i>	1154 SOUTHERN HILLS B <input type="text" value="211"/>	22010 ENT	FRITSCH DAVID M & KIMBERLY A	1154 SOUTHERN HILLS BLVD HAMILTON OH 45013 3708	ACT: EFF:	4	2		65	8 x 12	<
P6412205000057 <i>CONTROL#:</i>	1160 SOUTHERN HILLS B <input type="text" value="212"/>	22011 ENT	SHIELDS DUSTIN M	1160 SOUTHERN HILLS BLVD HAMILTON OH 45013 3708	ACT: EFF:	7	2		40	8 x 12	<
P6412205000056 <i>CONTROL#:</i>	1164 SOUTHERN HILLS B <input type="text" value="213"/>	22012 ENT	CONNAUGHTON BEULAH M	1164 SOUTHERN HILLS BLVD HAMILTON OH 45013 3708	ACT: EFF:	5			40	x	<
P6412205000055 <i>CONTROL#:</i>	1174 SOUTHERN HILLS B <input type="text" value="214"/>	22013 ENT	SABATINI JOHN R & AUDREY J	625 GLENWAY DR HAMILTON OH 45013 3578	ACT: EFF:	6	2		74	8 x 12	<
P6412205000054 <i>CONTROL#:</i>	1190 SOUTHERN HILLS B <input type="text" value="215"/>	21296 ENT	SMITH BRIAN B	1190 SOUTHERN HILLS BLVD HAMILTON OH 45013 3708	ACT: EFF:	5			65	8 x 12	<
P6412205000151 <i>CONTROL#:</i>	1200 SOUTHERN HILLS B <input type="text" value="216"/>	21294 ENT	TORBIK GERALDINE W	3189 PRINCETON RD #298 HAMILTON OH 45011	ACT: EFF:	8			35	x	<
P6412205000150 <i>CONTROL#:</i> 1700217	1208 SOUTHERN HILLS B <input type="text" value="217"/>	21293 ENT	CARRIER BRIAN DAVID & JUDY ANN	1208 SOUTHERN HILLS BLVD HAMILTON OH 45013 3736	ACT: EFF:	3	4		60	8 x 25	<
P6412205000149 <i>CONTROL#:</i>	1216 SOUTHERN HILLS B <input type="text" value="218"/>	21292 ENT	SEVEN MILE PROPERTIES INC	550 N D ST HAMILTON OH 45013 2972	ACT: EFF:	2			20	8 x 15	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000148 <i>CONTROL#:</i>	1224 SOUTHERN HILLS B <input type="text" value="219"/>	21291 ENT	BUFLER RAY TALBERT & DORIS A	1224 SOUTHERN HILLS BLVD HAMILTON OH 45013 3736	ACT: EFF:	6	1		60	8 x 15	<
P6412205000147 <i>CONTROL#:</i>	1232 SOUTHERN HILLS B <input type="text" value="220"/>	21290 ENT	DAY APRIL	1232 SOUTHERN HILLS BLVD HAMILTON OH 45013 3736	ACT: EFF:	4	2		50	8 x 12	<
P6412205000146 <i>CONTROL#:</i>	1240 SOUTHERN HILLS B <input type="text" value="221"/>	21289 ENT	ESTRIDGE JOHN HARRISON CO TR & SALLY L CO TR	1240 SOUTHERN HILLS BLVD HAMILTON OH 45013 3736	ACT: EFF:				65	x	<
P6412205000145 <i>CONTROL#:</i>	1250 SOUTHERN HILLS B <input type="text" value="222"/>	21288 ENT	ROSE CLEADUS & SHIRLEY J	1250 SOUTHERN HILLS BLVD HAMILTON OH 45013 3736	ACT: EFF:	9	3		48	8 x 18	<
P6412205000144 <i>CONTROL#:</i>	1258 SOUTHERN HILLS B <input type="text" value="223"/>	21287 ENT	GILL DAVID E & JESSICA K	1258 SOUTHERN HILLS BLVD HAMILTON OH 45013 3736	ACT: EFF:	9	3		20	8 x 15	<
P6412205000143 <i>CONTROL#:</i>	1266 SOUTHERN HILLS B <input type="text" value="224"/>	21286 ENT	NELSON GINA EILEEN	3189 PRINCETON RD #298 HAMILTON OH 45011	ACT: EFF:	7	3		20	8 x 15	<
P6412205000142 <i>CONTROL#:</i>	1274 SOUTHERN HILLS B <input type="text" value="225"/>	21285 ENT	MOLTER CAROLYN SUE TR	1442 CLOVERNOOK DR HAMILTON OH 45013 3879	ACT: EFF:					x	<
P6412205000141 <i>CONTROL#:</i>	1282 SOUTHERN HILLS B <input type="text" value="226"/>	21284 ENT	HOLLISTER CHRISTINA J & BROVEY G MICHAEL	1282 SOUTHERN HILLS BLVD HAMILTON OH 45013 3736	ACT: EFF:	5			40	8 x 8	<
P6412205000140 <i>CONTROL#:</i>	1288 SOUTHERN HILLS B <input type="text" value="227"/>	21283 ENT	EBBING DEBORAH L	1288 SOUTHERN HILLS BLVD HAMILTON OH 45013 3736	ACT: EFF:	2	2		60	6 x 15	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000139 <i>CONTROL#:</i>	1298 SOUTHERN HILLS B <input type="text" value="228"/>	21282 ENT	BOWLING CHRISTOPHER & JILL A	2416 CHAPEL RD OKEANA OH 45053 9744	ACT: EFF:	5			50	x	<
P6412205000024 <i>CONTROL#:</i>	1300 SOUTHERN HILLS B <input type="text" value="229"/>	21281 ENT	MARTIN ERIC D & STEWART TARA A	1300 SOUTHERN HILLS BLVD HAMILTON OH 45013	ACT: 0 EFF: 0	5	2		40	5 x 15	<
P6412205000024 <i>CONTROL#:</i>	1300 SOUTHERN HILLS B <input type="text" value="229"/>	21281 ENT	MARTIN ERIC D & STEWART TARA A	1300 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	5	2		40	12 x 6	<
P6412205000023 <i>CONTROL#:</i>	1306 SOUTHERN HILLS B <input type="text" value="230"/>	21280 ENT	MEEHAN PATRICK J & DOROTHY S	1306 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	4	1		20	15 x 5	<
P6412205000022 <i>CONTROL#:</i>	1314 SOUTHERN HILLS B <input type="text" value="231"/>	21279 ENT	KN COHORT LLC	2121 ROSS HANOVER RD HAMILTON OH 45013 4816	ACT: EFF:	6	1		30	15 x 5	<
P6412205000021 <i>CONTROL#:</i>	1322 SOUTHERN HILLS B <input type="text" value="232"/>	21278 ENT	BERBEL ROBERT ELLIOTT & KEETSIE RUTH	3189 PRINCETON RD Suite #298 HAMILTON OH 45011 6417	ACT: EFF:	6	3		45	15 x 5	<
P6412205000020 <i>CONTROL#:</i>	1330 SOUTHERN HILLS B <input type="text" value="233"/>	21277 ENT	HAZELWOOD RONALD B & JENNIFER A	1330 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	7	3		40	15 x 5	<
P6412204000011 <i>CONTROL#:</i>	1336 SOUTHERN HILLS B <input type="text" value="234"/>	21276 ENT	SMITH STEPHEN L & KATHLEEN S	1336 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	6			30	x	<
P6412204000012 <i>CONTROL#:</i>	1344 SOUTHERN HILLS B <input type="text" value="235"/>	21275 ENT	ORTT MICHELLE TR	PO BOX 1128 HAMILTON OH 45012	ACT: EFF:	5	1		25	5 x 12	<

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						4"	6"	7"	LIN.FT	LxW	LxW
P6412204000013 <i>CONTROL#:</i>	1350 SOUTHERN HILLS B <input type="text" value="236"/>	21274 ENT	WEBB STEVEN L	1350 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	6	2		40	5 x 12	<
P6412204000014 <i>CONTROL#:</i>	1360 SOUTHERN HILLS B <input type="text" value="237"/>	21273 ENT	PHELPS KIMBERLY S	1360 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:		2		30	5 x 12	<
P6412204000015 <i>CONTROL#:</i>	1368 SOUTHERN HILLS B <input type="text" value="238"/>	21272 ENT	POSILICO WILLIAM & CHERRIE	1368 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	2	2		40	x	<
P6412204000016 <i>CONTROL#:</i>	1376 SOUTHERN HILLS B <input type="text" value="239"/>	21271 ENT	PILGRIM MELANIE	1376 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	1	1		50	5 x 8	<
P6412204000017 <i>CONTROL#:</i>	1382 SOUTHERN HILLS B <input type="text" value="240"/>	21270 ENT	GLISSON PHILLIP	1382 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	5	2		30	5 x 12	<
P6412204000018 <i>CONTROL#:</i>	1390 SOUTHERN HILLS B <input type="text" value="241"/>	22116 ENT	BOSSERT STEPHEN & KERRY A	1390 SOUTHERN HILLS BLVD HAMILTON OH 45013 3738	ACT: EFF:	10	3		35	10 x 20	<
P6412204000019 <i>CONTROL#:</i>	1398 SOUTHERN HILLS B <input type="text" value="242"/>	21269 ENT	CONREX RESIDENTIAL PROPERTY GROUP 2013 9 OPERATING COMPANY LLC	3 CORDES ST CHARLESTON SC 29401	ACT: EFF:	3	3		45	5 x 25	<
P6412204000038 <i>CONTROL#:</i>	1355 PYRAMID HILL BLV <input type="text" value="243"/>	21332 ENT	MORROW STEPHAN D	1355 PYRAMID HILL BLVD HAMILTON OH 45013 1534	ACT: EFF:	1	2		30	8 x 20	<
P6412204000039 <i>CONTROL#:</i>	1385 SOUTHERN HILLS B <input type="text" value="244"/>	21331 ENT	MULLINS DONALD JR & MELISSA	1385 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:	1			45	8 x 12	<

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						4"	6"	7"	LIN.FT	LxW	LxW
P6412204000040 CONTROL#: <input type="text" value="245"/>	1371 SOUTHERN HILLS B	21330 ENT	MAXWELL PAUL E & BRENDA D	1371 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:	8	2		80	8 x 12	<
P6412205000133 CONTROL#: <input type="text" value="245"/>	1301 SOUTHERN HILLS B	21321 ENT	HANN TARI A CO TR ETAL	1301 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:	3	2		25	x	<
P6412204000041 CONTROL#: <input type="text" value="246"/>	1361 SOUTHERN HILLS B	21329 ENT	MULLINIX ERIC L & KATHERYN S	1361 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:	2			20	x	<
P6412204000042 CONTROL#: <input type="text" value="247"/>	1355 SOUTHERN HILLS B	21328 ENT	HERSHNER DONALD LEWIS	3653 OXFORD MILLVILLE RD OXFORD OH 45056 9038	ACT: EFF:	8			50	8 x 12	<
P6412204000043 CONTROL#: <input type="text" value="248"/>	1347 SOUTHERN HILLS B	21327 ENT	TIDWELL ROBIN A	1347 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:	4	4		35	8 x 24	<
P6412205000138 CONTROL#: <input type="text" value="249"/>	1341 SOUTHERN HILLS B	21326 ENT	TARTER KENNETH & BEVERLY A	1341 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:				50	x	<
P6412205000137 CONTROL#: <input type="text" value="250"/>	1335 SOUTHERN HILLS B	21325 ENT	VIDOUREK CECILIA	1335 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:	4			55	8 x 12	<
P6412205000136 CONTROL#: <input type="text" value="251"/>	1325 SOUTHERN HILLS B	21324 ENT	MARCUM TERRI	2052 SUNSET DR HAMILTON OH 45013 2241	ACT: EFF:	1	2		30	x	<
P6412205000135 CONTROL#: <input type="text" value="252"/>	1315 SOUTHERN HILLS B	21323 ENT	KRANBUHL TAMMY J	1315 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:	3	2		40	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000134 CONTROL#: <input type="text" value="253"/>	1307 SOUTHERN HILLS B	21322 ENT	MEVERDEN MICHAEL T & MARTHA J	1307 SOUTHERN HILLS BLVD HAMILTON OH 45013 3737	ACT: EFF:		3		55	12 x 8	<
P6412205000132 CONTROL#: <input type="text" value="255"/>	1299 SOUTHERN HILLS B	21320 ENT	GILBERT KAREN LOUISE	1299 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	3	2		55	6 x 12	<
P6412205000131 CONTROL#: <input type="text" value="256"/>	1295 SOUTHERN HILLS B	21319 ENT	WILSON DANIELLE & JONES SPENCER	1295 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	5	1		61	6 x 12	<
P6412205000130 CONTROL#: <input type="text" value="257"/>	1287 SOUTHERN HILLS B	21318 ENT	WITHROW MARY JANE	1287 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	2	4		35	x	<
P6412205000129 CONTROL#: <input type="text" value="258"/>	1283 SOUTHERN HILLS B	21317 ENT	HARRINGTON VERONICA	1283 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	5			40	6 x 15	<
P6412205000128 CONTROL#: <input type="text" value="259"/>	1275 SOUTHERN HILLS B	21316 ENT	KOLB DONALD G & JOAN M	1275 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	2			50	x	<
P6412205000127 CONTROL#: <input type="text" value="260"/>	1265 SOUTHERN HILLS B	21315 ENT	MOAK CURTUS E & AMANDA	1265 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	4	2		46.5	6 x 12	<
P6412205000126 CONTROL#: <input type="text" value="261"/>	1261 SOUTHERN HILLS B	21314 ENT	PAUL DELITHA F	1261 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	3	3		56.5	8 x 12	<
P6412205000125 CONTROL#: <input type="text" value="262"/>	1251 SOUTHERN HILLS B	21313 ENT	BAKER JONATHAN M & GRIFFIN AMY L	1251 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	2	3		30	8 x 20	<

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						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000124 <i>CONTROL#:</i>	1241 SOUTHERN HILLS B <input type="text" value="263"/>	21312 ENT	THOMAS DAVID P & KIMBERLY	202 ROSS AVE HAMILTON OH 45013 4728	ACT: EFF:	6			50	8 x 15	<
P6412205000123 <i>CONTROL#:</i>	1233 SOUTHERN HILLS B <input type="text" value="264"/>	21311 ENT	SCHWAB DAVID S	PO Box 771 ROSS OH 45061	ACT: EFF:	7	2		46.5	8 x 12	<
P6412205000122 <i>CONTROL#:</i>	1225 SOUTHERN HILLS B <input type="text" value="265"/>	21310 ENT	2507 LTD LLC	337 LUDLOW ST HAMILTON OH 45011 2923	ACT: EFF:	7	2		30	8 x 15	<
P6412205000121 <i>CONTROL#:</i>	1215 SOUTHERN HILLS B <input type="text" value="266"/>	21309 ENT	MERRILL BILLIE J	1215 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	4			20	x	<
P6412205000120 <i>CONTROL#:</i>	1209 SOUTHERN HILLS B <input type="text" value="267"/>	21308 ENT	B AND B STAARMANN LLC	4316 STAHLHEBER RD HAMILTON OH 45013 8912	ACT: EFF:	9	2		55	8 x 12	<
P6412205000119 <i>CONTROL#:</i>	1205 SOUTHERN HILLS B <input type="text" value="268"/>	21307 ENT	SLUSSER JOSEPH	PO BOX 13142 HAMILTON OH 45013 0261	ACT: EFF:	6			55	8 x 15	<
P6412205000118 <i>CONTROL#:</i>	1201 SOUTHERN HILLS B <input type="text" value="269"/>	21306 ENT	HAMBLIN DAMON M	1201 SOUTHERN HILLS BLVD HAMILTON OH 45013 3735	ACT: EFF:	12	2		80	8 x 15	<
P6412205000062 <i>CONTROL#:</i>	1195 SOUTHERN HILLS B <input type="text" value="270"/>	21298 ENT	PRINZEL VIRGINIA I & PORTER SCHERREL L	1195 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	6			10	x	<
P6412205000061 <i>CONTROL#:</i>	1185 SOUTHERN HILLS B <input type="text" value="271"/>	21297 ENT	HILL MAE N	1185 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	5	2		40	8 x 16	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000060 <i>CONTROL#:</i>	1175 SOUTHERN HILLS B <input type="text" value="272"/>	22000 ENT	CHAN DEBRA E	1175 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	4	2		85	5 x 16	<
P6412205000059 <i>CONTROL#:</i>	1165 SOUTHERN HILLS B <input type="text" value="273"/>	21999 ENT	SHOUSE TIMOTHY LEIGH	1165 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	4	2		45	5 x 12	<
P6412205000058 <i>CONTROL#:</i>	1161 SOUTHERN HILLS B <input type="text" value="274"/>	21998 ENT	REID MEGAN & GRIMM TYLER	1161 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	3	2		45	3 x 16	<
P6412208000001 <i>CONTROL#:</i>	1155 SOUTHERN HILLS B <input type="text" value="275"/>	21997 ENT	FAUCETT JASON A & DYEHOUSE KRISTINE R	1155 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	8	2		55	2 x 16	<
P6412208000002 <i>CONTROL#:</i>	1135 SOUTHERN HILLS B <input type="text" value="276"/>	21996 ENT	SCOTT ERIC W & PEGGY K	1135 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	5			45	x	<
P6412208000003 <i>CONTROL#:</i>	1135 SOUTHERN HILLS B <input type="text" value="277"/>	21995 S 4	SCOTT ERIC W & PEGGY K	1135 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:		2		20	2 x 20	<
P6412208000004 <i>CONTROL#:</i>	SOUTHERN HILLS BLVD <input type="text" value="278"/>	21995 N 3	PAINTER MICHAEL B & MARGUERITE M	1101 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	1			20	x	<
P6412208000005 <i>CONTROL#:</i>	1101 SOUTHERN HILLS B <input type="text" value="279"/>	21994 ENT	PAINTER MICHAEL B & MARGUERITE M	1101 SOUTHERN HILLS BLVD HAMILTON OH 45013 3707	ACT: EFF:	5			40	x	<
P6412208000006 <i>CONTROL#:</i>	1095 SOUTHERN HILLS B <input type="text" value="280"/>	21993 ENT	FROMMER JENNIFER M	1095 SOUTHERN HILLS BLVD HAMILTON OH 45013 3765	ACT: EFF:	2	1		60	5 x 15	<

