

Mt. Auburn Community Council

09/21/2020 Full Council Meeting Minutes (Zoom)

Recorded and Prepared by Carlton Farmer (Recording Secretary)

Board Members in Attendance: Sandi Allen, Shawn Baker, Stanley Broadnax, Carlton Farmer, Ken Farmer, Carol Gibbs, Steve Gibbs, Cindy Jo Holmes, Ryan Lammi, Anne Shannon, Anthony Thompson, Sarah Vogt, Alice Williams

Absent: Walter Hawkins

Special Guests: State Rep. Cathy Ingram; District 4 Captain Mark Burns and Officer Roper-Issa; Gio Rocco and John Reiser from the Department of Community and Economic Development; Chinedum Ndukwe, Marty Rittenhouse and Becky Walker from Kingsley + Co.; John Schrider from the Legal Aid Society of Southwest Ohio

1. **Call to Order** – Zoom meeting of the MACC was called to order by MACC President Stanley Broadnax at 7:04 PM.
2. **Safety Report (Officer Roper-Issa standing in for Officer Bower)** – Officer Roper-Issa wanted us to know that they have been working on the issues at Highland and McGregor. Frazier noted that the group from that area appears to have moved to the park on Burnet. Roper-Issa said they would look into that. Linders reported an abandoned car on Young Street, behind 2020 and near Taft Elementary. Roper-Issa said she'll get that car taken care of, noting that CPD has been a little behind on dealing with abandoned cars. Captain Mark Burns said that next Monday 9/28 we will be meeting with city representatives regarding issues with motorcycles and ATVs on city streets. Our neighborhood liaison officer can be reached at (513) 569-8679 or Maggie.Bower@Cincinnati-oh.gov. The non-emergency police number is (513) 765-1212.
3. **Special Guests and Presentations** –
 - a. **State Rep. Cathy Ingram** – 1. Ingram reminded those in the meeting that the census ends on September 30. It only takes about 5 or 10 minutes to complete. It's important that Mt. Auburn gets fully counted. 2. Early voting starts on October 6. **Questions.** S. Gibbs: Will the census time be extended, or has the current administration managed to kill that effort. Ingram: There was concern that extending it would pose issues in getting it completed and to Congress. It has not been extended. Additional questions can be sent to Rep32@OhioHouse.gov.
 - b. **John Reiser and Gio Rocco (DCED)** – These two were presenting about a change to the code to remove land requirements per unit in some areas of downtown and adjacent neighborhoods. The goal is primarily to allow for the construction of more housing in these areas. Specific sections of the zoning code regulate how many units you can build on your property given the size of your property. City zoning mandates 1 unit per 700 sq ft of lot area. This results in a low number of units in new buildings. Reasons to change this: The density is not consistent with the historic fabric, promotes sprawling development, unsustainable small business environment and neighborhood affordability due to demand exceeding supply. Proposed urban housing overlay would eliminate the density restrictions, allowing for more units. This would not undo underlying zoning districts, historic guidelines, building code, etc. Cities such as Minneapolis, Portland and Seattle have taken similar actions to create more equitable development. Next steps are to go to the Planning Commission, then Economic Growth and Zoning Council meeting,

and then if it passes out of that committee, it would go to the full council. **Questions.**
Broadnax: Would this impact parking requirements? Riser: No, but this is the same area as the parking overlay that was adopted a few months ago. This overlay only impacts a small section of Mt. Auburn in the Hughes/Schiller area. Ingram: Affordable for whom? Would this be for rent or sale? Reiser: This would apply to all housing, both rentals and sale. This is not a silver bullet, but this should slow rent growth. Rocco: This is a good first step. It would increase affordability for residents who do not get a housing subsidy. Browne: Would this reduce access to housing for families? Rocco: It doesn't incentivise or de-incentivise any specific type of housing. Martz: Why do these land area per unit restrictions exist in the first place? Rocco: Likely these were put in place to address some of the undesirable living conditions in the city core, and without a sophisticated building code at that time, these land area per unit restrictions were enacted to spread people out. Broadnax: Will this incentivize 1 bedroom units over family units. Rocco: No, we don't believe it will incentivize one over the other. Lammi: I think this will remove a lot of barriers for more units. Lemon Kearney: It's not preference one type of unit over the other, right? It's just opening up the options. Rocco: Yes. Reiser: Again, if your property is zoned single family, that will not change. *Stephen Gibbs moved that we draft a letter in support of this overlay. Shawn Baker seconded. Motion carried.*

