

**CITY OF READING, OHIO
COUNCIL MEETING MINUTES – REGULAR SESSION
NOVEBER 15, 2022 – 7:30 PM**

CALL TO ORDER

President Mr. Daum called the meeting to order at 7:30 PM.

INVOCATION AND PLEDGE OF ALLEGIANCE

President Mr. Daum led those in attendance in a prayer and then the Pledge of Allegiance.

ROLL CALL

Council Members Present: Mr. Powell, Mr. Bronner, Mr. Bishop, Mr. Boehner, Mr. Thamann, Mrs. Kroeger & Mrs. Eadicicco.

OTHER CITY OFFICIALS PRESENT:

Mayor Bo Bemmes, Safety Service Director Patrick Ross, Law Director Dave Stevenson, Treasurer Brenda Owens & Clerk of Council Carla Kacher.

Mayor Bo Bemmes recognized Bill Kramer and General Tool Company for 75 years of successful business.

APPROVAL OF MINUTES: Motion to approve November 1 (Regular) Council Minutes made by Mrs. Eadicicco, seconded by Mr. Thamann. Motion carried by a voice vote.

AUDIENCE ASKING PARTICIPATION:

Bob Ashbrock (221 Walnut Street)

- (1) Spoke to COVID funds (received by the Government as a way to replace lost revenue due to COVID)
A recommended use from the Government was removing lead pipes.
- (2) Proposed elimination of a prohibition of Marijuana dispensaries: Urges Council to use great caution when proceeding with this matter. There are proper regulations developed within the City of Reading. Current zoning code does not recognize the stated use within the legislation. Mr. Ashbrock believes that this matter requires significant review before taking any action.

READING OF COMMUNICATIONS:

(1) EMAIL FROM DON LYKINS REGARDING POLICE UNDERSTAFFING:

Hi Chief Edens, Patrick Ross, Council members, Mayor

According to this FBI report (see link below), RPD is significantly understaffed, which is probably leading to our increased crime and lack of felonies being solved. Simply put, we need more officers and detectives.

*If RPD were staffed as Lockland, we should have 48 officers, not 24.
I ran the numbers in a spreadsheet from the FBI site.*

(2) EMAIL FROM JUDY BACK GERWE REGARDING PROPOSED MARIJUANA DISPENSARY ON HILL STREET:

It has come to our attention that the city is considering the approval of a marijuana dispensary on the Hill Street site. We request that the city consider the proximity of this dispensary to the schools in the city (including Mount Notre Dame) and to determine an appropriate distance that a dispensary should be from a school building. It seems that this may not be the best location for a dispensary in the city.

We appreciate your consideration,

Judy Back Gerwe ‘78
President
513.821.3044 ext. 101

Dave Powell – *It is 2,300 feet from property corner to property corner. Driving distance is 1.6 miles from the access off of Knollcrest Drive to the MND school.*

(3) EMAIL FROM LINDA FITZGERALD REGARDING ANALYSIS OF PROPOSED USE FOR HILL STREET PROPERTY:

TO: Robert “Bo” Bemmes, Mayor
FROM: Linda Fitzgerald, Economic Development Consultant
RE: Economic Development Analysis of Proposed Use for Hill Street Property
DATE: November 11, 2022

You asked that I evaluate the proposal for a dispensary on 10.3 acres of the 38-acre Hill Street property from an economic development perspective. Based on my limited knowledge of the proposed use/development, here are my preliminary observations:

1. *The proposed use may not be consistent with the City’s 2019 Comprehensive Plan and/or proposed zoning code updates.*

The City of Reading July 2019 Comprehensive Plan indicates that the highest and best use of the 38-acre Hill Street property is residential and office/commercial (page 61). The Plan recommends that a Planned Development District (PDD) Overlay be applied to the property that:

- *Reserves some areas accessible/visible from freeway and adjacent to industrial and future tech/lab as office/commercial to be developed with residential and office/commercial.*
- *Capitalizes on views and more challenging terrains/less accessible parts of the site to provide new single-family housing.*

Page 61 of the Plan provides a schematic drawing of a potential development concept that incorporates mixed use residential and office uses on the 38-acre site.