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						4"	6"	7"	LIN.FT	LxW	LxW
P6412208000007 CONTROL#: <input type="text" value="281"/>	1075 SOUTHERN HILLS B	21992 ENT	SMALLWOOD TROY M & SHAWNA M	915 COLUMBIA BLVD HAMILTON OH 45013 3628	ACT: EFF:	6			40	x	<
P6412208000008 CONTROL#: <input type="text" value="282"/>	1065 SOUTHERN HILLS B	21991 ENT	BUCHANAN RALPH E JR & KAREN	1065 SOUTHERN HILLS BLVD HAMILTON OH 45013 3765	ACT: EFF:	6			5	x	<
P6412208000009 CONTROL#: <input type="text" value="283"/>	1055 SOUTHERN HILLS B	21990 ENT	DINGELDINE OPAL A	1055 SOUTHERN HILLS BLVD HAMILTON OH 45013 3765	ACT: EFF:	5			17	x	<
P6412208000010 CONTROL#: <input type="text" value="284"/>	1035 SOUTHERN HILLS B	21989 ENT	DONGES DANIEL L & MARY H	1035 SOUTHERN HILLS BLVD HAMILTON OH 45013 3765	ACT: EFF:	3			10	x	<
P6412208000011 CONTROL#: <input type="text" value="285"/>	1025 SOUTHERN HILLS B	21988 ENT	JONES JANICE J	581 COLUMBIA RD HAMILTON OH 45013 3607	ACT: EFF:	2	1		10	5 x 15	<
P6412212000023 CONTROL#: <input type="text" value="286"/>	587 SOUTHWOOD DR	19504 ENT	SWIGONSKI DAVID P TR	587 SOUTHWOOD DR HAMILTON OH 45013 3709	ACT: EFF:	14			25	x	<
P6412205000063 CONTROL#: <input type="text" value="20000"/>	600 VALLEY VIEW DR	21299 ENT	PENSCO TR COMPANY CUSTODAIN T STEVEN ICHISHTA IRA	PO BOX 173859 DENVER CO 80217	ACT: EFF:					x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412202000040 <i>CONTROL#:</i>	1301 OAKMONT AVE <input type="text" value="301"/>	23410 ENT	BRUCE TINA ANN	1301 OAKMONT AVE HAMILTON OH 45013 3859	<i>ACT:</i> <i>EFF:</i>	6			25	x	<
P6412202000044 <i>CONTROL#:</i>	1350 CLOVERNOOK DR <input type="text" value="302"/>	23411 ENT	WOLLEBECK JERRY W & SUSAN	1350 CLOVERNOOK DR HAMILTON OH 45013 3877	<i>ACT:</i> <i>EFF:</i>				5	4 x 8	<
P6412202000045 <i>CONTROL#:</i>	1360 CLOVERNOOK DR <input type="text" value="303"/>	23412 ENT	JEFFRIES GREGORY M & PATRICIA L	1360 CLOVERNOOK DR HAMILTON OH 45013 3877	<i>ACT:</i> <i>EFF:</i>	1			15	4 x 10	<
P6412202000046 <i>CONTROL#:</i>	1370 CLOVERNOOK DR <input type="text" value="304"/>	23413 ENT	CAMPBELL BRIAN J & JUDI A	2122 SMITH RD HAMILTON OH 45013 8508	<i>ACT:</i> <i>EFF:</i>	1				x	<
P6412202000001 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="305"/>	26920 ENT	HICKS ROBERT KERRY & MELISSA R	1400 CLOVERNOOK DR HAMILTON OH 45013 3843	<i>ACT:</i> <i>EFF:</i>	1				x	<
P6412202000002 <i>CONTROL#:</i>	1400 CLOVERNOOK DR <input type="text" value="306"/>	26921 ENT	HICKS ROBERT KERRY & MELISSA R	1400 CLOVERNOOK DR HAMILTON OH 45013 3843	<i>ACT:</i> <i>EFF:</i>	3	7		100	5 x 55	<
P6412202000003 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="307"/>	26922 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	<i>ACT:</i> <i>EFF:</i>				40	x	<
P6412202000004 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="308"/>	26923 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	<i>ACT:</i> <i>EFF:</i>				15	x	<
P6412202000005 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="309"/>	26924 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	<i>ACT:</i> <i>EFF:</i>				20	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412202000052 <i>CONTROL#:</i>	1420 CLOVERNOOK DR <input type="text" value="310"/>	29475 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: EFF:				55	x	<
P6412202000008 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="311"/>	26927 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: EFF:				10	x	<
P6412202000009 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="312"/>	26928 ENT	HICKS ROBERT C TR UNDER THE ROBERT C HICKS TRUST DATED	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: EFF:				5	x	<
P6412202000010 <i>CONTROL#:</i>	1434 CLOVERNOOK DR <input type="text" value="313"/>	26929 ENT	WITHROW CLETUS H & JANET M	1434 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: EFF:	2				x	<
P6412202000011 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="314"/>	26930 ENT	WITHROW CLETUS H & JANET M	1434 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: EFF:	5			20	x	<
P6412202000012 <i>CONTROL#:</i>	1442 CLOVERNOOK DR <input type="text" value="315"/>	26931 ENT	MOLTER ALFRED C & CAROLYN SUE	1442 CLOVERNOOK DR HAMILTON OH 45013 3879	ACT: EFF:		3		55	x	<
P6412202000013 <i>CONTROL#:</i>	1446 CLOVERNOOK DR <input type="text" value="316"/>	26932 ENT	POYNTER TIMOTHY J & SALLY M	1446 CLOVERNOOK DR HAMILTON OH 45013 3879	ACT: EFF:	2	4		30	8 x 20	<
P6412202000014 <i>CONTROL#:</i>	1450 CLOVERNOOK DR <input type="text" value="317"/>	26933 ENT	KMR	1450 CLOVERNOOK DR HAMILTON OH 45013 3879	ACT: EFF:					8 x 12	<
P6412202000015 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="318"/>	26934 ENT	SMITH JO A ETAL	1449 CLOVERNOOK DR HAMILTON OH 45013 3842	ACT: EFF:				10	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412202000016 <i>CONTROL#:</i>	1449 CLOVERNOOK DR <input type="text" value="319"/>	26935 ENT	SMITH JO A ETAL	1449 CLOVERNOOK DR HAMILTON OH 45013 3842	ACT: EFF:	1	2		10	8 x 20	<
P6412202000017 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="320"/>	26936 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	ACT: EFF:				20	x	<
P6412202000018 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="321"/>	26937 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	ACT: EFF:				20	x	<
P6412202000019 <i>CONTROL#:</i>	1437 CLOVERNOOK DR <input type="text" value="322"/>	26938 ENT	STRICKER MICHAEL R & LINDA M	1437 CLOVERNOOK CT HAMILTON OH 45013 3842	ACT: EFF:				50	x	<
P6412202000020 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="323"/>	26939 ENT	STRICKER MICHAEL R & LINDA M	1437 CLOVERNOOK CT HAMILTON OH 45013 3842	ACT: EFF:				15	x	<
P6412202000021 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="324"/>	26940 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	ACT: EFF:				40	x	<
P6412202000022 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="325"/>	26941 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	ACT: EFF:				50	x	<
P6412202000023 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="326"/>	26942 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	ACT: EFF:				130	x	<
P6412202000024 <i>CONTROL#:</i>	KERRY CT <input type="text" value="328"/>	26943 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	ACT: EFF:				40	x	<

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						4"	6"	7"	LIN.FT	LxW	LxW
P6412202000025 <i>CONTROL#:</i>	KERRY CT <input type="text" value="329"/>	26944 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	<i>ACT:</i> <i>EFF:</i>					x	<
P6412202000026 <i>CONTROL#:</i>	KERRY CT <input type="text" value="330"/>	26945 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	<i>ACT:</i> <i>EFF:</i>				10	x	<
P6412202000027 <i>CONTROL#:</i>	KERRY CT <input type="text" value="331"/>	26946 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	<i>ACT:</i> <i>EFF:</i>				10	x	<
P6412202000028 <i>CONTROL#:</i>	10 KERRY CT <input type="text" value="332"/>	26947 ENT	BURNS CHARLES D & SHAW ANITA M	10 KERRY CT HAMILTON OH 45013 3876	<i>ACT:</i> <i>EFF:</i>	1			45	x	<
P6412202000029 <i>CONTROL#:</i>	KERRY CT <input type="text" value="333"/>	26948 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	<i>ACT:</i> <i>EFF:</i>				30	x	<
P6412202000030 <i>CONTROL#:</i>	6 KERRY CT <input type="text" value="334"/>	26949 ENT	STUMPF DOUGLAS C & PATRICIA J	6 KERRY CT HAMILTON OH 45013 3876	<i>ACT:</i> <i>EFF:</i>				20	x	<
P6412202000031 <i>CONTROL#:</i>	4 KERRY CT <input type="text" value="335"/>	26950 ENT	SPICER JAMES R & MARY L	4 KERRY CT HAMILTON OH 45013 3876	<i>ACT:</i> <i>EFF:</i>				60	x	<
P6412202000032 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="336"/>	26951 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	<i>ACT:</i> <i>EFF:</i>				10	x	<
P6412202000033 <i>CONTROL#:</i>	CLOVERNOOK DR <input type="text" value="337"/>	26952 ENT	HICKS MANOR INC	1131 MAGIE AVE FAIRFIELD OH 45014 1823	<i>ACT:</i> <i>EFF:</i>					x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412202000034 <i>CONTROL#:</i>	1379 CLOVERNOOK DR <input type="text" value="338"/>	26953 ENT	TILLETT PAUL E SR	1379 CLOVERNOOK DR HAMILTON OH 45013 3878	ACT: EFF:	6			30	x	<
P6412202000035 <i>CONTROL#:</i>	1361 CLOVERNOOK DR <input type="text" value="339"/>	26954 ENT	HENDRICKS BARBARA	1361 CLOVERNOOK DR HAMILTON OH 45013 3878	ACT: EFF:	2			25	x	<
P6412202000039 <i>CONTROL#:</i>	1297 OAKMONT AVE <input type="text" value="340"/>	21335 ENT	GONYA SAMANTHA J	1297 OAKMONT AVE HAMILTON OH 45013 3857	ACT: EFF:	2			20	x	<
P6412205000099 <i>CONTROL#:</i>	1298 OAKMONT AVE <input type="text" value="341"/>	21377 ENT	MANN VICKY L	1298 OAKMONT AVE HAMILTON OH 45013 3858	ACT: EFF:	2			10	x	<
P6412205000132 <i>CONTROL#:</i>	1301 SOUTHERN HILLS B <input type="text" value="342"/>	21320 ENT	GILBERT KAREN LOUISE	1299 SOUTHERN HILLS BL HAMILTON OH 45013 3860	ACT: EFF:	13				x	<
P6412205000133 <i>CONTROL#:</i>	1301 SOUTHERN HILLS B <input type="text" value="343"/>	21321 ENT	HANN TARI A CO TR ETAL	1301 SOUTHERN HILLS BL HAMILTON OH 45013 3860	ACT: EFF:	3			10	x	<
P6412205000098 <i>CONTROL#:</i>	1300 OAKMONT AVE <input type="text" value="344"/>	21378 ENT	CRYSEL RONALD JR & PATRICIA	1300 OAKMONT AVE HAMILTON OH 45013 3860	ACT: EFF:	5	5		45	4 x 20	<

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						4"	6"	7"	LIN.FT	LxW	LxW
P6462011000087 <i>CONTROL#:</i>	3501 PLEASANT AVE <input type="text" value="601"/>	19717 ENT	LINDENWALD METHODIST CHURCH	CINCINNATI OH 45241	ACT: EFF:	6		2	155	x	5 x 24
P6462011000086 <i>CONTROL#:</i>	3526 ARLINGTON AVE <input type="text" value="602"/>	19742 ENT	BROWN EDWARD D	3526 ARLINGTON AVE HAMILTON OH 45015	ACT: EFF:	5			35	5 x 12	<
P6462011000085 <i>CONTROL#:</i>	3530 ARLINGTON AVE <input type="text" value="603"/>	19741 ENT	DEAN COURTNEY R	3530 ARLINGTON AVE HAMILTON OH 45015 1702	ACT: EFF:		3		25	5 x 12	<
P6462011000084 <i>CONTROL#:</i>	3536 ARLINGTON AVE <input type="text" value="604"/>	19740 ENT	ROSENBERGER RALPH J & BARBARA J	3536 ARLINGTON AVE HAMILTON OH 45015 1702	ACT: EFF:	4	2		45	5 x 16	<
P6462011000083 <i>CONTROL#:</i>	3544 ARLINGTON AVE <input type="text" value="605"/>	19739 ENT	DAROVEC MARY V	3544 ARLINGTON AVE HAMILTON OH 45015 1702	ACT: EFF:	4	1		20	5 x 16	<
P6462011000082 <i>CONTROL#:</i>	3556 ARLINGTON AVE <input type="text" value="606"/>	19738 ENT	MCGEE JARVIS A & JENNIFER R	3556 ARLINGTON AVE HAMILTON OH 45015 1702	ACT: EFF:	3			20	x	<
P6462011000081 <i>CONTROL#:</i>	3560 ARLINGTON AVE <input type="text" value="607"/>	19737 ENT	WOLFE RHONDA C	3560 ARLINGTON AVE HAMILTON OH 45015 1702	ACT: EFF:	1			15	x	<
P6462011000080 <i>CONTROL#:</i>	3562 ARLINGTON AVE <input type="text" value="608"/>	19736 ENT	NUSKY TERRENCE S & AMY S	3562 ARLINGTON AVE HAMILTON OH 45015 1702	ACT: EFF:	3			45	5 x 16	<
P6462011000079 <i>CONTROL#:</i>	3568 ARLINGTON AVE <input type="text" value="609"/>	19735 ENT	KLABER JESSICA R	3568 ARLINGTON AVE HAMILTON OH 45015 1702	ACT: EFF:	2	2		20	5 x 16	<

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						4"	6"	7"	LIN.FT	LxW	LxW
P6462011000078 <i>CONTROL#:</i>	3576 ARLINGTON AVE <input type="text" value="610"/>	19734 ENT	WALLACE CYNTHIA A	3576 ARLINGTON AVE HAMILTON OH 45015 1702	<i>ACT:</i> <i>EFF:</i>					x	<
P6462011000077 <i>CONTROL#:</i>	3580 ARLINGTON AVE <input type="text" value="611"/>	19733 ENT	KOLLSTEDT MAUREEN L	3580 ARLINGTON AVE HAMILTON OH 45015 1702	<i>ACT:</i> <i>EFF:</i>					x	<
P6462011000076 <i>CONTROL#:</i>	3588 ARLINGTON AVE <input type="text" value="612"/>	19732 ENT	HARVEY DONALD J	3588 ARLINGTON AVE HAMILTON OH 45015 1702	<i>ACT:</i> <i>EFF:</i>	2	1		70	5 x 15	<
P6462011000075 <i>CONTROL#:</i>	500 SAINT CLAIR AVE <input type="text" value="613"/>	19731 ENT	TIMMONS JAMES & PATRICIA J	500 SAINT CLAIR AVE HAMILTON OH 45015 1956	<i>ACT:</i> <i>EFF:</i>	1			40	x	<
P6462011000074 <i>CONTROL#:</i>	480 SAINT CLAIR AVE <input type="text" value="614"/>	19767 ENT	FRICK ZACHARY ARTHUR	480 ST CLAIR AVE HAMILTON OH 45015 1509	<i>ACT:</i> <i>EFF:</i>	3			35	x	<
P6462011000073 <i>CONTROL#:</i>	3581 ARLINGTON AVE <input type="text" value="615"/>	19766 ENT	YOUNG BAMBI D	3581 ARLINGTON AVE HAMILTON OH 45015 1701	<i>ACT:</i> <i>EFF:</i>	2			20	x	<
P6462011000072 <i>CONTROL#:</i>	3575 ARLINGTON AVE <input type="text" value="616"/>	19765 ENT	NICKELL JOHNNY & CAROL L	3575 ARLINGTON AVE HAMILTON OH 45015 1701	<i>ACT:</i> <i>EFF:</i>	1			10	x	<
P6462011000071 <i>CONTROL#:</i>	3567 ARLINGTON AVE <input type="text" value="617"/>	19764 ENT	KORB KEVIN R TR	6 N ROSEWOOD CT ALEXANDRIA KY 41001 4323	<i>ACT:</i> <i>EFF:</i>	2			30	5 x 20	<
P6462011000070 <i>CONTROL#:</i>	3561 ARLINGTON AVE <input type="text" value="618"/>	19763 ENT	KONRAD RAYMOND E	3561 ARLINGTON AVE HAMILTON OH 45015 1701	<i>ACT:</i> <i>EFF:</i>	1			35	5 x 15	<

