

Cleveland City Council

*Cleveland City Hall, Room 216
601 Lakeside Avenue, N.E.
Cleveland, OH 44114*



Meeting Minutes

Monday, September 23, 2019

7:00 PM

Council Chambers

City Council

CALL TO ORDER; ROLL CALL

Present 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

PRAYER OR MOMENT OF REFLECTION**PLEDGE OF ALLEGIANCE****DISPENSE WITH THE JOURNAL****REPORTS AND COMMUNICATIONS****•The Ohio Division of Liquor Control**

[1195-2019](#) #0106154. Transfer of Ownership Application, C1, C2, D6. Alex Spremulli Co., 15002 Puritas Ave. (Ward 16). Received.

Indexes: LIQUOR PERMITS; WARD 16

Attachments: [Communications 9-23-19](#)

This Communication was received and filed.

[1196-2019](#) #2312903. Transfer of Corporate Stock Ownership Application, D1, D2, D6. Dragon Towers Cleveland Inc. (Ward 17). Received.

Indexes: LIQUOR PERMITS; WARD 17

Attachments: [Communications 9-23-19](#)

This Communication was received and filed.

SPECIAL RESOLUTIONS**Condolence; Moment of Silence****Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome**

[1189-2019](#) Condolence Resolution for Jerome H. Schmelzer

Indexes: CONDOLENCES; WARD 03

Attachments: [Ceremonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1190-2019](#) Congratulations Resolution for Lee Road Baptist Church 75th

Anniversary

Indexes: CONGRATULATIONS; WARD 01

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1191-2019](#) Congratulations Resolution for Reverend Dr. Wesley I. Reid

Indexes: CONGRATULATIONS; WARD 09

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1192-2019](#) Recognition Resolution for Council on Islamic Relations - 27th Annual Civil Rights Gala

Indexes: RECOGNITION; WARD 13

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1193-2019](#) Recognition Resolution for Khizr Khan

Indexes: RECOGNITION; WARD 07

This Ceremonial Resolution was read into the record.

[1194-2019](#) Recognition Resolution for Greater Cleveland Drug Court 20th Anniversary

Indexes: RECOGNITION; WARD 13

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1200-2019](#) Condolence Resolution for Gearldine Lynch

Indexes: CONDOLENCES; WARD 13

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1201-2019](#) Condolence Resolution for Norman Thomas

Indexes: CONDOLENCES; WARD 06

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1202-2019](#) Condolence Resolution for Robert J. McQueen

Indexes: CONDOLENCES; WARD 07

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1203-2019](#) Condolence Resolution for Javonte Harris

Indexes: CONDOLENCES; WARD 05

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1204-2019](#) Condolence Resolution for Judge Michael Cicconetti

Indexes: CONDOLENCES; WARD 08

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

[1205-2019](#) Condolence Resolution for Steven Minter

Indexes: CONDOLENCES; WARD 01; WARD 02; WARD 03; WARD 04; WARD 05; WARD 06; WARD 07; WARD 08; WARD 09; WARD 10; WARD 11; WARD 12; WARD 13; WARD 14; WARD 15; WARD 16; WARD 17

Attachments: [Ceramonials 9-23-19 mtg](#)

This Ceremonial Resolution was read into the record.

PRESENTATIONS

FIRST READING LEGISLATION

•Emergency Ordinances Referred

[1178-2019](#) AN EMERGENCY ORDINANCE To amend Sections 401.261 and 401.401 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 188-16, passed October 16, 2017, relating to Traffic Code definitions.

Indexes: CODIFIED ORDINANCES; TRAFFIC CODE

Attachments: [1178-2019 amd secs 401.261 401.401](#)

This Emergency Ordinance was read and referred to administrative review to the City Council

[1179-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to enter into an agreement with the United States of America, acting through the U. S. Coast Guard, for the shared use of a portion

of City-owned Lot 10, located immediately south of the U.S. Coast Guard facility's south gate situated at 1089 East 9th Street, for a period of five years with one five-year option to renew, exercisable by additional legislative authority.

Indexes: AGREEMENTS; PORT CONTROL DEPARTMENT; US COAST GUARD

Attachments: [1179-2019 Shared use Agreement with Coast Guard for Lot 10 driveway access PC](#)
[1179-2019 Exec. Summary- U.S. Coast Guard Agreement](#)

This Emergency Ordinance was read and referred to administrative review.to the City Council

[1180-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Health to enter into a tri-party agreement with the County of Cuyahoga and Case Western Reserve University, School of Medicine, for professional services necessary to continue the First Year Cleveland Program; and authorizing any agreements needed to continue the program, for a period of one year.

