

Cleveland City Council

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



Meeting Minutes

Monday, October 23, 2017

7:00 PM

Council Chambers

City Council

CALL TO ORDER; ROLL CALL

7:01 p.m.

- Present** 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone
- Excused** 1 - Anthony Brancatelli

PRAYER OR MOMENT OF REFLECTION

Moment of Reflection

PLEDGE OF ALLEGIANCE**DISPENSE WITH THE JOURNAL****REPORTS AND COMMUNICATIONS****•Communications**

[1284-17](#) Oath of Office for Ernest Turner, Police Review Board Member, City of Cleveland.

Indexes: COMMUNICATIONS; OATH OF OFFICE; POLICE REVIEW BOARD

Attachments: [1284-17-COMM-Oath of Office for Ernest Turner, Police Review Board](#)

This Communication was received and filed.

[1292-17](#) From Council President Kevin J. Kelley appointing, without objection by Council, Allan Dreyer as Council Clerk Pro Tempore for October 23, 2017.

Indexes: CITY COUNCIL; CLERK OF COUNCIL; COMMUNICATIONS

Attachments: [1292-17-COMM-Clerk pro Temp 10-23-17](#)

This Communication was approved.

- Yea:** 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused: 1 - Anthony Brancatelli

•The Ohio Division of Liquor Control

[1289-17](#) #3664219. New License Application, C1. Hattie's Deli LLC,
11113 Nelson Ave. (Ward 2).

Indexes: LIQUOR PERMITS; WARD 02

Attachments: [1289-17-COMM-Liquor11113Nelson](#)

This Communication was received and filed.

[1290-17](#) #4248575. Stock Application, C2 C2X D6. Jay Sadhi Mataji, Inc.,
4282 West 130th St. (Ward 16).

Indexes: LIQUOR PERMITS; WARD 16

Attachments: [1290-17-COMM-Liquor4282West130th-stock](#)

This Communication was received and filed.

[1291-17](#) #3874771. Transfer of Ownership Application, C2 C2X D6. Hira
Aarav Corp., 4282 West 130th St. (Ward 16).

Indexes: LIQUOR PERMITS; WARD 16

Attachments: [1291-17-COMM-Liquor4282West130th-trfo](#)

This Communication was received and filed.

•Plats

[1272-17](#) Dedication Plat for Avenue District Building One Subdivision,
East 14th Street between Superior Avenue and Rockwell
Avenue. Approved by Committees on Municipal Services and
Properties, and Development Planning and Sustainability.
Without objection, Plat approved.

Indexes: COMMUNICATIONS; PLATS; WARD 07

Attachments: [1272-17-COMM-Plat-Avenue District Building One subdivision](#)

This Communication was approved.

Yea: 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused: 1 - Anthony Brancatelli

SPECIAL RESOLUTIONS

Condolence; Moment of Silence

[1294-17](#) Condolence Resolution for Nathaniel "Guitar Slim" Savage

Sponsors: TJ Dow

Indexes: CONDOLENCES; WARD 07

This Ceremonial Resolution was read into the record.

[1295-17](#) Condolence Resolution for Joyce Ann Pratt

Sponsors: Blaine Griffin

Indexes: CONDOLENCES; WARD 06

This Ceremonial Resolution was read into the record.

1301-17 Condolence Resolution for Sr. Patricia Rogers, H.M.

Sponsors: Matt Zone, Martin Keane and Dona Brady

This Ceremonial Resolution was read into the record.

1302-17 Condolence Resolution for Delmar Vogel

Sponsors: Blaine Griffin

This Ceremonial Resolution was read into the record.

Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome

[1296-17](#) Congratulations Resolution for Second Saint John Missionary Baptist Church - 57th Anniversary

Sponsors: Jeffery Johnson

Indexes: CONGRATULATIONS; WARD 10

This Ceremonial Resolution was read into the record.

[1297-17](#) Congratulations Resolution for Pastor Jerome M. Hurst

Sponsors: Terrell Pruitt

Indexes: CONGRATULATIONS; WARD 01

This Ceremonial Resolution was read into the record.

[1298-17](#) Congratulations Resolution for Betty J. Williams

Sponsors: Terrell Pruitt

Indexes: CONGRATULATIONS; WARD 01

This Ceremonial Resolution was read into the record.

[1299-17](#) Appreciation Resolution for Reverend Michael W. Turner, Sr.

Sponsors: Phyllis E. Cleveland

Indexes: APPRECIATION; WARD 05

This Ceremonial Resolution was read into the record.

[1300-17](#) Appreciation Resolution for Kevin Johnson

Sponsors: Kevin Kelley

Indexes: APPRECIATION; WARD 13

This Ceremonial Resolution was read into the record.

ADJOURN-Fire Alarm

7:10 p.m.

CALL TO ORDER; ROLL CALL

7:30 p.m.