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						4"	6"	7"	LIN.FT	LxW	LxW
P6462011000069 <i>CONTROL#:</i>	3555 ARLINGTON AVE <input type="text" value="619"/>	19762 ENT	VILKOSKI VINCENT R & SANDRA A	3555 ARLINGTON AVE HAMILTON OH 45015 1701	ACT: EFF:	3	1		40	5 x 15	<
P6462011000068 <i>CONTROL#:</i>	3551 ARLINGTON AVE <input type="text" value="620"/>	19761 ENT	FITZHUGH ODELL	3551 ARLINGTON AVE HAMILTON OH 45015 1701	ACT: EFF:	4	3		60	x	<
P6462011000067 <i>CONTROL#:</i>	3543 ARLINGTON AVE <input type="text" value="621"/>	19760 ENT	KUHL CHRISTOPHER	3543 ARLINGTON AVE HAMILTON OH 45015 1701	ACT: EFF:	1			30	x	<
P6462011000066 <i>CONTROL#:</i>	3535 ARLINGTON AVE <input type="text" value="622"/>	19759 ENT	MCLEAN MARK J	3535 ARLINGTON AVE HAMILTON OH 45015 1701	ACT: EFF:	2	1		60	5 x 15	<
P6462011000065 <i>CONTROL#:</i>	3531 ARLINGTON AVE <input type="text" value="623"/>	19758 ENT	BURKART CHRISTINA M	3531 ARLINGTON AVE HAMILTON OH 45015 1701	ACT: EFF:	2	2		60	5 x 16	<
P6462011000064 <i>CONTROL#:</i>	3525 ARLINGTON AVE <input type="text" value="624"/>	19757 ENT	TOTH AMANDA M	3525 ARLINGTON AVE HAMILTON OH 45015 1701	ACT: EFF:	1			60	5 x 15	<
P6462011000063 <i>CONTROL#:</i>	3519 ARLINGTON AVE <input type="text" value="625"/>	19756 ENT	IRWIN THOMAS L	836 GORDON SMITH BLVD Apartment 4 HAMILTON OH 45013 1485	ACT: EFF:	3			40	5 x 15	<
P6462011000062 <i>CONTROL#:</i>	3515 ARLINGTON AVE <input type="text" value="626"/>	19755 ENT	SCHROER MARIAN J	171 BRADSHAW PARK DR WOODSTOCK GA 30188 1701	ACT: EFF:	2			50	5 x 12	<
P6462011000061 <i>CONTROL#:</i>	3507 ARLINGTON AVE <input type="text" value="627"/>	19754 ENT	MOORE TAMMY S	3507 ARLINGTON AVE HAMILTON OH 45015 1701	ACT: EFF:				30	5 x 15	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6462011000060 <i>CONTROL#:</i>	3501 ARLINGTON AVE <input type="text" value="628"/>	19753 ENT	BUSCHELMAN ROBERT F & PHYLLIS D	3501 ARLINGTON AVE HAMILTON OH 45015 1701	<i>ACT:</i> <i>EFF:</i>	4			30	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6462011000117 <i>CONTROL#:</i>	PLEASANT AVE 701	19712 S 9	LINDENWALD UNITED METHODIST CHURCH	3501 PLEASANT AVE HAMILTON OH 45015 1763	<i>ACT:</i> <i>EFF:</i>	9		4	125	x	5 x 40
P6462011000116 <i>CONTROL#:</i>	550 HAYES AVE 702	19711 ENT	HENSLEY CARLA J	550 HAYES AVE HAMILTON OH 45015 1767	<i>ACT:</i> <i>EFF:</i>	14	2		55	5 x 24	x
P6462011000115 <i>CONTROL#:</i>	540 HAYES AVE 703	19710 ENT	KUNKEL EDWARD R & LOIS A	540 HAYES AVE HAMILTON OH 45015 1767	<i>ACT:</i> <i>EFF:</i>	3			20	5 x 12	x
P6462011000114 <i>CONTROL#:</i>	530 HAYES AVE 704	19709 ENT	RAGAN NATHAN A	6008 INDIAN TRACE DR HAMILTON OH 45011 7139	<i>ACT:</i> <i>EFF:</i>	6			30	5 x 12	x
P6462011000113 <i>CONTROL#:</i>	520 HAYES AVE 705	19708 ENT	STOLER JOSEPH R & PAMELA F	520 HAYES AVE HAMILTON OH 45015 1767	<i>ACT:</i> <i>EFF:</i>	4			45	5 x 12	x
P6462011000112 <i>CONTROL#:</i>	510 HAYES AVE 706	19707 ENT	SCHOFIELD DANIEL J & EVERS PATRICIA A	510 HAYES AVE HAMILTON OH 45015 1767	<i>ACT:</i> <i>EFF:</i>	6	2		20	5 x 12	x
P6462011000111 <i>CONTROL#:</i>	500 HAYES AVE 707	19706 ENT	NEW ANITA & CARTER PATRICIA	5663 LAKE MICHIGAN FAIRFIELD OH 45014 0043	<i>ACT:</i> <i>EFF:</i>	1			20	5 x 12	x
P6462011000110 <i>CONTROL#:</i>	474 HAYES AVE 708	19705 ENT	BURKART CHRISTINA M	474 HAYES AVE HAMILTON OH 45015 1751	<i>ACT:</i> <i>EFF:</i>	3	1			5 x 12	x
P6462011000109 <i>CONTROL#:</i>	450 HAYES AVE 709	19704 ENT	COX THOMAS W JR & MELISSA D	450 HAYES AVE HAMILTON OH 45015 1751	<i>ACT:</i> <i>EFF:</i>	3				x	x

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6462011000108 <i>CONTROL#:</i>	424 HAYES AVE <input type="text" value="710"/>	19703 ENT	DUCKLO MELANIE	424 HAYES AVE HAMILTON OH 45015 1751	<i>ACT:</i> <i>EFF:</i>				25	x	<
P6462011000107 <i>CONTROL#:</i>	3360 FREEMAN AVE <input type="text" value="711"/>	19702 ENT	WEEKS ANDREW A & SHERRY L	3360 FREEMAN AVE HAMILTON OH 45015 1725	<i>ACT:</i> <i>EFF:</i>	1				x	<
P6462011000106 <i>CONTROL#:</i>	3361 FREEMAN AVE <input type="text" value="712"/>	19701 ENT	EVANS JAMIE L	3361 FREEMAN AVE HAMILTON OH 45015 1724	<i>ACT:</i> <i>EFF:</i>	2			40	x	<
P6462011000105 <i>CONTROL#:</i>	374 HAYES AVE <input type="text" value="713"/>	19700 ENT	ADELSPERGER LAURIE B	374 HAYES AVE HAMILTON OH 45015 1749	<i>ACT:</i> <i>EFF:</i>	4	1		15	x	<
P6462011000104 <i>CONTROL#:</i>	350 HAYES AVE <input type="text" value="714"/>	19699 ENT	CRANK TIMOTHY	350 HAYES AVE HAMILTON OH 45015 1749	<i>ACT:</i> <i>EFF:</i>	1			25	5 x 12	<
P6462011000103 <i>CONTROL#:</i>	324 HAYES AVE <input type="text" value="715"/>	19698 ENT	PALMIERI JAMES J & MONICA	324 HAYES AVE HAMILTON OH 45015 1749	<i>ACT:</i> <i>EFF:</i>	1	1		25	5 x 12	<
P6462011000102 <i>CONTROL#:</i>	300 HAYES AVE <input type="text" value="716"/>	19697 ENT	SCRUGGS LUCY	300 HAYES AVE HAMILTON OH 45015 1749	<i>ACT:</i> <i>EFF:</i>	1			15	x	<
P6462011000009 <i>CONTROL#:</i>	329 HAYES AVE <input type="text" value="717"/>	19743 ENT	STAIGL BETTY J	329 HAYES AVE HAMILTON OH 45015 1748	<i>ACT:</i> <i>EFF:</i>	4			20	x	<
P6462011000010 <i>CONTROL#:</i>	351 HAYES AVE <input type="text" value="718"/>	19744 ENT	BRANDENBURG MARK & STANDAFAER MAGGIE	351 HAYES AVE HAMILTON OH 45015 1748	<i>ACT:</i> <i>EFF:</i>	4	1		15	x	<

Hayes

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6462011000011 CONTROL#: <input type="text" value="719"/>	389 HAYES AVE	19745 ENT	WOLFE J RONALD & SALLY J	389 HAYES AVE HAMILTON OH 45015 1748	ACT: EFF:	5			15	5 x 24	<
P6462011000052 CONTROL#: <input type="text" value="720"/>	421 HAYES AVE	19746 ENT	FIGHERER CHRISTOPHER J & RENEE M	421 HAYES AVE HAMILTON OH 45015 1750	ACT: EFF:	1			65	5 x 24	<
P6462011000053 CONTROL#: <input type="text" value="721"/>	451 HAYES AVE	19747 ENT	HARRIS SHIRLEY A	451 HAYES AVE HAMILTON OH 45015 1750	ACT: EFF:	1			25	5 x 12	<
P6462011000054 CONTROL#: <input type="text" value="722"/>	475 HAYES AVE	19748 ENT	PECK LUELLA G	475 HAYES AVE HAMILTON OH 45015 1750	ACT: EFF:	2			15	x	<
P6462011000056 CONTROL#: <input type="text" value="723"/>	515 HAYES AVE	19749 ENT	JOYCE WILLIAMS EMILY	515 HAYES AVE HAMILTON OH 45015 1768	ACT: EFF:	2			30	x	<
P6462011000057 CONTROL#: <input type="text" value="724"/>	535 HAYES AVE	19750 ENT	KOLLSTEDT EDWARD J	535 HAYES AVE HAMILTON OH 45015 1768	ACT: EFF:	6	1		45	5 x 12	<
P6462011000058 CONTROL#: <input type="text" value="725"/>	543 HAYES AVE	19751 ENT	HOLLAND CHRISTOPHER R & THERESA R	543 HAYES AVE HAMILTON OH 45015 1768	ACT: EFF:		3		50	5 x 12	<
P6462011000059 CONTROL#: <input type="text" value="726"/>	555 HAYES AVE	19752 ENT	SCHRADER JANICE H	555 HAYES AVE HAMILTON OH 45015 1768	ACT: EFF:	3				x	<
P6462011000087 CONTROL#: <input type="text" value="727"/>	3501 PLEASANT AVE	19717 ENT	LINDENWALD METHODIST CHURCH	CINCINNATI OH 45241	ACT: EFF:	12		5	115	x	5 < 40

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						4"	6"	7"			
P6451007000072 <i>CONTROL#:</i>	974 KAHN AVE 1001	11548 N 1	ALLEN JOSHUA M	1811 HANCOCK AVE HAMILTON OH 45011 4449	<i>ACT: 40.9</i> <i>EFF: 37</i>	11	3		100	6 x 20	<
P6451007000073 <i>CONTROL#:</i>	980 KAHN AVE 1002	11548 S 4 ALLEY	BLEVENS DAVID A	981 KAHN AVE HAMILTON OH 45011 4457	<i>ACT: 48</i> <i>EFF: 48</i>	3			20	6 x 12	<
P6451007000070 <i>CONTROL#:</i>	992 KAHN AVE 1003	11552 W 8 ALLEY	BUTLER COUNTY LAND REUTILIZATION CORP	315 HIGH ST 10TH FL HAMILTON OH 45011 6119	<i>ACT: 36</i> <i>EFF: 36</i>	1			20	x	<
P6451007000068 <i>CONTROL#:</i>	994 KAHN AVE 1004	11553 W 8	SANDERS BARRY L	994 KAHN AVE HAMILTON OH 45011 4458	<i>ACT: 30</i> <i>EFF: 30</i>	3	2		30	6 x 15	<
P6451007000065 <i>CONTROL#:</i>	994 KAHN AVE 1005	11554 N 1	SANDERS BARRY L	994 KAHN AVE HAMILTON OH 45011 4458	<i>ACT: 10</i> <i>EFF: 10</i>	3			15	x	<
P6451007000066 <i>CONTROL#:</i>	998 KAHN AVE 1006	11554 S 2 CONS W/63	NEAL MARTHA GAIL AKA GAIL NEAL	998 KAHN AVE HAMILTON OH 45011 4458	<i>ACT:</i> <i>EFF:</i>	2				x	<
P6451007000063 <i>CONTROL#:</i>	KAHN AVE 1007	11555 W 8 CONS W/ 6	NEAL MARTHA GAIL AKA GAIL NEAL	2280 SETTLERS TRL VANDALIA OH 45377 4458	<i>ACT: 50</i> <i>EFF: 50</i>	2	1		15	6 x 15	<
P6451007000061 <i>CONTROL#:</i>	998 KAHN AVE 1008	11556 W 8	NEAL MARTHA GAIL AKA GAIL NEAL	2280 SETTLERS TRL VANDALIA OH 45377 4458	<i>ACT: 30</i> <i>EFF: 30</i>	4				x	<
P6451014000021 <i>CONTROL#:</i>	1905 HOWELL AVE 1009	11575 ENT CONS W/22	LUBBERS MARY C TR	2937 BAFFIN DR HAMILTON OH 45011 8202	<i>ACT: 60</i> <i>EFF: 60</i>	6			75	6 x 15	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451014000047 <i>CONTROL#:</i>	1902 EDISON AVE 1010	11637 W 2	BESI RENTAL PROPERTIES LLC	9087 SUTTON PL HAMILTON OH 45011 9316	ACT: 20 EFF: 20	21			100	x	<
P6451014000077 <i>CONTROL#:</i>	1100 KAHN AVE 1011	11667 ENT	HOLLANDSWORTH REGINA L	1100 KAHN AVE HAMILTON OH 45011 4430	ACT: 30 EFF: 30	6			20	x	<
P6451014000078 <i>CONTROL#:</i>	1108 KAHN AVE 1012	11668 ENT	HARRIS FLORENCE J	1108 KAHN AVE HAMILTON OH 45011 4430	ACT: 30 EFF: 30	4			25	x	<
P6451014000079 <i>CONTROL#:</i>	1114 KAHN AVE 1013	11669 ENT	STATON PAUL E	200 KIRBY CEM RD IRVINE KY 40336 9300	ACT: 30 EFF: 30	1			20	x	<
P6451014000080 <i>CONTROL#:</i>	1120 KAHN AVE 1014	11670 ENT	PAYNE ROY R JR & BARBARA G	5273 CHARLENE DR FAIRFIELD OH 45014 1534	ACT: 20 EFF: 20	7			20	x	<
P6451014000081 <i>CONTROL#:</i>	1124 KAHN AVE 1015	11671 ENT	NEWMAN RONALD H & CONNIE R	1124 KAHN AVE HAMILTON OH 45013 4430	ACT: 30 EFF: 30				30	x	<
P6451014000082 <i>CONTROL#:</i>	1126 KAHN AVE 1016	11672 ENT	PETERS DANIEL F	7130 LIBERTY FAIRFIELD RD HAMILTON OH 45011 5461	ACT: 30 EFF: 30	7			5	x	<
P6451014000083 <i>CONTROL#:</i>	1130 KAHN AVE 1017	11673 ENT	PETERS DANIEL F	7130 LIBERTY FAIRFIELD RD HAMILTON OH 45011 5461	ACT: 30 EFF: 30	4			20	x	<
P6451014000084 <i>CONTROL#:</i>	1136 KAHN AVE 1018	11674 ENT	PARKS BONITA M & JERRY	1136 KAHN AVE HAMILTON OH 45011 4430	ACT: 30 EFF: 30	5			25	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451014000085 <i>CONTROL#:</i>	1142 KAHN AVE 1019	11675 ENT	BURCHFIELD WILLIAM N	40 BRACKEN PL FAIRFIELD OH 45014 4537	ACT: 30 EFF: 30	6			30	x	<
P6451021000024 <i>CONTROL#:</i>	KAHN AVE 1020	11676 ENT	BURCHFIELD WILLIAM N	40 BRACKEN PL FAIRFIELD OH 45014 4537	ACT: 30 EFF: 30				30	x	<
P6451021000025 <i>CONTROL#:</i>	1150 KAHN AVE 1021	11677 ENT	LINKOUS RODNEY R	1150 KAHN AVE HAMILTON OH 45011 4430	ACT: 30 EFF: 30	3			30	x	<
P6451021000026 <i>CONTROL#:</i>	1156 KAHN AVE 1022	11678 ENT	LINKOUS BOBBY J	1156 KAHN AVE HAMILTON OH 45011 4430	ACT: 30 EFF: 30	1			20	x	<
P6451021000027 <i>CONTROL#:</i>	KAHN AVE 1023	11679 ENT	LINKOUS BOBBY J	1156 KAHN AVE HAMILTON OH 45011 4430	ACT: 30 EFF: 30	5				x	<
P6451021000028 <i>CONTROL#:</i>	1164 KAHN AVE 1024	11680 ENT	LINKOUS BOBBY J	1156 KAHN AVE HAMILTON OH 45011 4430	ACT: 30 EFF: 30	4			20	x	<
P6451021000029 <i>CONTROL#:</i>	1170 KAHN AVE 1025	11681 ENT	FIFTH HERITAGE GROUP III LLC	2338 BRICK HOUSE LN FAIRFIELD OH 45014 4541	ACT: 30 EFF: 30	6			30	x	<
P6451021000030 <i>CONTROL#:</i>	1176 KAHN AVE 1026	11682 ENT	HOBBS MELODY S	1176 KAHN AVE HAMILTON OH 45011 4430	ACT: 33 EFF: 33	3			20	x	<
P6451021000031 <i>CONTROL#:</i>	1180 KAHN AVE 1027	11683 ENT	SNEED VALERIE M	1255 PARK AVE HAMILTON OH 45013 2667	ACT: 30 EFF: 30	3			15	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451021000032 <i>CONTROL#:</i>	1182 KAHN AVE 1028	11684 ENT	LEIBROOK WESLEY JAY	2685 HAMILTON RICHMOND RD HAMILTON OH 45013 1027	<i>ACT: 30</i> <i>EFF: 30</i>	3				x	<
P6451021000033 <i>CONTROL#:</i>	KAHN AVE 1029	11685 ENT	LEIBROOK WESLEY JAY	2685 HAMILTON RICHMOND RD HAMILTON OH 45013 1027	<i>ACT: 30</i> <i>EFF: 30</i>	5			10	x	<
P6451021000034 <i>CONTROL#:</i>	1194 KAHN AVE 1030	11686 ENT	RENNEKER WILLIAM B	1194 KAHN AVE HAMILTON OH 45011 4430	<i>ACT: 30</i> <i>EFF: 30</i>	3			25	x	<
P6451021000060 <i>CONTROL#:</i>	1208 KAHN AVE 1031	11878 ENT	OSTERBERGER DEVAN & PATRICIA A	1208 KAHN AVE HAMILTON OH 45011 4558	<i>ACT: 35</i> <i>EFF: 34</i>	1			15	x	<
P6451021000085 <i>CONTROL#:</i>	1206 SHULER AVE 1032	32040 ENT	INSTITUTE OF MANAGEMENT AND RESOURCES INC	368 S PATTERSON BLVD DAYTON OH 45402	<i>ACT:</i> <i>EFF:</i>				10	x	<
P6451021000012 <i>CONTROL#:</i>	1195 KAHN AVE 1033	11706 ENT	VAN BUREN PROPERTY MANAGEMENT LLC	3189 PRINCETON RD #298 HAMILTON OH 45011 6018	<i>ACT: 30</i> <i>EFF: 30</i>	3			5	x	<
P6451021000013 <i>CONTROL#:</i>	1191 KAHN AVE 1034	11705 ENT	QUINLAN RICHARD F	1191 KAHN AVE HAMILTON OH 45011 4429	<i>ACT: 30</i> <i>EFF: 30</i>	3			30	x	<
P6451021000014 <i>CONTROL#:</i>	1185 KAHN AVE 1035	11704 ENT	COLLINS JUDY H	2485 STAHLHEBER RD HAMILTON OH 45013 1935	<i>ACT: 30</i> <i>EFF: 30</i>	2			5	x	<
P6451021000017 <i>CONTROL#:</i>	1171 KAHN AVE 1036	28420 ENT	SMITH THOMAS E & MARTHA	1171 KAHN AVE HAMILTON OH 45011 4429	<i>ACT: 75</i> <i>EFF: 75</i>				20	x	<