Indexes: AGREEMENTS; CASE WESTERN RESERVE UNIVERSITY; CUYAHOGA COUNTY; PROFESSIONAL SERVICES

Attachments: [1180-2019 Tri-party Ag w County Case for First Year Cleveland](#)
[1180-2019 Executive Summary](#)
[1180-2019 -10.21.19 FYC Presentation to City Council HHS Committee](#)

This Emergency Ordinance was read and referred to administrative review.to the City Council

[1181-2019](#)

Indexes: PROFESSIONAL SERVICES CONTRACTS; UTILITIES DEPARTMENT

Attachments: [1181-2019 Prof Serv produce safety and security orientation video PU \(002\)](#)
[1181-2019 Exec. Summary - Safety & Security Orientation](#)

This Emergency Ordinance was read and referred to administrative review.to the City Council

[1182-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the first option to renew Contract No. RC 2017-20 with ADB Airfield Solutions LLC to provide for electrical parts and equipment, including labor and materials and installation if necessary, to maintain, repair and modify electrical systems at airport properties.

Indexes: CONTRACTS; PORT CONTROL DEPARTMENT

Attachments: [1182-2019 Exercise option to renew K w ADB Airfield Solutions for electrical systems at airport properties \(002\)](#)
[1182-2019 Exec. Summary- ADB Airfield Solutions Option](#)

This Emergency Ordinance was read and referred to administrative review.to the City Council

[1183-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Bureau of Workers' Compensation for the Safety Intervention Grant Program; and authorizing the Director to enter into one or more contracts without competitive bidding with Stryker Medical for the purchase of up to two Stryker power load cot fasteners, for the Division of Emergency Medical Service, Department of Public Safety.

Indexes: EMERGENCY MEDICAL SERVICE DIVISION; GRANTS; OHIO BUREAU OF WORKERS COMPENSATION ; SAFETY DEPARTMENT

Attachments: [1183-2019 Ap. Ac grant from BWC for purchase of two Stryker power load cot fasteners \(002\)](#)
[1183-2019 Exec. Summay - Safety to Apply for-Accept Grant from Bureau of Workers' Comp for cot fasteners](#)

This Emergency Ordinance was read and referred to administrative review.to the City Council

[1197-2019](#) AN EMERGENCY ORDINANCE Designating East 147th Street between Kinsman Avenue and Spear Avenue with a secondary and honorary designation of "Elder Dr. Larry D. Tatum Way".

Indexes: CAPITAL PROJECTS; CITY PLANNING COMMISSION; STREETS - NAME; WARD 01

Attachments: [1197-2019 J.Jones -Ordinance designating honorary street name of Elder Dr. Larry D. Tatum Way](#)

This Emergency Ordinance was read and referred to administrative review.to the City Council

•Emergency Ordinances Read in Full and Passed

[1184-2019](#) AN EMERGENCY ORDINANCE To amend Section 113.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1337-11, passed September 26, 2011, relating to duties of the Clerk.

Indexes: CLERK OF COUNCIL; CODIFIED ORDINANCES

Attachments: [1184-2019 amd 113.06 CO](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Emergency Ordinance be approved. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

•Emergency Resolutions Read in Full and Adopted

[1185-2019](#) AN EMERGENCY RESOLUTION Withdrawing objection to the Liquor Agency Contract located at 2747 Cedar Avenue, 1st floor and repealing Resolution No. 957-2019.

Indexes: LIQUOR PERMITS; WARD 05

Attachments: [1185-2019 WDO to Permit #0115175 2747 Food Inc.](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Resolution be adopted. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

[1186-2019](#) AN EMERGENCY RESOLUTION Withdrawing objection to the TREX transfer of a D5 and D6 Liquor Permit to 15609-15813 Lorain Avenue and repealing Resolution No. 853-2019 objecting to said permit.

Indexes: LIQUOR PERMITS; WARD 17

Attachments: [1186-2019 Withdrawing objection to the TREX transfer of a D5 and D6 Liquor Permit to 15609-15813 Lorain Avenue and repealing Resolution No. 853-2019 objecting to said permit](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Emergency Resolution be adopted. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

[1187-2019](#) AN EMERGENCY RESOLUTION Objecting to the transfer of location of a C2 and D6 Liquor Permit to 1503 Spring Road, 1st floor.