In 2019 the City received a grant from Hamilton County to update the City’s Zoning Code. In the draft code (approved by Planning Commission and referred to City Council), the recommendation is to rezone the Hill Street property from Residential and Light Industry to a Planned District Development (PDD) designation. Furthermore, the zoning update stipulates that the regulations regarding that PDD would follow the recommendations for the Hill Street property in the Comprehensive Plan.

2. *The proposed use may adversely affect development opportunities for the remainder of the site.*

A development that does not include a plan for the entire 39 acres could result in limiting opportunities for future development of the remainder of the site. This is especially true if the proposed use threatens the viability of other uses on the site which may be very lucrative from a revenue enhancement perspective and are consistent with the master plan.

3. *The tax and employment benefits of the proposed use are unclear.*

To evaluate the economic development benefits to the city from any proposed use for the Hill Street site requires submission of viable tax and employment projections, and a detailed development plan for the specific 10.3-acres

as well as a general concept plan for the remaining 28 acres. To date I have not received any information of this nature.

Bo, I would be happy to meet with the developer(s) of this project to brief them on the background of t site and to review any plans or proformas they have.

(4) EMAIL FROM ED FRANKEL CITING OPPOSITION TO THE PROPOSED MEDICAL MARIJUANA DISPENSARY:

November 15, 2022

*Carla Albrinck
Clerk of Council
City of Reading
1000 Market Street
Reading, OH 45215*

This letter is being sent to inform you, Mayor Bemmes and the members of Reading City Council that Standard Textile is vehemently opposed to the proposed resolution and ordinances which would allow for the location of a medical marijuana dispensary in Reading and, more particularly, in one of the City's Light Industrial Districts. Specifically, the proposed usage on Hill Street is inconsistent with the 2019 Comprehensive Plan adopted by the City. I personally served on the Reading Comprehensive Plan Steering Committee and was honored to do so. Deviation from the Comprehensive Plan should only occur after careful consideration of all of the ramifications of such a deviation. In this case, approval of a usage which is not the highest and best use of the property as contemplated by the Comprehensive Plan is not in the best interests of either the City or the nearby property owners who are using their property for office and commercial usage.

From the City's perspective, the lack of a plan for the entire Hill Street property site will likely impair the development of the balance of the property which is not being used for the proposed dispensary. In a similar manner, in as much as the current proposed usage would allow for location of a dispensary which is in the immediate vicinity of Standard Textile's world headquarters, there is a potential for a detrimental impact on the value of the property utilized by Standard Textile and on surrounding property. This inappropriate proposed usage may impact the continued viability of the location for Standard Textile which has been in our Knollcrest Drive location for approximately sixty years and which has supported the City with earnings tax revenue from Standard Textile employees located in the City. The current economic environment is not one where proposed development should create the possibility of driving out established commercial property users which have helped to provide the City with a strong economic base.

Sincerely,

*Edward M. Frankel
Senior Vice President and Chief Administrative Officer
STANDARD TEXTILE CO., INC.*

Motion to include Chris Fox's email to the Communications made by Mrs. Eadicicco, seconded by Mr.

Powell. Motion carried by voice vote.

(5) EMAIL FROM CHRIS FOX DETAILING GUIDELINES AND REGULATIONS FOR THE DISPENSARY

So to start, this is one of the highest monitored business within the state and country. Any materials that are grown, transported, received, or sold are intricately monitored by the Ohio Board of Pharmacy from initial planting to eventual sale. For the dispensary we are discussing, we simply receive product from the cultivators that is rigorously tested and measured for a variety of safety reasons. As all cannabis sales are strictly for medical purposes currently, the control methods for product is treated similarly to a pharmacy that distributes controlled substances. The board of Pharmacy has access to all of our Point of Sale systems to track any incoming and outgoing product including wholesale purchasing from cultivators and sales to individuals at the store level.