KAHN AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451021000018 <i>CONTROL#:</i>	KAHN AVE <input type="text" value="1037"/>	11701 ENT	NEIGHBORHOOD HOUSING SERVICES OF HAMILTON INC	100 S MARTIN LUTHER KING JR BLVD HAMILTON OH 45011 2824	ACT: 15 EFF: 15	2			10	x	<
P6451021000019 <i>CONTROL#:</i>	1169 KAHN AVE <input type="text" value="1038"/>	11700 ENT	NEIGHBORHOOD HOUSING SERVICES OF HAMILTON INC	100 S MARTIN LUTHER KING JR BLVD HAMILTON OH 45011 2824	ACT: 30 EFF: 30	3			30	x	<
P6451021000020 <i>CONTROL#:</i>	1161 KAHN AVE <input type="text" value="1039"/>	11699 ENT	LAWRENCE KATHY A	1161 KAHN AVE HAMILTON OH 45011 4429	ACT: 30 EFF: 30	3			10	x	<
P6451021000021 <i>CONTROL#:</i>	1155 KAHN AVE <input type="text" value="1040"/>	11698 ENT	FALCON LORENZO	1155 KAHN AVE HAMILTON OH 45011 4429	ACT: 30 EFF: 30	3			30	x	<
P6451021000022 <i>CONTROL#:</i>	KAHN AVE <input type="text" value="1041"/>	11697 ENT	HIBBARD MICHAEL R & KATHLEEN A	1145 KAHN AVE HAMILTON OH 45011 4429	ACT: 30 EFF: 30	3			30	x	<
P6451021000023 <i>CONTROL#:</i>	KAHN AVE <input type="text" value="1042"/>	11696 ENT	HIBBARD MICHAEL R & KATHLEEN A	1145 KAHN AVE HAMILTON OH 45011 4429	ACT: 30 EFF: 30	2			30	x	<
P6451014000068 <i>CONTROL#:</i>	1145 KAHN AVE <input type="text" value="1043"/>	11695 ENT	HIBBARD MICHAEL R & KATHLEEN A	1145 KAHN AVE HAMILTON OH 45011 4429	ACT: 30 EFF: 30				15	7 x 15	<
P6451014000069 <i>CONTROL#:</i>	1135 KAHN AVE <input type="text" value="1044"/>	11694 ENT	GUMM RAYMOND & EDNA	9130 BROKENSOUND LN CINCINNATI OH 45242 4657	ACT: 30 EFF: 30	4			25	x	<
P6451014000070 <i>CONTROL#:</i>	1129 KAHN AVE <input type="text" value="1045"/>	11693 ENT	SCALF LESTER	1129 KAHN AVE HAMILTON OH 45011 4429	ACT: 30 EFF: 30	6			30	x	<

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451014000071 <i>CONTROL#:</i>	1125 KAHN AVE 1046	11692 ENT	PETERS DANIEL F	7130 LIBERTY FAIRFIELD RD HAMILTON OH 45011 5461	<i>ACT: 30</i> <i>EFF: 30</i>	6			35	x	<
P6451014000072 <i>CONTROL#:</i>	1121 KAHN AVE 1047	11691 ENT	POWELL JAMES & JANET	319 SACKETT DR MONROE OH 45050	<i>ACT: 30</i> <i>EFF: 30</i>	3			20	x	<
P6451014000073 <i>CONTROL#:</i>	1119 KAHN AVE 1048	11690 ENT	MCCARTY WALTER L & NORMA J	5769 DICKINSON TRL HAMILTON OH 45011 1234	<i>ACT: 30</i> <i>EFF: 30</i>	5			30	x	<
P6451014000074 <i>CONTROL#:</i>	1115 KAHN AVE 1049	11689 ENT	POWELL JAMES & JANET	319 SACKETT DR MONROE OH 45050	<i>ACT: 30</i> <i>EFF: 30</i>				25	x	<
P6451014000075 <i>CONTROL#:</i>	KAHN AVE 1050	11688 ENT	POWELL JAMES & JANET	319 SACKETT DR MONROE OH 45050 2725	<i>ACT: 30</i> <i>EFF: 30</i>	7			25	x	<
P6451014000076 <i>CONTROL#:</i>	1103 KAHN AVE 1051	11687 ENT	HALCOMB JOE CO-TR & BARBARA M CO-TR	2501 REGINA PL HAMILTON OH 45013 4812	<i>ACT: 30</i> <i>EFF: 30</i>	6			30	x	<
P6451014000046 <i>CONTROL#:</i>	1850 EDISON AVE 1052	11636 ENT	KILBY ANGELA L	1850 EDISON AVE HAMILTON OH 45011 4410	<i>ACT: 41</i> <i>EFF: 41</i>	10	1		15	x	<
P6451014000096 <i>CONTROL#:</i>	1895 HOWELL AVE 1053	31269 ENT	SCHUTTE ROBERT E & BARBARA	1895 HOWELL AVE HAMILTON OH 45011 4425	<i>ACT: 71</i> <i>EFF: 71</i>	16			60	x	<
P6451007000060 <i>CONTROL#:</i>	999 KAHN AVE 1054	11547 ENT CONS W/59	ALLIED PROPERTY MANAGEMENT LTD	639 High Street Hamilton, OH 45011	<i>ACT:</i> <i>EFF:</i>				20	x	<

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2017 RESURFACING CONCRETE REPAIR PROGRAM
KAHN AVE

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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451007000059 <i>CONTROL#:</i>	999 KAHN AVE 1055	11546 S 1 CONS W/60	ALLIED PROPERTY MANAGEMENT LTD	639 HIGH ST HAMILTON OH 45011 6004	<i>ACT: 45</i> <i>EFF: 45</i>	1			10	x	<
P6451007000058 <i>CONTROL#:</i>	995 KAHN AVE 1056	11546 N 1	BLEVENS DAVID A	981 KAHN AVE HAMILTON OH 45011 4457	<i>ACT: 15</i> <i>EFF: 15</i>	3			20	x	<
P6451007000057 <i>CONTROL#:</i>	995 KAHN AVE 1057	11545 ENT CONS W/56	BLEVENS DAVID A	981 KAHN AVE HAMILTON OH 45011 4457	<i>ACT:</i> <i>EFF:</i>	2			5	x	<
P6451007000056 <i>CONTROL#:</i>	995 KAHN AVE 1058	11544 S 1 CONS W/ 5	BLEVENS DAVID A	981 KAHN AVE HAMILTON OH 45011 4457	<i>ACT: 45</i> <i>EFF: 45</i>	2				x	<
P6451007000055 <i>CONTROL#:</i>	985 KAHN AVE 1059	11544 N 1 CONS W/ 5	BLEVENS DAVID A	981 KAHN AVE Hamilton, OH 45011	<i>ACT:</i> <i>EFF:</i>	2				x	<
P6451007000054 <i>CONTROL#:</i>	985 KAHN AVE 1060	11543 ENT CONS W/ 5	BLEVENS DAVID A	981 KAHN AVE Hamilton, OH 45011	<i>ACT:</i> <i>EFF:</i>	2				x	<
P6451007000053 <i>CONTROL#:</i>	985 KAHN AVE 1061	11542 S 1 CONS W/ 5	BLEVENS DAVID A	981 KAHN AVE HAMILTON OH 45011 4457	<i>ACT: 60</i> <i>EFF: 60</i>	2			5	x	<
P6451007000052 <i>CONTROL#:</i>	981 KAHN AVE 1062	11542 N 1 CONS W/51	BLEVENS DAVID A	981 KAHN AVE Hamilton, OH 45011	<i>ACT:</i> <i>EFF:</i>	3			20	x	<
P6451007000051 <i>CONTROL#:</i>	981 KAHN AVE 1063	11541 ENT CONS W/52	BLEVENS DAVID A	981 KAHN AVE HAMILTON OH 45011 4457	<i>ACT: 45</i> <i>EFF: 45</i>	3			20	x	<

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2017 RESURFACING CONCRETE REPAIR PROGRAM
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PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6451007000050 CONTROL#: 1064	975 KAHN AVE	11540 ENT	BLEVENS DAVID	981 KAHN AVE HAMILTON OH 45011 4457	ACT: 30 EFF: 30	2			20	x	<
P6451007000049 CONTROL#: 1065	KAHN AVE	11539 S 2	BLEVENS DAVID	981 KAHN AVE HAMILTON OH 45011 4457	ACT: 20 EFF: 20					x	<
P6451007000048 CONTROL#: 1066	971 KAHN AVE	11539 N 1 CONS W/47	BLEVENS DAVID	981 KAHN AVE HAMILTON OH 45011 4457	ACT: EFF:					x	<
P6451007000047 CONTROL#: 1067	971 KAHN AVE	11538 ENT CONS W/48	BLEVENS DAVID	981 KAHN AVE HAMILTON OH 45011 4457	ACT: 40 EFF: 40	2			10	x	<
P6451007000046 CONTROL#: 1068	1825 HANCOCK AVE	11537 ENT	CLINE CHARLES H JR TR ETAL	1825 HANCOCK AVE HAMILTON OH 45011 4449	ACT: 47.8 EFF: 43	2	4		20	x	<

City Council Meeting Staff Report

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

Report From: David Jones, Director of Finance

Agenda Item: A resolution amending Resolution No. R2019-2-8; a resolution ordering the resurfacing and repair of streets and concrete where necessary and appropriate on various streets and avenues in the City of Hamilton, Ohio. (2018 Concrete Repair and Resurfacing Program – Assessment Roll).

<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 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: 8-26-2020 <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): Resolution No. R2019-2-8 passed at 2-13-2019 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: Expenditure: Source Funds: Fund 301 Special Assessments</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 approve a Resolution Amendment changing the number of years for unpaid balances levied to real estate taxes for the 2018 Concrete Repair and Resurfacing Program from five (5) years to ten (10) years?

Policy Alternative(s)

City Council may choose not to adopt such legislation to authorize the change of years for unpaid balances levied to real estate taxes for the 2018 Concrete Repair and Resurfacing Program from five (5) years to ten (10) years. This action would keep the number of annual installments at five (5) years.



Staff Recommendation

City administration recommends City Council adopt such legislation to authorize the change of years for unpaid balances levied to real estate taxes for the 2018 Concrete Repair and Resurfacing Program from five (5) years to ten (10) years.

Statutory/Policy Authority

- Section 3.09, Legislative Procedure, of the Charter of the City of Hamilton.
- Chapter 168, Procedures for Special Assessment Projects and the Board of Revision of Assessments, of the Hamilton Codified Ordinances.

Fiscal Impact Summary

Interest at 1% assessed to the property owner will be charged as if it were a five-year assessment. There will be no additional interest charged to the property owner on the proposed ten-year assessment vs. the five-year assessment. The only financial impact to the City is lost interest income because the money would have been collected sooner had it been levied over five years. It is estimated that the interest income is less than \$10,000.

Background Information

The Special Assessments Fund (301) is a funding mechanism for each year's annual concrete and road resurfacing program. With the passage of the Street levy in March 2020, Council approved Resolution No. R2020-5-22 removing curb & gutter from the property owner's responsibility and placing it on the City. The 2017/2018 Concrete Repair and Resurfacing programs are the final years that curb & gutter work will be assessed to the property owner. In order to ensure that no undue financial burden is placed on the property owner city administration is requesting to extend out the repayment period.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION AMENDING RESOLUTION NO. R2019-2-8; A RESOLUTION ORDERING THE RESURFACING AND REPAIR OF STREETS AND CONCRETE WHERE NECESSARY AND APPROPRIATE ON VARIOUS STREETS AND AVENUES IN THE CITY OF HAMILTON, OHIO. (2018 Concrete Repair and Resurfacing Program – Assessment Roll)

WHEREAS, City Administration has determined that Resolution No. R2019-2-8, adopted on February, 13, 2019, should be amended in order to change the number of assessed annual installments for unpaid balances from five (5) to ten (10) years;

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

SECTION I: The City Council of Hamilton, Ohio does hereby amend Resolution No. 2019-2-8.

SECTION II: That Council declares it is necessary that the existing concrete sidewalks, curbs, and gutters hereinafter listed under the 2018 Concrete Repair and Resurfacing Program Assessment Roll shall be repaired on the lots adjacent to the property described in Exhibit No. 1, attached hereto and incorporated herein by reference, in accordance with standard plans and specifications of the City of Hamilton, Ohio, now on file in the office of the Department of Engineering of said City.

SECTION III: That the assessment shall be made by the method specified in Section 168.02(b) of the Codified Ordinances of the City of Hamilton, Ohio. That the mode of payment shall be full, partial or none when billed to the owners of said lots by the City of Hamilton, Ohio upon completion of the public improvement. If not paid in full, the balance shall be assessed and payable in ten (10) annual installments.

SECTION IV: The City Clerk shall certify a copy of this resolution to the Director of Finance and the Director of Finance is hereby directed to cause written notice of the passage of this resolution to be served upon the owners of said lots as required by law.