- c. **Brief Introductions from Candidates for MACC Officer Positions –**
 - i. Stephen Gibbs introduced himself as a candidate for President of MACC. He has lived in MA since the mid 1970s. Has served on a number of boards, including Board of Health, Taft Historic Site, MACC, and the Homeless Coalition.
 - ii. Shawn Baker introduced himself as a candidate for Vice President. He is running for re-election. He has been involved in the Mt. Auburn Community and the city as a whole, working on community boards, get out the vote drives, and more.
 - iii. Joshua Gilbert introduced himself as a candidate for Treasurer and thanked Stan for his years of service to this Mt. Auburn Community Council. He has a background in financial services and looks forward to applying this knowledge as the MACC treasurer. Previously as a MACC trustee, he helped draft the MACC developer questionnaire.
 - iv. Anne Shannon introduced herself as a candidate for Corresponding Secretary. She is running for re-election and has been involved with the MACC for a number of years in different positions.
 - v. Carlton Farmer introduced himself as a candidate for Recording Secretary, he is running for re-election.
- d. **MACC Election Update (Ryann Lammi)** – Electronic ballots will be emailed about a week before the October 19th MACC election. For these online ballots, members will have to provide name, email and phone number so membership can be verified. Members of the election committee will also be outside Taft Elementary from 6:30 to 8:00 collecting ballots in person for anyone unable to vote online. Ryan reminded those in the meeting that 2019 MACC memberships were extended through 2020. Candidates have until 11:59 today (9/21) to submit an intent to run form for an Officer position. Linders suggested that we send a postcard to members detailing these elections options. Cindy Jo Holmes suggested that making phone calls would likely be more effective. Steven Martz and Alice Williams agreed that making phone calls would be a good solution.
Information will also be posted on Facebook and sent through email.

- 4. **Board Report (Dr. Broadnax)** – Dr. Broadnax provided a brief synopsis of what the board discussed during its most recent meeting, including:

- i. NSP 2021 - Start planning early for potential projects. The earlier we can get submissions approved, the faster we can get funds back into the community.
 - ii. Redistributing funds that we usually get from Center for Closing the Health Gap for Mt. Auburn Day since we did not have Mt. Auburn Day this year. Alice Williams said that CCHG is still meeting and discussing how best to use these funds.
 - iii. McGregor and Highland issues, we are still working with police and residents in the area.
 - iv. 2010 Auburn Avenue building. This sale was approved 9/18 by the Planning Committee after confirming that the land taken by the Department of Transportation was replaced with a similar amount of land in the proposed drawings. Olivia Darks from Corban Learning Center thanked the MACC for its support.
5. **Treasurer's Report (Anthony Thompson)** – As of 9/15 our balance is \$8,388.82, including NSP and AIG funds. We have a balance of over \$1,500 in our bulk mail account. *Carlton Farmer thanked Anthony Thompson for his years of service and made a motion to accept the treasurer's report. Ken Farmer seconded. Motion carried.*
6. **MACC August Minutes.** *Stephen Gibbs made a motion to approve. Cindy Jo Holmes seconded. Motion carried.*
7. **Old Business** –
- a. Kingsley + Co. extension of tax abatement for their hotel project along Reading Road. Though the MACC board originally was in favor of the tax abatement for this project, the board now is not in support of extending this tax abatement, due to the fact that we feel that Kingsley + Co. did not fulfill some of its obligations and evicted tenets of 2341 Burnet Ave. Broadnax read from an August 6, 2018 letter from Kingsley + Co., noting specifically the promises made to work with Taft Elementary, to support positive community growth, and paying 15% VTICA. Subsequently noting that following this letter the MACC set a letter of support for the project.
John Schrider (Legal Aid Society of Southwest Ohio) represents 3 residents of 2341 Burnet Ave. In March, residents were evicted and sued for unpaid rent. After these evictions were filed, doors were locked, utilities were shut off and other aggressive actions were taken against my clients in violation of the Ohio Landlord Tenants law. I have heard today that the landlord has dropped these active cases against the residents that I represent.
Ndukwe: Stated that what Schrider said was not correct. He also feels that he was not given the chance to share his side before a vote was taken to not support the extension of this tax abatement. They are not asking to be released from their obligations, but asking for more time to make sure they can fulfill the promises made as part of support for this tax abatement. There is no plan to tear down the building at 2341 Burnet Ave. Holmes: Are you involved with the LLC that owns the building at 2341 Burnet? Ndukwe: Yes, I am a partner in the LLC that owns 2341 Burnet.
Marty Rittenhouse of Kingsley + Co. stated that all cases against residents were dropped on 9/11/2020. C.Gibbs: They were filed in March 2020. Were they dismissed with prejudice or without prejudice? Schrider: I don't have that information because Kingsley + Co.'s attorney didn't send him the filing. Rittenhouse asked to share his screen, showing a letter from their lawyer showing that they dropped the suits against the tenants. He also noted that suing for back-rent is a standard part of an eviction filing. We did not collect any back-rent from these tenants. C.Gibbs: These lawsuits were filed on March 4,