We were required to meet very specific security practices including having an approved safe and safe room for storage of product and cash sales, constantly having a security guard on site during all operating hours, requiring video and alarm monitoring on all entrances and exits which the BOP has access to at any point and time, and scanning of all medical cards & ID's before any access is allowed to the retail element of the store front. The BOP has an extremely strict no leniency policy in place for all rules and regulations that have put in to place and will not hesitate to ever suspend or revoke our license should any of those practices/procedures are not followed correctly on a daily basis.

A list of all guidelines and regulations can be found through a variety of documents at this link: <https://medicalmarijuana.ohio.gov/dispensaries>

As for the tax equation, until recreational cannabis is passed the specific designation of tax revenue is the same as all standard sales tax via city and state. With the passing of recreational sales it is likely that the state would designate an additional tax on products sold up to 15% to be designated to specific industries (that have not yet been listed). As I mentioned previously (and spoke about in more detail with Patrick Ross) we would love to set aside at least 2% of our overall profit to designate towards the local school systems and the Parks and Recreation department. We are estimating Sales of between 5-7 Million in year 1 which would equate to roughly 100-140k in funds donated to those departments in that same year. We naturally would also be willing to donate additional funds to certain initiatives at your recommendation should it be brought to our attention.

I know this is all a lot of information to process in a small amount of time but I'm obviously happy to help provide follow up details on any of the information mentioned above as some of the details can get quite complex.

Cheers,

Chris Fox, Owner/Operator, The Wildfire Co.

Katie Eadicicco: *I would like to emphasize that tonight is just a first reading of the resolution and ordinances, and I would like to schedule a Laws and Contracts committee meeting for Tuesday, November 29 to further discuss this issue. I appreciate all the public feedback and I do understand the concerns.*

The legislation is only proposing amending part of the moratorium regarding dispensaries and has no involvement in the sale of the Hill St. property. That said, I think it would be worth looking at another possible location within the city. I would like to discuss that, as well as the public input and concerns with my committee during our meeting.

Motion made by Mr. Powell, seconded by Mr. Bronner to mark the communications received and filed.
Motion carried by voice vote.

GUEST SPEAKERS: None

EXECUTIVE SESSION: Motion made by Mrs. Kroeger, seconded by Mr. Powell to enter into an Executive Session for purpose of discussing threatened litigation at 8:06 p.m. Motion carried by a 7-0 roll call vote. Motion made by Mrs. Eadicicco, seconded by Mrs. Kroeger to come back from Executive Session at 8:29 p.m. Motion carried by a 7-0 roll call vote.

LEGISLATIVE SESSION:

READING OF RESOLUTIONS:

(1) RESOLUTION APPROVING THE READING ROAD CORRIDOR PLAN (SECOND READING)

Motion made by Mr. Powell, seconded by Mr. Bronner to suspend the rule that requires a third reading.
Motion carried by 6-1 roll call vote (Mr. Boehner voting “No”). Motion made by Mr. Boehner, seconded by Mrs. Kroeger to adopt the resolution. Motion carried by 6-1 roll call vote (Mr. Boehner voting “No”).

RESOLUTION ADOPTED

RESOLUTION NUMBER 2022-34R

(2) A RESOLUTION PROPOSING AMENDMENTS TO THE ZONING CODE OF THE CITY OF READING AS CODIFIED IN CHAPTERS 1242 AND 1270 OF THE READING CODE OF ORDINANCES TO PROVIDE FOR THE ESTABLISHMENT AND LOCATION OF MEDICAL MARIJUANA RETAIL DISPENSARIES AND TRANSMITTING SAME TO THE PLANNING COMMISSION OF THE CITY OF READING FOR ITS REVIEW AND CONSIDERATION

Ordinance was declared a first reading only.