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

I, 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

Resolution No. _____ (cont'd)

EXHIBIT NO. 1

2018 CONCRETE REPAIR AND RESURFACING PROGRAM

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EXHIBIT NO. 1

PUBLIC WORKS ASSESSMENT

2018 RESURFACING CONCRETE REPAIR PROGRAM

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HEATHWOOD LN

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412220000002 CONTROL#: 1800101	20 HEATHWOOD LN <input type="text" value="101"/>	24840 ENT	BENNINGHOFEN CHRISTIAN & LINDA	20 HEATHWOOD LN HAMILTON OH 45013 4020	ACT: 255 EFF: 243				255	x	<
P6412220000003 CONTROL#: 1800102	68 HEATHWOOD LN <input type="text" value="102"/>	24841 ENT	HENSLEY JOHN M TR ETAL	68 HEATHWOOD LN HAMILTON OH 45013 4020	ACT: 160 EFF: 142	4			160	24 x 8	<
P6412220000004 CONTROL#: 1800103	90 HEATHWOOD LN <input type="text" value="103"/>	24842 ENT	DEMMELE RICK K & DROPELMAN KATHLEEN M	90 HEATHWOOD LN HAMILTON OH 45013 4020	ACT: 160 EFF: 152				160	27 x 8	<
P6412220000005 CONTROL#: 1800104	110 HEATHWOOD LN <input type="text" value="104"/>	25458 ENT CONS W/ 0	MOORE RONALD & JESSICA AMBER	110 HEATHWOOD LN HAMILTON OH 45013 4022	ACT: 121 EFF: 138				117	25 x 9	<
P6412220000006 CONTROL#: 1800105	HEATHWOOD LN <input type="text" value="105"/>	25459 ENT CONS 220-	MOORE RONALD & JESSICA AMBER	110 HEATHWOOD LN HAMILTON OH 45013 4022	ACT: 121 EFF:				121	x	<
P6412220000007 CONTROL#: 1800106	130 HEATHWOOD LN <input type="text" value="106"/>	25460 ENT	DIMPERIO JOHN S & JOAN K	130 HEATHWOOD LN HAMILTON OH 45013 4022	ACT: 97.8 EFF: 153				85	28 x 11	<
P6412220000008 CONTROL#: 1800107	140 HEATHWOOD LN <input type="text" value="107"/>	25461 ENT CONS W/ 0	BRANDABUR TIMOTHY	140 HEATHWOOD LN HAMILTON OH 45013 4022	ACT: 98 EFF: 154				85	22 x 8	<
P6412220000009 CONTROL#: 1800108	HEATHWOOD LN <input type="text" value="108"/>	25462 N 1 CONS W/ 0	BRANDABUR TIMOTHY	140 HEATHWOOD LN HAMILTON OH 45013 4022	ACT: 56.4 EFF:				45	x	<
P6412220000010 CONTROL#: 1800109	160 HEATHWOOD LN <input type="text" value="109"/>	25462 S 1 CONS 220-	WILKS CRAIG F & SUSAN A	160 HEATHWOOD LN HAMILTON OH 45013 4022	ACT: 56.4 EFF:				45	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
HEATHWOOD LN

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412220000011 CONTROL#: 1800110	160 HEATHWOOD LN 110	25463 ENT CONS W/ 2	WILKS CRAIG F & SUSAN A	160 HEATHWOOD LN HAMILTON OH 45013 4022	ACT: 98.55 EFF: 251				85	35 x 8	<
P6412217000024 CONTROL#: 1800111	160 HEATHWOOD LN 111	24728 40 CONS 220-	WILKS CRAIG F & SUSAN A	160 HEATHWOOD LN HAMILTON OH 45013 4022	ACT: 40 EFF:				55	x	<
P6412220000024 CONTROL#: 1800112	180 HEATHWOOD LN 112	27602 ENT CONS W/ 0	ZETTLER JAMES R ETAL	3 MARCEL CT FAIRFIELD OH 45014 3653	ACT: 160 EFF: 114				40	18 x 15	<
P6412220000025 CONTROL#: 1800113	200 HEATHWOOD LN 113	27601 ENT E 33.03 O	ADAMS THERESA L & GEORGE E	200 HEATHWOOD LN HAMILTON OH 45013 4027	ACT: 150 EFF: 180				10	22 x 8	<
P6412220000022 CONTROL#: 1801114	220 HEATHWOOD LN 114	27600 ENT	SCHUL CAROL H TR OF THE CAROL H SCHUL TRUST	220 HEATHWOOD LN HAMILTON OH 45013 4027	ACT: 150 EFF: 127				5	x	<
P6412220000021 CONTROL#: 1800115	240 HEATHWOOD LN 115	27599 ENT	MCKNIGHT KIM P & KAREN A	240 HEATHWOOD LN HAMILTON OH 45013 4027	ACT: 170 EFF: 126				15	14 x 10	<
P6412222000002 CONTROL#: 1801116	260 HEATHWOOD LN 116	27598 ENT	ARLINGHAUS JUDITH TR THE JUDITH ARLINGHAUS TRUST DTD 12/29/94	260 HEATHWOOD LN HAMILTON OH 45013 4027	ACT: 231.4 EFF: 138				10	17 x 8	<
P6412222000001 CONTROL#: 1801117	280 HEATHWOOD LN 117	27597 ENT	HENRY RICHARD TODD & CHERYL ANN	280 HEATHWOOD LN HAMILTON OH 45013 4027	ACT: 180 EFF: 155				25	x	<
P6412223000015 CONTROL#: 1801118	300 HEATHWOOD LN 118	27596 ENT	OLIVER WHITNEY B	300 HEATHWOOD LN HAMILTON OH 45013 4029	ACT: 210 EFF: 166				25	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
HEATHWOOD LN

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412223000014 CONTROL#: 1801119	310 HEATHWOOD LN 119	27595 ENT	LAIDIG WILLIAM D & HIPPE CHERYL A	310 HEATHWOOD LN HAMILTON OH 45013 4029	ACT: 115 EFF: 151				20	20 x 7	<
P6412223000013 CONTROL#: 1801120	93 SHERMAN OAKS DR 120	27594 ENT	PFEFFERLE STEPHEN F & CHERYL A	93 SHERMAN OAKS DR HAMILTON OH 45013	ACT: 374.3 EFF: 150				40	x	<
P6700223000017 CONTROL#: 1801121	83 SHERMAN OAKS DR 121	28847 ENT	MACGREGOR JOHN A CO TR & LORI J CO TR	83 SHERMAN OAKS DR HAMILTON OH 45013	ACT: 55 EFF: 111				30	20 x 12	<
P6700217000104 CONTROL#: 1801122	73 SHERMAN OAKS DR 122	28667 CTR	DAVIS ERIC B & JANA M	73 SHERMAN OAKS DR HAMILTON OH 45013 4033	ACT: 40 EFF:				20	18 x 8	<
P6700223000018 CONTROL#: 1801123	74 SHERMAN OAKS DR 123	28848 ENT	COHEN NEIL & HONI	74 SHERMAN OAKS DR HAMILTON OH 45013 0000	ACT: 52 EFF: 185					x	<
P6700223000019 CONTROL#: 1801124	84 SHERMAN OAKS DR 124	28849 ENT	CABEL CORP	1634 FLAGLER MANOR CIR WEST PALM BEACH FL 33411	ACT: 100.1 EFF: 190				55	16 x 8	<
P6412223000012 CONTROL#: 1801125	94 SHERMAN OAKS DR 125	27593 ENT	FROELKE FRANK J & SUSAN L	94 SHERMAN OAKS DR HAMILTON OH 45013	ACT: 401 EFF: 259				20	x	<
P6412223000011 CONTROL#:	360 HEATHWOOD LN 126	27592 ENT	CAREY HOLLY & JOHN J	360 HEATHWOOD LN HAMILTON OH 45013 4031	ACT: 176 EFF: 193				10	x	<
P6412223000010 CONTROL#: 1801127	380 HEATHWOOD LN 127	27591 ENT	MCDULIN DUSTIN D & CONNIE L	380 HEATHWOOD LN HAMILTON OH 45013 4031	ACT: 228 EFF: 137				35	15 x 10	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
HEATHWOOD LN

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412223000009 CONTROL#: 1801128	381 HEATHWOOD LN <input type="text" value="128"/>	27590 ENT	STEIN DANIEL & LAUREL H	381 HEATHWOOD LN HAMILTON OH 45013 4030	ACT: 100 EFF: 130				20	25 x 3	<
P6412223000008 CONTROL#: 1801129	371 HEATHWOOD LN <input type="text" value="129"/>	27589 ENT	DONGES ERICK & TARA	371 HEATHWOOD LN HAMILTON OH 45013 4030	ACT: 390 EFF: 141				15	12 x 12	<
P6412223000007 CONTROL#: 1801130	HEATHWOOD LN <input type="text" value="130"/>	27588 ENT	CITY OF HAMILTON		ACT: 20 EFF: 0				30	12 x 10	<
P6412223000006 CONTROL#: 1801131	HEATHWOOD LN <input type="text" value="131"/>	27587 ENT	ACRES ROY D & SAUNDRA S	1283 ELIZABETH DR HAMILTON OH 45013 3516	ACT: 147 EFF: 142				25	x	<
P6412223000005 CONTROL#: 1801132	341 HEATHWOOD LN <input type="text" value="132"/>	27586 ENT	VIDO FRANK JR	341 HEATHWOOD LN HAMILTON OH 45013 4030	ACT: 170 EFF: 145				10	5 x 3	<
P6412223000004 CONTROL#: 1801133	321 HEATHWOOD LN <input type="text" value="133"/>	27585 ENT	RENTSCHLER MARK G & CYNTHIA Y	1030 NEW LONDON RD HAMILTON OH 45013	ACT: 170 EFF: 141				15	19 x 10	<
P6412223000003 CONTROL#: 1801134	301 HEATHWOOD LN <input type="text" value="134"/>	27584 ENT CONS W/ 0	FIRST FINANCIAL BANK NA TR OF SANDRA J METZLER TR 10-5-01	PO BOX 476 HAMILTON OH 45012	ACT: 130 EFF: 136				10	x	<
P6412223000016 CONTROL#: 1801135	CHURCHILL ST <input type="text" value="135"/>	27583 N 7 CONS W/ 0	FIRST FINANCIAL BANK NA TR OF SANDRA J METZLER TR 10-5-01	300 HIGH ST HAMILTON OH 45011 6017	ACT: 71.3 EFF:				15	17 x 8	<
P6412223000002 CONTROL#: 1801136	CHURCHILL ST <input type="text" value="136"/>	27583 S 8 CONS W/ 0	FREDERICK CHRISTOPHER P & KARA E	8 CHURCHILL ST HAMILTON OH 45013 4034	ACT: 71.3 EFF:					x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
HEATHWOOD LN

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412223000001 CONTROL#: 1801137	8 CHURCHILL ST 137	27582 ENT CONS W/ 0	FREDERICK CHRISTOPHER P & KARA E	8 CHURCHILL ST HAMILTON OH 45013 4034	ACT: 147 EFF: 148				10	20 x 14	<
P6412222000009 CONTROL#: 1801138	11 CHURCHILL ST 138	27581 ENT	PFISTER TERRY CO TR ETAL	11 CHURCHILL ST HAMILTON OH 45013 4035	ACT: 140 EFF: 140				10	x	<
P6412222000008 CONTROL#: 1801139	7 CHURCHILL ST 139	27580 ENT	HYDE RICHARD & VERONICA	7 CHURCHILL ST HAMILTON OH 45013 4035	ACT: 144.4 EFF: 135				25	4 x 4	<
P6412222000007 CONTROL#: 1801140	281 HEATHWOOD LN 140	27579 ENT	HORNUNG WALDO EMERSON TR ETAL	281 HEATHWOOD LN HAMILTON OH 45013 4026	ACT: 351.6 EFF: 159					14 x 10	<
P6412222000006 CONTROL#: 1801141	271 HEATHWOOD LN 141	27578 ENT	BRANDABUR MICHAEL J & HELEN HOLTMAN-	271 HEATHWOOD LN HAMILTON OH 45013 4026	ACT: 128 EFF: 179				30	15 x 11	<
P6412222000005 CONTROL#: 1801142	261 HEATHWOOD LN 142	27577 ENT	KINCH GREGORY A	261 HEATHWOOD LN HAMILTON OH 45013 4026	ACT: 120 EFF: 149					15 x 15	<
P6412222000004 CONTROL#: 1801143	251 HEATHWOOD LN 143	27576 ENT	STEPHENSON SUSAN G	251 HEATHWOOD LN HAMILTON OH 45013 4026	ACT: 120 EFF: 139				50	x	<
P6412222000003 CONTROL#: 1801144	241 HEATHWOOD LN 144	27575 ENT	MINNICK RALPH J & CONSTANCE J	241 HEATHWOOD LN HAMILTON OH 45013 4026	ACT: 125 EFF: 142				20	x	<
P6412222000020 CONTROL#: 1801145	227 HEATHWOOD LN 145	28184 ENT	DAHLSTORM MARY SUSAN TR OF THE MARY SUSAN DAHLSTORM TRUST	227 HEATHWOOD LN HAMILTON OH 45013 4026	ACT: 198 EFF: 210				30	30 x 7	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
HEATHWOOD LN