did you not realize this until September 10, Mr. Ndukwe. Ndukwe: No, I was not aware of the back-charging of tenants. Schrider: The filings of these evictions were discussed in the Budget and Finance Committee. If you look at that record, I believe you will see communication between all parties involved. Jon Vogt: When you file an eviction, you fill out a standard form. So what was filed is fairly standard for an eviction.

C.Gibbs: You do not have a garage on your building, so where will parking for the hotel be located if not at 2341 Burnet Ave. Ndukwe: There is parking in front of the hotel building. Holmes: Are you stating that your promises to the community are contingent on you getting this tax abatement? Ndukwe deferred to Becky Walker on this question. Walker stated they met virtually with representatives from Taft Elementary in July, working to fulfill their commitments. C.Gibbs: There have been many requests from Taft Elementary since 2018, but we have not received contributions in response to these requests. Holmes: The only action that I've seen in our neighborhood from those involved in building this hotel has been to evict some long-time Mt. Auburn residents. I don't care so much about conversations, but am more interested in actions.

Shannon: You seemed to have chided us at the beginning of your comments for not reaching out to you in regards to our pulling support of the tax abatement, however, you did not reach out to this board before evicting the residents of 2341 Burnet.

Broadnax: How much of an extension is being requested? Ndukwe: We are asking that our tax abatement be pushed out to 2024. This causes the city no additional funding and will give us the ability to move forward on this project. Martz: How long was the original? Ndukwe: Middle of 2018 through the end of 2019. C.Gibbs: So about 18 months? Rittenhouse: Could we revisit a letter of support with specific goals with timelines and dates? Holmes: Yes, I think that would be a good way to move forward. If someone from your team could send us a proposal with timelines and dates. *Stephen Gibbs made a motion that the MACC not support the extension of this tax abatement, noting that it is likely that many of us here are supportive of this project, but need further assurances from Kingsley + Co. Shawn Baker seconded.* C.Gibbs: Stated that a two year extension seems more reasonable. *Stanley Broadnax made a motion to table the motion from Stephen Gibbs until we can find a solution, incorporating some of what was outlined. Jon Vogt seconded.* Lammi: This abatement expired 9 months ago. Why is there a sense of urgency now? C.Gibbs: This will come before council on 9/28. That is why. Ndukwe: The issue is that we are not compliant right now, since the tax abatement expired. *Stephen Gibbs withdrew his motion not to support the extension of the tax abatement, this eliminated the need to vote on Broadnax's motion to table. Ryan Lammi made a motion that a committee be formed and given the authority to work with the MACDC, Kingsley + Co., and city officials on this matter. Carlton Farmer recommended that the committee consist of those who had volunteered or spoken up about wanting to be involved with this issue: Shawn Baker, Alice Williams, Cindy Jo Holmes and Sandi Allen with Carol Gibbs involved as a representative of the MACDC, not the MACC. Stephen Gibbs seconded. Motion carried.*

8. New Business –

- a. No new business.

9. Adjournment – *Alice Williams made a motion to adjourn. Sandi Allen seconded. Motion carried. Meeting adjourned at 9:49 PM.*