Indexes: LIQUOR PERMITS; WARD 12

Attachments: [1187-2019 Objecting to the transfer of location of a C2 and D6 Liquor Permit to 1503 Spring Road, 1st floor.](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Resolution be adopted. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

[1188-2019](#) AN EMERGENCY RESOLUTION Objecting to the transfer of ownership of a C1 and C2 Liquor Permit at 1035 East 185th Street and repealing Resolution No. 602-2019 objecting to said permit.

Indexes: LIQUOR PERMITS; WARD 08

Attachments: [1188-2019 Withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 1035 East 185th Street and repealing Resolution No. 602-2019](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Emergency Resolution be adopted. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

SECOND READING LEGISLATION

•Emergency Ordinances Passed

[960-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the first option to renew Contract No. MA 1505 RC 2018-106 with Mr. Excavator Inc. to provide fencing, including labor and materials for repair and installation, if necessary, for the various divisions of the Department of Port Control.

Indexes: CONTRACTS; PORT CONTROL DEPARTMENT; PUBLIC IMPROVEMENTS

Attachments: [960-2019 Exercise option to renew K w Mr. Excavator for fencing, PC](#)
[960-2019 Executive Summary](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Emergency Ordinance be approved. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

[977-2019](#) AN EMERGENCY ORDINANCE Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by W25d III LLC, or its designee, located at 2605 and 2715 Detroit Avenue for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code.

Indexes: ECONOMIC DEVELOPMENT DEPARTMENT; PURCHASES AND SUPPLIES DIVISION; TAX INCREMENT FINANCING (TIF)

Attachments: [977-2019 Acq and reconvey prop Painters Union Building and Quarter Phase 2, TIF](#)
[977-2019 Executive Summary - W25d LLC \(painters union building\) chain of title \(2\)](#)

A motion was made by Council Member McCormack, seconded by Council

Member Jones, that this Emergency Ordinance be approved. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

[992-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 PS 2017-221 with Fire Force Inc. to provide the Airport Rescue and Firefighting personnel annual FAA Part 139 certification training for the Department of Port Control.

Indexes: CONTRACTS; PORT CONTROL DEPARTMENT

Attachments: [992-2019 Exercise option to renew K w Fire Force for airport rescue and firefighting training and certification](#)
[992-2019 Executive Summary](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Emergency Ordinance be approved. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

•Ordinances Passed

[854-2019](#)

AN ORDINANCE Changing the Use, Height and Area Districts of parcels of land south of Woodhill Avenue between East 90th Street and Martin Luther King Jr. Drive as well as adding an Urban Form Overlay along the major corridors of Shaker Boulevard, Buckeye Road, and Woodhill Road (Map Change 2591).

Indexes: CITY PLANNING COMMISSION; WARD 04; WARD 06; ZONING

Attachments: [854-2019-Ord-Zoning –Woodhill b E 90 and MLK](#)
[854-2019 Executive Summary - MC2591](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Ordinance be approved. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

[972-2019](#)

Indexes: CITY PLANNING COMMISSION; WARD 03; ZONING

Attachments: [972-2019 Zoning - towpath and Trowbridge, Electric Garden](#)
[972-2019 - MC 2601 CPC Presentation](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Ordinance be approved. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

•Emergency Resolutions Adopted

[300-2019](#) AN EMERGENCY RESOLUTION Designating Newton Avenue between East 97th Street and East 101st Street as a residential permit parking area for residents.

Indexes: CITY PLANNING COMMISSION; PARKING; SAFETY DEPARTMENT; WARD 07

Attachments: [300-2019-ERes-designating Newton Ave Residential Permit Parking Area](#)
[R. 300-2019 Exec. Summary - Designating Portions of Newton Ave as Residential Parking Area for Residents](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Emergency Resolution be adopted. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

[1157-2019](#) AN EMERGENCY RESOLUTION Supporting Governor DeWine's initiative to strengthen background checks for gun purchases.

Indexes: GUN SAFETY'S; RESOLUTION OF SUPPORT

Attachments: [1157-2019 Gun Background Checks RESO](#)

A motion was made by Council Member McCormack, seconded by Council Member Jones, that this Emergency Resolution be adopted. The motion carried by the following vote:

Yea: 17 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, and Phyllis E. Cleveland

INTRODUCTIONS

ANNOUNCEMENTS

MISCELLANEOUS

MOTION TO EXCUSE THE ABSENCES

ADJOURN