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412220000019 CONTROL#: 1801146	HEATHWOOD LN 146	27573 N 6	CIANCHETTI ANGELA JO	181 HEATHWOOD LN HAMILTON OH 45013 4021	ACT: 61 EFF: 68				30	x	<
P6412220000018 CONTROL#: 1801147	181 HEATHWOOD LN 147	27572 ENT	CIANCHETTI ANGELA JO	181 HEATHWOOD LN HAMILTON OH 45013 4021	ACT: 145 EFF: 148				15	x	<
P6412217000045 CONTROL#: 1801148	HEATHWOOD LN 148	24728 N 4 OF E 127.	CIANCHETTI ANGELA JO	181 HEATHWOOD LN HAMILTON OH 45013 4021	ACT: 591.2 EFF: 420				475	x	<
P6412217000038 CONTROL#: 1801149	111 HEATHWOOD LN 149	24728 N 4 CONS W/ 2	WILKS WILLIAM C TR	319 N SECOND ST PO BOX 295 HAMILTON OH 45012	ACT: 76 EFF: 131				70	x	<
P6412220000012 CONTROL#: 1801150	111 HEATHWOOD LN 150	24728 N 4 OF E372.5	WILKS WILLIAM C TR	319 N SECOND ST PO BOX 295 HAMILTON OH 45012	ACT: 30 EFF:				40	x	<
P6412220000013 CONTROL#: 1801151	81 HEATHWOOD LN 151	24846 ENT	HARTFORD W SCOTT & JILL L	81 HEATHWOOD LN HAMILTON OH 45013 4019	ACT: 144 EFF: 138				146	x	<
P6412220000014 CONTROL#: 1801152	81 HEATHWOOD LN 152	24845 ENT	HARTFORD W SCOTT & JILL L	81 HEATHWOOD LN HAMILTON OH 45013	ACT: 140 EFF: 157				133	27 x 8	<
P6412220000015 CONTROL#: 1801153	HEATHWOOD LN 153	24844 ENT	HARTFORD W SCOTT & JILL L	81 HEATHWOOD LN HAMILTON OH 45013 4019	ACT: 145 EFF: 151				145	x	<
P6412220000016 CONTROL#: 1801154	HEATHWOOD LN 154	24843 ENT OF W 15	HARTFORD W SCOTT & JILL L	81 HEATHWOOD LN HAMILTON OH 45013 4019	ACT: 159 EFF: 137				135	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
CLOVERNOOK DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412202000002 CONTROL#: 1800501	1400 CLOVERNOOK DR 501	26921 ENT	HICKS ROBERT KERRY & MELISSA R		ACT: 256.2 EFF:	5				x	<
P6412202000003 CONTROL#: 1800502	CLOVERNOOK DR 502	26922 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: 90 EFF:	23				x	<
P6412202000004 CONTROL#: 1800503	CLOVERNOOK DR 503	26923 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: 90 EFF:	23				x	<
P6412202000005 CONTROL#: 1800504	CLOVERNOOK DR 504	26924 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: 90 EFF: 119	23				x	<
P6412202000052 CONTROL#: 1800505	CLOVERNOOK DR 505	29475 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: 180 EFF: 277	42				x	<
P6412202000008 CONTROL#: 1800506	CLOVERNOOK DR 506	26927 ENT	HICKS JEAN TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: 90 EFF:	23				x	<
P6412202000009 CONTROL#: 1800507	CLOVERNOOK DR 507	26928 ENT	HICKS ROBERT C TR	1420 CLOVERNOOK DR HAMILTON OH 45013 3843	ACT: 100 EFF: 110	25				x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
BRIARWOOD DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6700201000008 <i>CONTROL#:</i>	1301 BRIARWOOD DR <input type="text" value=""/>	27869 ENT	ZETTLER JACK A TR	15 N 3RD ST HAMILTON OH 45011 2703	ACT: 0 EFF:					x	<
P6412206000025 <i>CONTROL#:</i> 1800601	1170 CADILLAC DR <input type="text" value="601"/>	23008 ENT	BARGO RANDALL	1170 CADILLAC DR HAMILTON OH 45013 3834	ACT: 88 EFF: 88	4			75	x	<
P6412206000024 <i>CONTROL#:</i> 1800602	1112 BRIARWOOD DR <input type="text" value="602"/>	23009 ENT	ENDRES MERVIN B	1112 BRIARWOOD DR HAMILTON OH 45013 3803	ACT: 85 EFF: 85	5			75	x	<
P6412206000023 <i>CONTROL#:</i> 1800603	1124 BRIARWOOD DR <input type="text" value="603"/>	23010 ENT	WHITT JAMES L & ELIZABETH A	1124 BRIARWOOD DR HAMILTON OH 45013 3803	ACT: 85 EFF: 85	4	2		75	23 x 4	<
P6412206000022 <i>CONTROL#:</i> 1800604	1136 BRIARWOOD DR <input type="text" value="604"/>	23011 ENT	LEWIS V RICHARD & LINDA	1136 BRIARWOOD DR HAMILTON OH 45013 3803	ACT: 80 EFF: 80	5	4		80	19 x 4	<
P6412206000021 <i>CONTROL#:</i> 1800605	1148 BRIARWOOD DR <input type="text" value="605"/>	23012 ENT	KIZER BRETT T	1148 BRIARWOOD DR HAMILTON OH 45013 3803	ACT: 80 EFF: 80	10			30	14 x 4	<
P6412206000020 <i>CONTROL#:</i> 1800606	1160 BRIARWOOD DR <input type="text" value="606"/>	23013 ENT	EMENAKER RUTH	557 WYOMING AVE FAIRFIELD OH 45014 1661	ACT: 80 EFF: 85	4			80	19 x 4	<
P6412206000019 <i>CONTROL#:</i> 1800607	1170 BRIARWOOD DR <input type="text" value="607"/>	23014 ENT	JONES LARRY D & RONNI D	1170 BRIARWOOD DR HAMILTON OH 45013 3803	ACT: 117 EFF: 90	8			117	x	<
P6412206000018 <i>CONTROL#:</i> 1800608	1174 BRIARWOOD DR <input type="text" value="608"/>	22595 ENT	MILLS ROBERT C & ANN V	601 DICK AVE HAMILTON OH 45013 3064	ACT: 43 EFF: 73	5	2		28	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
BRIARWOOD DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000017 CONTROL#: 1800609	1178 BRIARWOOD DR 609	22594 ENT	BURNETT ALAN L	PO BOX 192 CAMBRIDGE OH 43725 3803	ACT: 62 EFF: 82	2	3		61	15 x 4	<
P6412206000016 CONTROL#: 1800610	BRIARWOOD DR 610	22593 SW	BURNETT ALAN L	PO BOX 192 CAMBRIDGE OH 43725 3803	ACT: 8 EFF: 5				8	x	<
P6412206000015 CONTROL#: 1800611	1182 BRIARWOOD DR 611	22593 ENT	HURD JOHN R	3096 MINTON RD HAMILTON OH 45013 4346	ACT: 53 EFF: 82	2	3		38	7 x 4	<
P6412206000014 CONTROL#: 1800612	1186 BRIARWOOD DR 612	22592 ENT	RUHE MICHAEL J & PACKER HEATHER M	1186 BRIARWOOD DR HAMILTON OH 45013 3803	ACT: 61 EFF: 80	6	3		56	13 x 4	<
P6412206000013 CONTROL#: 1800613	1190 BRIARWOOD DR 613	22591 ENT	SCHWAB DAVID	PO Box 771 ROSS OH 45061	ACT: 74 EFF: 78	2	3		73	16 x 4	<
P6412206000012 CONTROL#: 1800614	1194 BRIARWOOD DR 614	22590 ENT	HUBBARD MARY	1194 BRIARWOOD DR HAMILTON OH 45013 3803	ACT: 70 EFF: 70	4	1		65	x	<
P6412206000011 CONTROL#: 1800615	1104 OAKMONT AVE 615	22589 ENT	MCKINNEY CHAD	1104 OAKMONT AVE HAMILTON OH 45013 3824	ACT: 87 EFF: 90	7			75	x	<
P6412206000058 CONTROL#: 1800616	1105 OAKMONT AVE 616	22608 ENT	STEWART JOE	1105 OAKMONT AVE HAMILTON OH 45013 3823	ACT: 173 EFF: 100	8			90	x	<
P6412206000053 CONTROL#: 1800617	1210 BRIARWOOD DR 617	22607 ENT	LILLIBRIDGE DAVID W & SHIRLEY FAYE	1210 BRIARWOOD DR HAMILTON OH 45013 3805	ACT: 100 EFF: 96	3			90	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
BRIARWOOD DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000052 CONTROL#: 1800618	1216 BRIARWOOD DR 618	22606 ENT	BIONDO DANIEL J & NANCY E	1216 BRIARWOOD DR HAMILTON OH 45013 3805	ACT: 77 EFF: 77	8			77	13 x 4	<
P6412206000051 CONTROL#: 1800619	1220 BRIARWOOD DR 619	22605 ENT	PARRISH KRISTINE	1220 BRIARWOOD DR HAMILTON OH 45013 3805	ACT: 80 EFF: 89	5	3		75	16 x 4	<
P6412206000050 CONTROL#: 1800620	1215 BRIARWOOD DR 620	27408 ENT	DUERKSEN RACHEL R & SMITH JOSHUA S	1215 BRIARWOOD DR HAMILTON OH 45013 3804	ACT: 145 EFF: 140	2	2		135	28 x 4	<
P6412206000048 CONTROL#: 1800621	1209 BRIARWOOD DR 621	22602 ENT	PAWLOWSKY PHYLLIS	1302 MILLVILLE AVE HAMILTON OH 45013 3961	ACT: 65 EFF: 65				65	x	<
P6412206000047 CONTROL#: 1800622	1205 BRIARWOOD DR 622	22601 ENT	WANDER JAY C & LISA G	1205 BRIARWOOD DR HAMILTON OH 45013 3804	ACT: 65 EFF: 65	2			50	x	<
P6412206000046 CONTROL#: 1800623	1201 BRIARWOOD DR 623	22600 ENT	ROETTGER PATRICIA A	1201 BRIARWOOD DR HAMILTON OH 45013 3804	ACT: 122 EFF: 88	5			42	x	<
P6412206000059 CONTROL#: 1800624	1096 OAKMONT AVE 624	22599 ENT	HELTON TIFFANY	1096 OAKMONT AVE HAMILTON OH 45013	ACT: 122 EFF: 77	4			86	x	<
P6412206000060 CONTROL#: 1800625	1191 BRIARWOOD DR 625	22598 ENT	MCGRAW GREGORY D & MELISSA M	1191 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 65 EFF: 65	9	3		50	x	<
P6412206000061 CONTROL#: 1800626	BRIARWOOD DR 626	22597 S 1	MCGRAW GREGORY D & MELISSA M	1191 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 32 EFF: 32	4				x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
BRIARWOOD DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000062 CONTROL#: 1800627	BRIARWOOD DR 627	22597 N 1	LANGDON MARY & KATHY	1181 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 32 EFF: 32	1			32.5	x	<
P6412206000063 CONTROL#: 1800628	1181 BRIARWOOD DR 628	22596 ENT	LANGDON MARY & KATHY	1181 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 182 EFF: 75	5	4		147	17 x 4	<
P6412206000064 CONTROL#: 1800629	1171 BRIARWOOD DR 629	23015 ENT	COPPOCK DARYL & LAURA	1171 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 80 EFF: 90	5	4		65	19 x 4	<
P6412206000065 CONTROL#: 1800630	1161 BRIARWOOD DR 630	23016 ENT	MARICLE VICKIE	1161 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 88 EFF: 87	3	4		82	19 x 4	<
P6412206000066 CONTROL#: 1800631	1151 BRIARWOOD DR 631	23017 ENT	STITZEL WAYNE CO TR & KATHLEEN CO TR	1151 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 104 EFF: 101	9	4		93	20 x 4	<
P6412206000067 CONTROL#: 1800632	1135 BRIARWOOD DR 632	23018 ENT	FISCHESSER DONALD J & COSTA DEBRA L	1135 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 80 EFF: 80	3	2		75	10 x 4	<
P6412206000068 CONTROL#: 1800633	1125 BRIARWOOD DR 633	23019 ENT	GAGLE STEVEN L & KAREN S	1125 BRIARWOOD DR HAMILTON OH 45013 3802	ACT: 80 EFF: 80	1			55	x	<
P6412206000069 CONTROL#: 1800634	1111 BRIARWOOD DR 634	23020 ENT	MESSER KIMBERLEY A	1111 BRIARWOOD HAMILTON OH 45013 3802	ACT: 85 EFF: 85	6	2		75	12 x 4	<
P6412206000070 CONTROL#: 1800635	1101 BRIARWOOD DR 635	23021 ENT	FLEMING DANA J	9802 CAMPBELL CIR NAPLES FL 34109 4509	ACT: 110 EFF: 81	2	4		100	20 x 4	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000007 CONTROL#:	700 VALLEY VIEW DR <input type="text"/>	21304 S T	BUELL PATRICK II	700 VALLEYVIEW DR HAMILTON OH 45013 3875	ACT: 999 EFF:					x	<
P6412206000054 CONTROL#:	OAKMONT AVE <input type="text"/>	22610 SW	STRONG MICHAEL & PENNY M	1195 OAKMONT AVE HAMILTON OH 45013 3823	ACT: 999 EFF:					x	<
P6412206000031 CONTROL#: 1800701	998 OAKMONT AVE <input type="text" value="701"/>	23003 ENT	WEIK DONALD E & WEIK ROSALEE STAMBAUGH	998 OAKMONT AVE HAMILTON OH 45013 3820	ACT: 90 EFF: 90	4				x	<
P6412206000072 CONTROL#: 1800702	1000 OAKMONT AVE <input type="text" value="702"/>	23023 ENT	BROWER MARVIN E	1000 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 110 EFF: 85	2			10	x	<
P6412206000073 CONTROL#: 1800703	1012 OAKMONT AVE <input type="text" value="703"/>	23024 ENT	LANG ANDREW & AMBER	1012 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 85 EFF: 85	2	3		20	19 x 4	<
P6412206000074 CONTROL#: 1800704	1024 OAKMONT AVE <input type="text" value="704"/>	23025 ENT	HURST JANELLE M	1024 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 80 EFF: 80	6			10	x	<
P6412206000075 CONTROL#: 1800705	1036 OAKMONT AVE <input type="text" value="705"/>	23026 ENT	LOWERY FRANK & CHERYL L	1036 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 80 EFF: 80	1	1			x	<
P6412206000076 CONTROL#: 1800706	1050 OAKMONT AVE <input type="text" value="706"/>	23027 ENT	OSBORN JOSEPH F TR & KATHY J TR	1050 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 80 EFF: 84	3				x	<
P6412206000077 CONTROL#: 1800707	1062 OAKMONT AVE <input type="text" value="707"/>	23028 ENT	TRUETT JAMES S & BRENDA S	1062 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 75 EFF: 83	2	2		15	19 x 4	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000078 CONTROL#: 1800708	1074 OAKMONT AVE 708	23029 W 7	HENRY RICHARD L	1074 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 47 EFF: 78	5	3		5	11 x 4	<
P6412206000079 CONTROL#: 1800709	OAKMONT AVE 709	23029 E 1	FROST MICHELLE N & EDDIE D JR	1086 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 4 EFF: 3					x	<
P6412206000080 CONTROL#: 1800710	1086 OAKMONT AVE 710	23030 ENT	FROST MICHELLE N & EDDIE D JR	870 POND RIDGE CIR HAMILTON OH 45013	ACT: 118 EFF: 80	1				x	<
P6412206000059 CONTROL#: 1800711	1096 OAKMONT AVE 711	22599 ENT	HELTON TIFFANY	1096 OAKMONT AVE HAMILTON OH 45013	ACT: 122 EFF: 77	2			25	7 x 4	<
P6412206000011 CONTROL#: 1800712	1104 OAKMONT AVE 712	22589 ENT	MCKINNEY CHAD	1104 OAKMONT AVE HAMILTON OH 45013 3824	ACT: 87 EFF: 90	4	1		30	x	<
P6412206000010 CONTROL#: 1800713	1122 OAKMONT AVE 713	22588 ENT	BOYD JACQUELINE R	1122 OAKMONT AVE HAMILTON OH 45013 3824	ACT: 80 EFF: 92		2		35	14 x 4	<
P6412206000009 CONTROL#: 1800714	1150 OAKMONT AVE 714	22587 ENT	CRUZ JUAN W	1150 OAKMONT AVE HAMILTON OH 45013 3824	ACT: 92 EFF: 95	6			40	x	<
P6412205000070 CONTROL#: 1800715	700 VALLEY VIEW DR 715	21359 ENT	BUELL PATRICK II	700 VALLEYVIEW DR HAMILTON OH 45013 3875	ACT: 65 EFF: 72	2			50	x	<
P6412205000116 CONTROL#: 1800716	1200 OAKMONT AVE 716	21360 ENT	STITSINGER JODI L	1200 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 137 EFF: 72	5			30	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000115 CONTROL#: 1800717	1206 OAKMONT AVE 717	21361 ENT	BIRGEL KEVIN M	1206 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	6			10	10 x 7	<
P6412205000114 CONTROL#: 1800718	1212 OAKMONT AVE 718	21362 ENT	ALFADLI ANWAR	12212 OAKMONT AVE HAMILTON OH 45013	ACT: 64 EFF: 64		1		20	x	<
P6412205000113 CONTROL#: 1800719	1218 OAKMONT AVE 719	21363 ENT	DELONG DANIEL & DONJEANA I	1218 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	6	1		40	x	<
P6412205000112 CONTROL#: 1800720	1224 OAKMONT AVE 720	21364 ENT	ROLLINS PAULA HOSTLER ETAL	1224 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	2			30	x	<
P6412205000111 CONTROL#: 1800721	1230 OAKMONT AVE 721	21365 ENT	BURNETT GREGORY A & RANDI L	4041 CHAPEL RD HAMILTON OH 45013 9214	ACT: 64 EFF: 64	3			30	6 x 7	<
P6412205000110 CONTROL#: 1800722	1236 OAKMONT AVE 722	21366 ENT	POINDEXTER BETTY J	1236 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	4			30	x	<
P6412205000109 CONTROL#: 1800723	1242 OAKMONT AVE 723	21367 ENT	WALTZ JOHN A & VICKI A	1242 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64					x	<
P6412205000108 CONTROL#: 1800724	1250 OAKMONT AVE 724	21368 ENT	SAURBER DONALD E II & REGINA R	1250 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	1	1		15	10 x 7	<
P6412205000107 CONTROL#: 1800725	1256 OAKMONT AVE 725	21369 ENT	GOINS SHERRY A	1256 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	1	2		35	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000106 CONTROL#: 1800726	1262 OAKMONT AVE 726	21370 ENT	INSPRUCKER JOSEPH W	1262 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	6			30	7 x 7	<
P6412205000105 CONTROL#: 1800727	1268 OAKMONT AVE 727	21371 ENT	SPRADLING MARGARET	1268 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	9			25	x	<
P6412205000104 CONTROL#: 1800728	1272 OAKMONT AVE 728	21372 ENT	WHITED HEATHER D & BRICKING PAUL J JR	1272 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 64 EFF: 64	7			50	x	<
P6412205000103 CONTROL#: 1800729	1276 OAKMONT AVE 729	21373 ENT	FORSYTHE LISA M	601 EMERSON AVE HAMILTON OH 45013 2621	ACT: 64 EFF: 64	4			10	x	<
P6412205000102 CONTROL#: 1800730	1282 OAKMONT AVE 730	21374 ENT	WOLSTENHOLM FRED	1282 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 76 EFF: 66	4	4		10	x	<
P6412205000101 CONTROL#: 1800731	1288 OAKMONT AVE 731	21375 ENT	JOHNSON BARBARA L & JOHN M	1288 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 75 EFF: 65	5			15	x	<
P6412205000100 CONTROL#: 1800732	1292 OAKMONT AVE 732	21376 ENT	MILLS CHASSTIDY E	1292 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 70 EFF: 70	2			5	x	<
P6412205000099 CONTROL#: 1800733	1298 OAKMONT AVE 733	21377 ENT	MANN VICKY L	1298 OAKMONT AVE HAMILTON OH 45013 3858	ACT: 75 EFF: 75	2			40	x	<
P6412205000098 CONTROL#: 1800734	1300 OAKMONT AVE 734	21378 ENT	CRYSEL RONALD JR & PATRICIA	1300 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 75 EFF: 75	4			25	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000097 CONTROL#: 1800735	1308 OAKMONT AVE 735	22427 ENT	HARDY WILLIAM & GAYLE	1308 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 70 EFF: 70	2			10	x	<
P6412205000096 CONTROL#: 1800736	1316 OAKMONT AVE 736	22428 ENT	TRAUTHWEIN CELLA G	1316 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 70 EFF: 70	2			30	x	<
P6412205000095 CONTROL#: 1800737	1324 OAKMONT AVE 737	22429 ENT	CALDWELL SYLVIA C	1324 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 70 EFF: 70	3	1		30	x	<
P6412203000011 CONTROL#: 1800738	1332 OAKMONT AVE 738	22430 ENT	THOMAS CHERYL	1332 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 70 EFF: 70	4			25	x	<
P6412203000010 CONTROL#: 1800739	1340 OAKMONT AVE 739	22431 ENT	SMITH KIMBERLY S	1340 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 70 EFF: 70	7	2		45	x	<
P6412203000009 CONTROL#: 1800740	1350 OAKMONT AVE 740	22432 ENT	BRAUN MARY F	1350 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 76 EFF: 72	1	2		10	x	<
P6412203000008 CONTROL#: 1800741	OAKMONT AVE 741	22433 W 5	BRAUN MARY F	1350 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 5 EFF: 5					x	<
P6412203000007 CONTROL#: 1800742	1366 OAKMONT AVE 742	22433 E 7 CONS W/6	SAMS DONALD E JR	1366 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 77 EFF: 64	2			40	x	<
P6412203000006 CONTROL#: 1800743	OAKMONT AVE 743	22434 ENT CONS W/7	SAMS DONALD E JR	1366 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 90 EFF: 78	2			30	22 x 5	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412203000005 CONTROL#: 1800744	1380 OAKMONT AVE 744	22435 ENT	RIECHERS WILLAIM MICHAEL	1380 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 58 EFF: 75		2		15	x	<
P6412203000004 CONTROL#: 1800745	1388 OAKMONT AVE 745	22436 ENT	SIZELOVE BRYAN W & BRITTANY D	1388 OAKMONT AVE HAMILTON OH 45013 3860	ACT: 49 EFF: 67	1			20	x	<
P6412203000003 CONTROL#: 1800746	1250 SMITH RD 746	22437 ENT	HELTON DENNIS J & SONDA C	1250 SMITH RD HAMILTON OH 45013 4928	ACT: 113 EFF: 100	5			50	x	<
P6412203000025 CONTROL#: 1800747	1375 OAKMONT AVE 747	29468 ENT	KURTZ JEFFREY W	1375 OAKMONT DR HAMILTON OH 45013 3859	ACT: 162 EFF: 135	8	4		110	x	<
P6412203000014 CONTROL#: 1800748	1361 OAKMONT AVE 748	23404 ENT	LEONARD BRIAN P	1361 OAKMONT AVE HAMILTON OH 45013 3859	ACT: 85 EFF: 88	7	2		40	15 x 7	<
P6412203000013 CONTROL#: 1800749	1347 OAKMONT AVE 749	23405 ENT	TRACY ROBERT TODD	3189 PRINCETON RD #363 HAMILTON OH 45011	ACT: 80 EFF: 80	4			30	x	<
P6412203000012 CONTROL#: 1800750	1337 OAKMONT AVE 750	23406 ENT	BEYERLEIN WAYNE L	1337 OAKMONT DR HAMILTON OH 45013 3859	ACT: 87 EFF: 87	2			45	10 x 7	<
P6412202000051 CONTROL#: 1800751	1326 SMITH RD 751	26426 ENT OF W88	HIBBARD RONALD JR & LYNNE L	1326 SMITH RD HAMILTON OH 45013 8509	ACT: 428 EFF: 428				20	x	<
P6412202000043 CONTROL#: 1800752	1325 OAKMONT AVE 752	28260 ENT	ROBERTS EDNA L	1325 OAKMONT AVE HAMILTON OH 45013 3859	ACT: 88 EFF: 88	6			40	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412202000042 CONTROL#: 1800753	1317 OAKMONT AVE <input type="text" value="753"/>	23408 ENT	CUMMINS JASON M & JAMIE N	1317 OAKMONT AVE HAMILTON OH 45013 3859	ACT: 80 EFF: 80	3			25	x	<
P6412202000041 CONTROL#: 1800754	1309 OAKMONT AVE <input type="text" value="754"/>	23409 ENT	COLLINS JERRY B	711 W ABERDEEN DR TRENTON OH 45067 1044	ACT: 80 EFF: 80	1			5	14 x 4	<
P6412202000040 CONTROL#: 1800755	1301 OAKMONT AVE <input type="text" value="755"/>	23410 ENT	BRUCE TINA ANN	1301 OAKMONT AVE HAMILTON OH 45013 3859	ACT: 85 EFF: 85	1	2		35	x	<
P6412202000039 CONTROL#: 1800756	1297 OAKMONT AVE <input type="text" value="756"/>	21335 ENT	GONYA SAMANTHA J	1297 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 75 EFF: 75	10			15	x	<
P6412202000038 CONTROL#: 1800757	1293 OAKMONT AVE <input type="text" value="757"/>	21336 ENT	FUERST RAYMOND	1293 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 72 EFF: 72	2			30	14 x 7	<
P6412202000037 CONTROL#: 1800758	1289 OAKMONT AVE <input type="text" value="758"/>	21337 ENT	THOMPSON MAXINE M	1289 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 63 EFF: 69	1			40	x	<
P6412202000036 CONTROL#: 1800759	1285 OAKMONT AVE <input type="text" value="759"/>	21338 ENT	INGRAM ETTA M	1285 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 63 EFF: 69				10	10 x 1	<
P6412205000094 CONTROL#: 1800760	1281 OAKMONT AVE <input type="text" value="760"/>	21339 ENT	CREECH ROBERTA S	1281 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 44 EFF: 66	5	4		10	x	<
P6412205000093 CONTROL#: 1800761	1277 OAKMONT AVE <input type="text" value="761"/>	21340 ENT	WOODS CHRISTINA	1277 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 62 EFF: 62				25	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000092 CONTROL#: 1800762	1273 OAKMONT AVE 762	21341 ENT	STEWART NICAELA L	1273 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 62 EFF: 62	4			5	x	<
P6412205000091 CONTROL#: 1800763	1267 OAKMONT AVE 763	21342 ENT	FRIEDLANDER LOIS S	1267 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 62 EFF: 62	8			10	x	<
P6412205000090 CONTROL#: 1800764	1261 OAKMONT AVE 764	21343 ENT	SIMMONS TERRY	1261 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 62 EFF: 62	4			15	x	<
P6412205000089 CONTROL#: 1800765	1257 OAKMONT AVE 765	21344 ENT	BECKMAN STEPHEN A & MARY A	1257 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 62 EFF: 62	4	2		15	x	<
P6412205000088 CONTROL#: 1800766	1251 OAKMONT AVE 766	21345 ENT	COMBS BRADFORD A & HOLLY S	1251 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 62 EFF: 62				14 x 7		<
P6412205000087 CONTROL#: 1800767	1243 OAKMONT AVE 767	21346 ENT	PHELPS RONALD	1243 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 62 EFF: 62				15	x	<
P6412205000086 CONTROL#: 1800768	1235 OAKMONT AVE 768	21347 ENT	FINKE MELANIE A	1235 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 62 EFF: 62	4			20	5 x 1	<
P6412205000085 CONTROL#: 1800769	1231 OAKMONT AVE 769	21348 ENT	SCHULTHEISS PAUL G	5905 MINDY DR HAMILTON OH 45011 2209	ACT: 62 EFF: 62	10			25	x	<
P6412205000084 CONTROL#: 1800770	1225 OAKMONT AVE 770	21349 ENT	RAINS COYT F TR OF TESTAMENTARY TRUST PERSUANT TO WILL	1028 WESLEYAN DR FAIRFIELD OH 45014 2840	ACT: 64 EFF: 64		3		40	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000083 CONTROL#: 1800771	1219 OAKMONT AVE 771	21350 ENT	DELANO NICHOLAS & WATTERS SIERRA	1219 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 70 EFF: 70	4			35	x	<
P6412205000074 CONTROL#: 1800772	1205 OAKMONT AVE 772	21356 ENT	BRANHAM EARL GENE JR & PATRICIA	1205 OAKMONT AVE HAMILTON OH 45013 3830	ACT: 70 EFF: 70	2			15	x	<
P6412205000073 CONTROL#: 1800773	1201 OAKMONT AVE 773	21357 ENT	BARNES RAE A	1201 OAKMONT AVE HAMILTON OH 45013 3830	ACT: 70 EFF: 70	6			15	14 x 3	<
P6412205000072 CONTROL#: 1800774	1195 OAKMONT AVE 774	21358 E 7	STRONG MICHAEL & PENNY M	1195 OAKMONT AVE HAMILTON OH 45013 3823	ACT: 77 EFF: 68	2	5			x	<
P6412206000093 CONTROL#: 1800775	1175 OAKMONT AVE 775	30554 ENT	SRRE LLC	430 OAKWOOD DR HAMILTON OH 45013 3467	ACT: 70 EFF: 69	2			25	x	<
P6412206000056 CONTROL#: 1800776	OAKMONT AVE 776	22610 W 5	STANG MARY J	1155 OAKMONT AVE HAMILTON OH 45013 3823	ACT: 5 EFF: 5	1			5	x	<
P6412206000057 CONTROL#: 1800777	1155 OAKMONT AVE 777	22609 ENT	STANG MARY J	1155 OAKMONT AVE HAMILTON OH 45013 3823	ACT: 100 EFF: 75	4	1		35	x	<
P6412206000058 CONTROL#: 1800778	1105 OAKMONT AVE 778	22608 ENT	STEWART JOE	1105 OAKMONT AVE HAMILTON OH 45013 3823	ACT: 173 EFF: 100	5	3		10	x	<
P6412206000046 CONTROL#: 1800779	1201 BRIARWOOD DR 779	22600 ENT	ROETTGER PATRICIA A	1201 BRIARWOOD DR HAMILTON OH 45013 3804	ACT: 122 EFF: 88	8			40	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
OAKMONT AVE