Present 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused 1 - Anthony Brancatelli

FIRST READING LEGISLATION

•Emergency Ordinances Referred

[1273-17](#) AN EMERGENCY ORDINANCE Designating the Cleveland Twist Drill Company Building No. 10 as a Cleveland Landmark.

Sponsors: Jeffery Johnson

Indexes: CITY PLANNING COMMISSION; LANDMARK COMMISSION; WARD 10

Attachments: [1273-17-cc-EORD-Landmark - Cleveland Twist Drill Company](#)

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

[1274-17](#) AN EMERGENCY ORDINANCE Designating Baxter Street Cemetery (AKA Bohemian Chewra Kascha Cemetery and Bemissi Checra Kieliche Cemetery) as a Cleveland Landmark.

Sponsors: Anthony Brancatelli

Indexes: CITY PLANNING COMMISSION; LANDMARK COMMISSION; WARD 12

Attachments: [1274-17-cc-EOrd-Landmark - Baxter Street Cemetery](#)

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

[1276-17](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from the U.S. Department of Justice for the Recovery Project II under the FY 2017 Adult Drug Court Discretionary Grant Program; and authorizing the Director to enter into one or more agreements with Moore Counseling and Mediation Services, Community Assessment and Treatment Services, Case Western Reserve University, and other entities necessary to implement the grant.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: CLEVELAND MUNICIPAL COURT; FINANCE DEPARTMENT; GRANTS; US DEPARTMENT OF JUSTICE

Attachments: [1276-17-fin-EOrd-Ap & Ac Recovery Project II grant](#)
[1276-17-A-FILE](#)

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

[1277-17](#)

AN EMERGENCY ORDINANCE Authorizing the Directors of Public Works and Finance to employ one or more temporary employment agencies to provide professional services to supply temporary and seasonal personnel for the Department of Public Works and the Project Clean program and for the various departments of the City during each of the years 2018 and 2019, for a period up to one year.

Sponsors: Kenneth Johnson, Kevin Kelley and By Departmental Request

Indexes: FINANCE DEPARTMENT; PROFESSIONAL SERVICES; PUBLIC WORKS

Attachments: [1277-17-EOrd-pw-Prof Serv temporary seasonal workers for outsourcing - Parks Finance](#)

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

[1278-17](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to apply for and accept a grant from the Ohio Department of Education for the 2018 Summer Food Service Program; authorizing the purchase by requirement contract of breakfasts and lunches and for food, food products, beverages, condiments and paper products to implement the grant, for the Division of Recreation, Department of Public Works; and authorizing the Director to contract with various non-profit organizations for the implementation of the Program.

Sponsors: Kenneth Johnson, Kevin Kelley and By Departmental Request

Indexes: GRANTS; OHIO DEPARTMENT OF EDUCATION; PUBLIC WORKS; SUMMER FOOD PROGRAM

Attachments: [1278-17-EOrd-pw-Ap & Ac Summer lunch](#)
[1278-17-A-FILE](#)

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

[1279-17](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Health to apply for and accept a grant from Cuyahoga County Office of Early Childhood for the 2018-22 Invest in Children Partnership Program; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

Sponsors: Brian Cummins, Kevin Kelley and By Departmental Request

Indexes: CUYAHOGA COUNTY; GRANTS; HEALTH DEPARTMENT

Attachments: [1279-17-EOrd-ph-EOrd-Ap & Ac Invest in Children Partnership](#)
[1279-17-A-FILE](#)

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

[1280-17](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2018-21 STD Control Prevention Program.

Sponsors: Brian Cummins, Kevin Kelley and By Departmental Request

Indexes: GRANTS; OHIO DEPARTMENT OF PUBLIC HEALTH; HEALTH DEPARTMENT

Attachments: [1280-17-EOrd-ph-Ap & Ac STD control - prevention](#)
[1280-17-A-FILE](#)

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

[1281-17](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health and the Academy of Educational Development for the 2018-21 Federal AIDS Prevention Program; and to enter into contracts with various agencies to implement the program.

Sponsors: Brian Cummins, Kevin Kelley and By Departmental Request

Indexes: AIDS; GRANTS; HEALTH DEPARTMENT; OHIO DEPARTMENT OF PUBLIC HEALTH

Attachments: [1281-17-EOrd-ph-Ap & Ac 2014 Federal AIDS from State - HIV - agencies named \(2\)](#)
[1281-17-A-FILE](#)

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

[1282-17](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Health to enter into one or more contracts with Harvard Community Services Center and Merrick House to provide services to high-risk residents needed to decrease infant mortality, for a period of one year.

Sponsors: Brian Cummins, Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; HEALTH DEPARTMENT; INFANT MORTALITY

Attachments: [1282-17-ph-EOrd-K w Harvard Community Services and Merrick House \(MomsFirst\) \(2\)](#)

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

[1283-17](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PS 2016-028 with Partners Environmental Consulting, Inc. to provide general environmental, health, safety, sustainability, and engineering consulting services for the various divisions of the Department of Public Utilities.