READING OF ORDINANCES:

(1) AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO PURCHASE AUDIO-VISUAL EQUIPMENT FOR COUNCIL CHAMBERS AND DECLARING AN EMERGENCY

Motion made by Mrs. Eadicicco, seconded by Mr. Bishop to suspend the rule that requires a second and third reading. Motion carried by 7-0 roll call vote. Motion made by Mrs. Eadicicco, seconded by Mrs. Kroeger to adopt the ordinance. Motion carried by 7-0 roll call vote

ORDINANCE ADOPTED

ORDINANCE NUMBER 2022-35

(2) AN ORDINANCE AMENDING ORDINANCE 2017-53, SECTION 624.24 OF THE CITY OF READING CODE OF ORDINANCES TO PERMIT RETAIL DISPENSARIES OF MEDICAL MARIJUANA

Ordinance was declared a first reading only.

(3) AN ORDINANCE AMENDING THE ZONING CODE OF THE CITY OF READING AS CODIFIED IN CHAPTERS 1242 AND 1270 OF THE READING CODE OF ORDINANCES TO PROVIDE FOR THE ESTABLISHMENT AND LOCATION OF MEDICAL MARIJUANA DISPENSARIES

Ordinance was declared a first reading only.

(4) AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO EXECUTE AN AMENDED WATER SERVICE AGREEMENT WITH THE CITY OF CINCINNATI, ON BEHALF OF THE GREATER CINCINNATI WATER WORKS (GCWW) AND DECLARING AN EMERGENCY.

Motion made by Mrs. Eadicicco, seconded by Mr. Bishop to suspend the rule that requires a second and third reading. Motion carried by 7-0 roll call vote. Motion made by Mr. Bishop, seconded by Mr. Bronner to adopt the ordinance. Motion carried by 7-0 roll call vote

ORDINANCE ADOPTED

ORDINANCE NUMBER 2022-36

(5) AN ORDINANCE ESTABLISHING RATES OF PAY AND BENEFITS FOR CERTAIN FULL AND PART-TIME NON-BARGAINING POSITIONS AND DECLARING AN EMERGENCY.

Motion made by Mr. Bronner, seconded by Mrs. Eadicicco to suspend the rule that requires a second and third reading. Motion failed by 2-5 roll call vote (Mr. Bronner & Mrs. Eadicicco voting “Yes,” and Mr. Powell, Mr. Bishop, Mr. Boehner, Mr. Thamann & Mrs. Kroeger voting “No.”). Ordinance was declared a first reading only.

MISCELLANEOUS BUSINESS:

Katie Eadicicco - Laws and Contracts committee meeting for Tuesday, November 29 at 6:30 PM here in Council Chambers. Along with discussing the dispensary, Patrick and I received the first draft of the updated Property Maintenance codes from Paul Culter, and I would like to review those during the meeting. I also received an update on some of the abandoned properties in the city from Dan Brooks. I'll make sure to send all this information out to my committee members beforehand.

Scott Thamann – Thanked everyone that came out to support the Hilltop renovation on Friday, November 11.

Dave Powell – Dave Powell's Father-in-Law, Norm Niehaus, passed away recently. Dave thanked the responders of the Reading Police and Fire Departments and thanked everyone in the community who sent their condolences.

Bo Bemmes -

- (1) Our Fire/EMS department will have their annual Turkey Disposal on November 18 and 19 at 7pm at the Haffey fieldhouse.
- (2) Our Girl Scouts will host the Christmas tree lighting and Crib Dedication on December 2 at 6:30pm at the corner of Reading Road and Benson, with Santa Claus hopefully appearing at Redwine and Company on Benson Street after the tree lighting. On this evening we will also have a Benson Holiday Street Walk where businesses will have booths and prizes.
- (3) The Knights of Saint John will have their annual ham raffle on December 10 and 11 starting at 7pm with the best turtle soup on earth, & our American Legion will host the Army vs Navy game on December 10 at 3pm.

ADJOURNMENT

Motion to adjourn came from Mr. Boehner and was seconded by Mrs. Kroeger. Motion carried by voice vote. There being no further business, the meeting was declared adjourned at 8:48 pm.

X _____
Carla Kacher
Clerk of Council

X _____
Dwight Daum
President of Council