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000045 CONTROL#: 1800780	1297 CADILLAC DR 780	22989 ENT	SHANNON CAROLYN M	1297 CADILLAC DR HAMILTON OH 45013 3808	ACT: 85 EFF: 90	2	2		20	x	<
P6412206000081 CONTROL#: 1800781	1075 OAKMONT AVE 781	23031 ENT	MULTER CHARLES F & CLAUDIA G	1075 OAKMONT AVE HAMILTON OH 45013 3831	ACT: 79 EFF: 102	4			80	x	<
P6412206000082 CONTROL#: 1800782	1061 OAKMONT AVE 782	23032 ENT	MORGAN JOSHUA C	1061 OAKMONT AVE HAMILTON OH 45013 3831	ACT: 110 EFF: 90	13	2		30	12 x 7	<
P6412206000083 CONTROL#: 1800783	1035 OAKMONT AVE 783	23033 ENT	EICHLER JOHN G	1035 OAKMONT AVE HAMILTON OH 45013 3831	ACT: 80 EFF: 80	5			45	14 x 7	<
P6412206000084 CONTROL#: 1800784	1025 OAKMONT AVE 784	23034 ENT	HARRISON WILLIAM J & TONYA L	1025 OAKMONT AVE HAMILTON OH 45013 3831	ACT: 80 EFF: 80	7			25	x	<
P6412206000085 CONTROL#: 1800785	1011 OAKMONT AVE 785	23035 ENT	LYNCH JOHN H & TAMMY S	1011 OAKMONT AVE HAMILTON OH 45013 3831	ACT: 85 EFF: 85	6			15	14 x 7	<
P6412206000086 CONTROL#: 1800786	1200 CADILLAC DR 786	23036 ENT	HARRISON ELBY LEE	1200 CADILLAC DR HAMILTON OH 45013 3809	ACT: 90 EFF: 90				15	x	<
P6412206000032 CONTROL#: 1800787	999 OAKMONT AVE 787	23002 ENT	WESTRICH CAROLYN A	999 OAKMONT AVE HAMILTON OH 45013 3819	ACT: 80 EFF: 80	2			25	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
CADILLAC DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000097 CONTROL#: 1800801	1001 GOLFVIEW DR 801	31711 ENT COLUMBIA	COLE CARLENE	4801 FREDERICA ST OWENSBORO KY 42301	ACT: 86.4 EFF: 88	1	12		10	60 x 5	<
P6412206000025 CONTROL#: 1800802	1170 CADILLAC DR 802	23008 ENT	BARGO RANDALL	1170 CADILLAC DR HAMILTON OH 45013 3834	ACT: 88 EFF: 88	14	2		15	11 x 5	<
P6412206000070 CONTROL#: 1800803	1101 BRIARWOOD DR 803	23021 ENT	FLEMING DANA J	9802 CAMPBELL CIR NAPLES FL 34109 4509	ACT: 110 EFF: 81	5			35	x	<
P6412206000071 CONTROL#: 1800804	1192 CADILLAC DR 804	23022 ENT	GERDES MARTIN A JR & ANNE M	1192 CADILLAC DR HAMILTON OH 45013 3807	ACT: 70 EFF: 70	3			40	x	<
P6412206000072 CONTROL#: 1808805	1000 OAKMONT AVE 805	23023 ENT	BROWER MARVIN E	1000 OAKMONT AVE HAMILTON OH 45013 3822	ACT: 110 EFF: 85	3	4		50	19 x 4	<
P6412206000086 CONTROL#: 1800806	1200 CADILLAC DR 806	23036 ENT	HARRISON ELBY LEE	1200 CADILLAC DR HAMILTON OH 45013 3809	ACT: 90 EFF: 90	3			65	x	<
P6412206000087 CONTROL#: 1800807	1224 CADILLAC DR 807	23037 ENT	REECE ANNETTE M & CARL M	1224 CADILLAC DR HAMILTON OH 45013 3809	ACT: 179 EFF: 105	8			160	x	<
P6412206000088 CONTROL#: 1800808	1244 CADILLAC DR 808	23038 ENT	BROSIUS MATTHEW & DEBORAH L	1244 CADILLAC DR HAMILTON OH 45013 3809	ACT: 110 EFF: 90	6	4		40	19 x 4	<
P6412206000089 CONTROL#: 1800809	1250 CADILLAC DR 809	23039 ENT	HARRISON RICHARD C & ERICA M	1250 CADILLAC DR #16 HAMILTON OH 45013	ACT: 80 EFF: 80	4	2		65	14 x 4	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
CADILLAC DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000090 CONTROL#: 1800810	1260 CADILLAC DR 810	23040 ENT	DINKEL ERIC W	1260 CADILLAC DR HAMILTON OH 45013 3809	ACT: 80 EFF: 80	2	2		45	14 x 4	<
P6412206000091 CONTROL#: 1800811	1266 CADILLAC DR 811	23041 ENT	YOUNG FRANK D JR & CYNTHIA L	1266 CADILLAC DR HAMILTON OH 45013 3809	ACT: 80 EFF: 80	6	1		35	12 x 4	<
P6412206000092 CONTROL#: 1800812	1280 CADILLAC DR 812	23042 ENT	DAY DARRELL T & BARBARA A	1280 CADILLAC DR HAMILTON OH 45013 3809	ACT: 157 EFF: 95	11	2		112	12 x 4	<
P6412206000081 CONTROL#: 1800813	1075 OAKMONT AVE 813	23031 ENT	MULTER CHARLES F & CLAUDIA G	1075 OAKMONT AVE HAMILTON OH 45013 3831	ACT: 79 EFF: 102	5			50	x	<
P6412206000045 CONTROL#: 1800814	1297 CADILLAC DR 814	22989 ENT	SHANNON CAROLYN M	1297 CADILLAC DR HAMILTON OH 45013 3808	ACT: 85 EFF: 90	4			40	x	<
P6412206000044 CONTROL#: 1800815	1287 CADILLAC DR 815	22990 ENT	LEUGERS MARK J	1287 CADILLAC DR HAMILTON OH 45013 3808	ACT: 60 EFF: 80	4	3		20	13 x 4	<
P6412206000043 CONTROL#: 1800816	1281 CADILLAC DR 816	22991 ENT	LAWRENCE JARY G	1281 CADILLAC DR HAMILTON OH 45013 3808	ACT: 60 EFF: 85	6	4		35	21 x 4	<
P6412206000042 CONTROL#: 1800817	1275 CADILLAC DR 817	22992 ENT	ANDERSON MICHAEL JAMES & DAWN D	1275 CADILLAC DR HAMILTON OH 45013 3808	ACT: 65 EFF: 80	6			15	11 x 4	<
P6412206000041 CONTROL#: 1800818	1267 CADILLAC DR 818	22993 ENT	BALDWIN DIANA L	1267 CADILLAC DR HAMILTON OH 45013 3808	ACT: 95 EFF: 95	6	1		65	x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
CADILLAC DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000040 CONTROL#: 1800819	1259 CADILLAC DR 819	22994 ENT	MOLTER MARILYN ANN	1259 CADILLAC DR HAMILTON OH 45013 3808	ACT: 80 EFF: 80	7			45	x	<
P6412206000039 CONTROL#: 1800820	1251 CADILLAC DR 820	22995 ENT	HORSLEY MICHELLE & KENNETH R	1251 CADILLAC DR HAMILTON OH 45013 3808	ACT: 80 EFF: 80	5	2		50	14 x 4	<
P6412206000038 CONTROL#: 1800821	1245 CADILLAC DR 821	22996 ENT	LAFEVER KATHRYN	1245 CADILLAC DR HAMILTON OH 45013 3808	ACT: 85 EFF: 85	8	4		40	19 x 4	<
P6412206000037 CONTROL#: 1800822	1239 CADILLAC DR 822	22997 ENT	WALDORF PAUL	1239 CADILLAC DR HAMILTON OH 45013 3808	ACT: 58 EFF: 76	2			20	x	<
P6412206000036 CONTROL#: 1800823	1233 CADILLAC DR 823	22998 ENT	SMITH BRADLEY & PHYLLIS S	1233 CADILLAC DR HAMILTON OH 45013 3808	ACT: 58 EFF: 85	2			45	x	<
P6412206000035 CONTROL#: 1800824	1225 CADILLAC DR 824	22999 ENT	DUNLAP JAMI N	1225 CADILLAC DR HAMILTON OH 45013 3808	ACT: 58 EFF: 85		1		45	17 x 4	<
P6412206000034 CONTROL#: 1800825	1217 CADILLAC DR 825	23000 ENT	MCKENNEY DENICE SUE	1217 CADILLAC DR HAMILTON OH 45013 3808	ACT: 58 EFF: 78	2	4		40	19 x 4	<
P6412206000033 CONTROL#: 1800826	1209 CADILLAC DR 826	23001 ENT	YANCEY BRIAN	1209 CADILLAC DR HAMILTON OH 45013 3808	ACT: 60 EFF: 67	1	4		45	19 x 4	<
P6412206000032 CONTROL#: 1800827	999 OAKMONT AVE 827	23002 ENT	WESTRICH CAROLYN A	999 OAKMONT AVE HAMILTON OH 45013 3819	ACT: 80 EFF: 80	3	4		70	19 x 4	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
CADILLAC DR

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412206000031 CONTROL#: 1800828	998 OAKMONT AVE 828	23003 ENT	WEIK DONALD E & WEIK ROSALEE STAMBAUGH	998 OAKMONT AVE HAMILTON OH 45013 3820	ACT: 90 EFF: 90	1			45	x	<
P6412206000030 CONTROL#: 1800829	1191 CADILLAC DR 829	23004 ENT	HUBER TOM & WENDY	420 WENCELLA DR HAMILTON OH 45013 4116	ACT: 80 EFF: 80	5	2		30	10 x 4	<
P6412206000029 CONTROL#: 1800830	1183 CADILLAC DR 830	23005 ENT	WHITE ELDON H	65 HERITAGE TRAIL DR MIDDLETOWN OH 45044 3806	ACT: 80 EFF: 80	3			35	x	<
P6412206000028 CONTROL#: 1800831	1175 CADILLAC DR 831	23006 S 7	HOWARD CYNTHIA J	1175 CADILLAC DR HAMILTON OH 45013 3806	ACT: 75 EFF: 75	4	4		30	19 x 4	<
P6412206000027 CONTROL#: 1800832	CADILLAC DR 832	23006 N 5	GOLDEN RICKY JAMES & LISA MARIE	1171 CADILLAC DR HAMILTON OH 45013 3806	ACT: 5 EFF: 5		1			4 x 4	<
P6412206000026 CONTROL#: 1800833	1171 CADILLAC DR 833	23007 ENT	GOLDEN RICKY JAMES & LISA MARIE	1171 CADILLAC DR HAMILTON OH 45013 3806	ACT: 80 EFF: 80	19	1		60	8 x 4	<
P6412206000096 CONTROL#: 1800834	979 GOLFVIEW DR 834	31710 ENT COLUMBIA	SCHROEDER KEITH & CHRISTY	1021 GOLFVIEW DR HAMILTON OH 45013	ACT: 83.5 EFF: 108	4				x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
MAPLE CT

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000074 CONTROL#: 1800901	1205 OAKMONT AVE 901	21356 ENT	BRANHAM EARL GENE JR & PATRICIA	1205 OAKMONT AVE HAMILTON OH 45013 3830	ACT: 70 EFF: 70	8			25	x	<
P6412205000075 CONTROL#: 1800902	5 MAPLE CT 902	21355 ENT	RUIZ SCOTT C & BERNAL ELIZABETH	5 MAPLE CT HAMILTON OH 45011 3854	ACT: 46 EFF: 70				5	x	<
P6412205000076 CONTROL#: 1800903	7 MAPLE CT 903	21355 SE	KRUGER RICHARD S	7 MAPLE CT HAMILTON OH 45013 3854	ACT: 17 EFF: 10					x	<
P6412205000077 CONTROL#: 1800904	7 MAPLE CT 904	21354 ENT TRIA	KRUGER RICHARD S	7 MAPLE CT HAMILTON OH 45013 3854	ACT: 30 EFF: 67				10	6 x 7	<
P6412205000078 CONTROL#: 1800905	9 MAPLE CT 905	21354 SE	WEIGOLD STEVEN E	9 MAPLE CT HAMILTON OH 45013 3854	ACT: 10 EFF: 6					x	<
P6412205000079 CONTROL#: 1800906	9 MAPLE CT 906	21353 ENT	WEIGOLD STEVEN E	9 MAPLE CT HAMILTON OH 45013 3854	ACT: 37 EFF: 71					x	<
P6412205000080 CONTROL#: 1800907	11 MAPLE CT 907	21352 ENT	ESTRIDGE JEFFREY THOMAS & MARY ANN	11 MAPLE CT HAMILTON OH 45013 3854	ACT: 38 EFF: 75				10	7 x 13	<
P6412205000081 CONTROL#: 1800908	11 MAPLE CT 908	21351 SW	ESTRIDGE JEFFREY THOMAS & MARY ANN	11 MAPLE CT HAMILTON OH 45013 3854	ACT: 5 EFF: 1					x	<
P6412205000082 CONTROL#: 1800909	15 MAPLE CT 909	21351 ENT	SECRETARY OF HOUSING & URBAN DEVELOPMENT	440 S LASALLE ST Suite 2000 CHICAGO IL 60605	ACT: 81 EFF: 80					x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
MAPLE CT

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6412205000083 CONTROL#: 1800910	1219 OAKMONT AVE <input type="text" value="910"/>	21350 ENT	DELANO NICHOLAS & WATTERS SIERRA	1219 OAKMONT AVE HAMILTON OH 45013 3857	ACT: 70 EFF: 70	4			25	4 x 7	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
S FRONT ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6421005000026 CONTROL#: 1801001	331 S FRONT ST 1001	26482 ENT	CITY OF HAMILTON Police Chief		ACT: 200.1 EFF:	4		3	95	x	24 x 5
P6421005000001 CONTROL#: 1801002	323 S FRONT ST 1002	52 S 18 O	BAERS SWEEPER SALES & SERVICE LLC	323 S FRONT ST HAMILTON OH 45011 2901	ACT: 18 EFF:	5			15	x	x
P6421005000003 CONTROL#: 1801003	S FRONT ST 1003	52 N 32 O	PATER CLEM III & GERALD L TR	315 S FRONT ST HAMILTON OH 45011 2901	ACT: 32 EFF: 32	8				x	x
P6421005000004 CONTROL#: 1801004	S FRONT ST 1004	52 N50 OF CONS W/2	PATER CLEM III & GERALD L TR	315 SOUTH FRONT ST HAMILTON OH 45011	ACT: 50 EFF:	16				x	x
P6421005000005 CONTROL#: 1801005	S FRONT ST 1005	52 S 15 O E75	PATER CLEM III & GERALD L TR	315 S FRONT ST HAMILTON OH 45011 2901	ACT: 15 EFF:	7				x	x
P6421005000006 CONTROL#: 1801006	S FRONT ST 1006	52 S 25 O	WOELLERT JEFF	10184 TRAPP LN CINCINNATI OH 45231	ACT: 25 EFF:	6				x	x
P6421005000007 CONTROL#: 1801007	305 S FRONT ST 1007	52 S 24 O	WOELLERT JEFF	10184 TRAPP LN CINCINNATI OH 45231	ACT: 24 EFF:	5				x	x
P6421005000008 CONTROL#: 1801008	301 S FRONT ST 1008	52 N 36 O	DILLS22 LLC	5630 READ TRL LIBERTY TOWNSHIP OH 45011 2732	ACT: 35 EFF:	11			25	x	x
P6421004000031 CONTROL#: 1801009	223 S FRONT ST 1009	67 S 32 O	MOELLER PATRICK & DUDLEY MARK K	223 S FRONT ST HAMILTON OH 45011 2831	ACT: 32 EFF:	3			10	x	x

2018 RESURFACING CONCRETE REPAIR PROGRAM
S FRONT ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6421004000030 CONTROL#: 1801010	221 S FRONT ST 1010	67 N 18 O S32	TRAUB ANTHONY	210 S MONUMENT AVE HAMILTON OH 45011 2836	ACT: 18 EFF:	3			15	x	<
P6421004000029 CONTROL#: 1801011	211 S FRONT ST 1011	67 N 25 O	TRAUB ANTHONY	210 S MONUMENT AVE HAMILTON OH 45011 2836	ACT: 25 EFF:	3			15	x	<
P6421004000028 CONTROL#: 1801012	S FRONT ST 1012	67 N 25 O	TRAUB ANTHONY	210 S MONUMENT AVE HAMILTON OH 45011 2836	ACT: 25 EFF:	2				x	<
P6421004000027 CONTROL#: 1801013	201 S FRONT ST 1013	67 N100 3 CONS W/41	TRAUB ANTHONY	210 S MONUMENT AVE HAMILTON OH 45011 2836	ACT: 100.7 EFF:	10				x	<
P6421004000026 CONTROL#: 1801014	111 S FRONT ST 1014	82 S 80	OWEN & LANE ST CH OF GOD INC	PO BOX 1318 HAMILTON OH 45012 2829	ACT: 80 EFF:	13				x	<
P6421004000025 CONTROL#: 1801015	123 S FRONT ST 1015	82 N 30 O EXEMPT ON	OWEN & LANE ST CH OF GOD INC	PO BOX 1318 HAMILTON OH 45012	ACT: 118 EFF:	15				x	<
P6421004000013 CONTROL#: 1801016	23 S FRONT ST 1016	254 S30 &	FRONT ST PRESBYTERIAN RENTAL PROPERTIES	19 S FRONT ST HAMILTON OH 45011 2819	ACT: 30 EFF:					x	<
P6421004000012 CONTROL#: 1801017	S FRONT ST 1017	254 ENT L CONS W/11	TRUSTEES PRESBYTERIAN CHURCH		ACT: 20 EFF:					x	<
P6421004000011 CONTROL#: 1801018	19 S FRONT ST 1018	253 ENT CONS W/12	TRUSTEES PRESBYTERIAN CHURCH	19 S FRONT ST HAMILTON OH 45011 2819	ACT: 49.91 EFF:					x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
S FRONT ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6421004000010 CONTROL#: 1801019	S FRONT ST 1019	252 ENT &	PRESBYTERIAN CHURCH OF HAMILTON	19 S FRONT ST HAMILTON OH 45011 2819	ACT: 49.91 EFF:					x	<
P6421004000009 CONTROL#: 1801020	HIGH ST 1020	251 ENT &	FRONT STREET PRESBYTERIAN CHURCH OF HAMILTON	19 S FRONT ST HAMILTON OH 45011 2819	ACT: 49.91 EFF:					x	30 < 2
P6421003000001 CONTROL#: 1801021	135 HIGH ST 1021	96 ENT CONS W/ 0	BUTLER COUNTY COURT HOUSE	315 HIGH ST FLOOR 6 HAMILTON OH 45011 2761	ACT: 99 EFF:	3				x	<
P6421003000002 CONTROL#: 1801022	HIGH ST 1022	95 ENT CONS W/ 0	BUTLER COUNTY COURT HOUSE		ACT: 99 EFF:	3				x	<
P6421003000020 CONTROL#: 1801023	105 COURT ST 1023	84 W127.9 83 S 45.6	UNITED STATES OF AMERICA	@	ACT: 100.4 EFF:	7				x	<
P6421003000021 CONTROL#: 1801024	COURT ST 1024	83 N CTR CONS 003-	UNITED STATES OF AMERICA		ACT: 53 EFF:	4				x	<
P6421003000022 CONTROL#: 1801025	COURT ST 1025	83 S 45.6 CONS 003-	UNITED STATES OF AMERICA		ACT: 45.66 EFF:					x	<
P6421003000024 CONTROL#: 1801026	S FRONT ST 1026	69 N 77 CONS 003-	ZION EVANGELICAL LUTHERAN CONGREGATION	212 S FRONT ST HAMILTON OH 45011 2832	ACT: 50 EFF:	6				x	<
P6421003000025 CONTROL#: 1801027	S FRONT 1027	69 S27 OF CONS 003-	ZION EVANGELICAL LUTHERAN CONGREGATION		ACT: 27 EFF:					x	<

2018 RESURFACING CONCRETE REPAIR PROGRAM
S FRONT ST

PARCEL ID	PROPERTY ADDRESS	LOT NO	OWNER NAME	MAIL ADDRESS	FRONTAGE	SIDEWALK BLOCKS			CRB/GUT	DRIVE	DRIVE
						4"	6"	7"	LIN.FT	LxW	LxW
P6421003000026 CONTROL#: 1801028	212 S FRONT ST 1028	69 S 23 CONS W/02	ZION EVANGELICAL LUTHERAN CONGREGATION	212 S FRONT ST HAMILTON OH 45011 2832	ACT: 27 EFF:					x	<
P6421003000027 CONTROL#: 1801029	S FRONT 1029	68 N27 LE CONS W/02	ZION EVANGELICAL LUTHERAN CONGREGATION		ACT: 10 EFF:					x	<
P6421003000028 CONTROL#: 1801030	212 S FRONT ST 1030	68 W 140	ZION EVANGELICAL LUTHERAN CONG CHURCH	212 S FRONT ST HAMILTON OH 45011 2832	ACT: 90 EFF:	3				x	<
P6421006000089 CONTROL#: 1801031	300 S FRONT ST 1031	29859 ENT	PAYNE CHAPEL A M E CHURCH	322 S FRONT ST HAMILTON OH 45011 2902	ACT: 200 EFF:	23			20	x	<
P6421006000021 CONTROL#: 1801032	326 S FRONT ST 1032	38 ENT	MC GEE SEAN A TR	5401 BOOTH RD OXFORD OH 45056 9042	ACT: 99 EFF:	10			85	x	<
P6421006000022 CONTROL#: 1801033	332 S FRONT ST 1033	37 N 30 O	MC GEE SEAN A TR	5401 BOOTH RD OXFORD OH 45056 9042	ACT: 30 EFF:					x	<
P6421006000023 CONTROL#: 1801034	340 S FRONT ST 1034	37 W 120	ENTSMINGER DANIEL II	340 S FRONT ST HAMILTON OH 45011 2902	ACT: 70 EFF:	4		3	30	x	20 < 4

City Council Meeting Staff Report

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

Report From: Joshua A. Smith, City Manager

Agenda Item: A resolution declaring certain City property no longer needed for municipal purposes as surplus and obsolete and authorizing disposal of said surplus and obsolete property, and authorizing the City Manager to formalize a consulting arrangement between the City of Hamilton, Ohio and James Logan.

<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 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
<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: 8-26-2020 <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: N/A Expenditure: N/A Source Funds: N/A	<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 approve a resolution declaring that the former laptop of James Logan (former Executive Director of Infrastructure) is no longer needed for municipal purposes and authorizing the City Manager to formalize a consulting arrangement with James Logan?

Policy Alternative(s)

Council may choose not to adopt such legislation, in which case the continuity of infrastructure operations may be diminished.

Staff Recommendation

Staff recommends that Council receive this report and approve the resolution.



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 721.15, Disposition of property unneeded, obsolete or unfit for municipal purposes, Ohio Revised Code.

Fiscal Impact Summary

The City will receive valuable ongoing consulting services.

Background Information

James Logan's last day of employment with the City of Hamilton was August 21, 2020. Given the nature of his responsibilities with the City of Hamilton, as well as his knowledge and skill set, it is anticipated that City administration will need to consult with him regularly throughout at least the end of the year 2020. Therefore, Mr. Logan has agreed to be responsive to any requests for information or advice from City Manager, Joshua Smith, through the end of calendar year 2020 or for a minimum of 200 hours, whichever comes first.

In order to best serve the City's consulting needs, the City will allow Mr. Logan to retain the work laptop formerly assigned to him with the option to be retained at the end of his services. The laptop is over three years old and would have been budgeted for replacement in the year 2021. As such, it would have been disposed of in accordance with City practices and not retained for City purposes.

Attached Information

N/A

Copies Provided to:

N/A



RESOLUTION NO. _____

A RESOLUTION DECLARING CERTAIN CITY PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AS SURPLUS AND OBSOLETE AND AUTHORIZING DISPOSAL OF SAID SURPLUS AND OBSOLETE PROPERTY, AND AUTHORIZING THE CITY MANAGER TO FORMALIZE A CONSULTING ARRANGEMENT BETWEEN THE CITY OF HAMILTON, OHIO AND JAMES LOGAN.

WHEREAS, the City of Hamilton is in possession of a laptop formerly assigned to former Executive Director of Infrastructure, James Logan, for City business (the "laptop");

WHEREAS, the laptop is budgeted for replacement and is no longer needed for municipal purposes;

WHEREAS, during his employment, the City of Hamilton has benefited from the knowledge and skill set of James Logan;

WHEREAS, the City of Hamilton wishes to retain access to former Executive Director of Infrastructure James Logan for consulting purposes;

WHEREAS, James Logan has agreed to provide consultation on an as-needed basis until at least December 31, 2020;

WHEREAS, the City agrees to allow James Logan to retain the laptop to use for City business while he provides consulting services;

WHEREAS, Ohio Revised Code Section 721.15(C) provides that "[i]f the legislative authority of the municipal corporation determines that municipal property is not needed for public use, or is obsolete or unfit for the use for which it was acquired, and that the property has no value, the legislative authority may discard or salvage that property";

WHEREAS, this Council has determined that the laptop is municipal property that is not needed for public use and is obsolete or unfit for which it was acquired, and that the property has no value, and therefore it is appropriate to discard or salvage said property; and

WHEREAS, the laptop may be retained by James Logan after he completes his consulting services.

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

SECTION I: Consistent with the provisions of the Ohio Revised Code, Section 721.15 and any applicable codified ordinances, the laptop is declared surplus, no longer needed for municipal purposes, obsolete, and of no value, and authorization is hereby provided to dispose of the property.

SECTION II: That the City Manager is hereby directed to formalize a consulting arrangement with James Logan as outlined above.

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

PASSED: _____

Mayor

Effective Date: _____

ATTEST: _____

City Clerk

CERTIFICATE

Resolution No. _____ (cont'd)

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