Sponsors: Terrell Pruitt, Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; UTILITIES DEPARTMENT

Attachments: [1283-17-pu-EOrd-Exercise option to renew K w Partners Environmental, PU](#)

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

[1286-17](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Building and Housing to employ one or more professional consultants, computer software developers, and/or vendors to implement the E-Plan and Software Project; and authorizing the purchase by one or more contracts of materials, equipment, supplies and services needed to furnish and remodel the offices of Building and Housing to implement the project.

Sponsors: Anthony Brancatelli, Kevin Kelley and By Departmental Request

Indexes: BUILDING AND HOUSING DEPARTMENT; CONTRACTS; PROFESSIONAL SERVICES

Attachments: [1286-17-REVISED-EOrd-Std K, Prof Serv to rehab offices, furniture, computers, software, for Building and Housing](#)

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

•Emergency Ordinances Read in Full and Passed

[1275-17](#) AN EMERGENCY ORDINANCE To make additional appropriations of Five Million Six Hundred Thousand Dollars (\$5,600,000) in the General Fund for non-recurring start-up expenses necessary for the County to effectuate the takeover of all City Prisoner operations.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: APPROPRIATIONS; CORRECTION DIVISION; GENERAL FUND

Attachments: [1275-17-fin-FOR PASSAGE-EOrd-Appropriation - jail transitional](#)
[1275-17-Request for Passage under Suspension ltr](#)

This Emergency Ordinance was approved.

Yea: 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused: 1 - Anthony Brancatelli

[1287-17](#) AN EMERGENCY ORDINANCE Amending Section 2 of Ordinance No. 1194-16 passed October 10, 2016 as it pertains to authorizing the Director of the City Planning Commission to enter into agreement with the Westown Community Development Corporation for the Variety Village Historic District Market Repositioning Study through the use of Ward 11 Casino Revenue Funds.

Sponsors: Dona Brady

Indexes: AGREEMENTS; CASINO REVENUE FUNDS ; CITY PLANNING COMMISSION; WESTOWN COMMUNITY DEVELOPMENT CORPORATION ; WARD 11

Attachments: [1287-17-FOR PASSAGE-EOrd-Amendment for the Variety Theater Historic District Market Repositioning Study Ordinance 2016 Ward 11](#)

This Emergency Ordinance was approved.

Yea: 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused: 1 - Anthony Brancatelli

•Emergency Resolutions Referred

[1293-17](#) AN EMERGENCY RESOLUTION Urging Congress to preserve the federal Historic Tax Credit in its efforts at tax reform and its proposed budget plan and encouraging Ohio members of Congress to cosponsor the Historic Tax Credit Improvement Act.

Sponsors: Anthony Brancatelli and Matt Zone

Indexes: CONGRESS OF UNITED STATES; RESOLUTION OF SUPPORT; TAX CREDITS

Attachments: [1293-17-ERes-preserve the federal Historic Tax Credit](#)

This Emergency Resolution was read on first reading.to the Finance Committee

•Emergency Resolutions Read in Full and Adopted

[1285-17](#) AN EMERGENCY RESOLUTION Objecting to a New C1 Liquor Permit at 7300 St. Clair Avenue.

Sponsors: Jeffery Johnson

Indexes: LIQUOR PERMITS; WARD 10

Attachments: [1285-17-FOR ADOPTION-ERes-OBJ-NEW-7300 ST. CLAIR](#)

This Emergency Resolution was adopted.

Yea: 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused: 1 - Anthony Brancatelli

[1288-17](#) AN EMERGENCY RESOLUTION Objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 3584 West 105th Street.

Sponsors: Dona Brady

Indexes: LIQUOR PERMITS; WARD 11

Attachments: [1288-17-FOR ADOPTION-ERes-OBJ-TRFO-3584 W. 105TH](#)

This Emergency Resolution was adopted.

Yea: 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused: 1 - Anthony Brancatelli

SECOND READING LEGISLATION

•Emergency Ordinances Passed

[1214-17](#) AN EMERGENCY ORDINANCE To amend Sections 30 and 36 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: HUMAN RESOURCES DEPARTMENT; FINANCE DEPARTMENT; SALARIES

Attachments: [1214-17-hr-EOrd-Payband 30 and 36](#)

This Emergency Ordinance was approved.

Yea: 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused: 1 - Anthony Brancatelli

MISCELLANEOUS

Council Member J. Johnson; Council Member Conwell; Council Member Reed

MOTION TO EXCUSE THE ABSENCES

Council Member Brancatelli

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

Yea: 16 - Dona Brady, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Blaine A. Griffin, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Kerry McCormack, Michael Polensek, Terrell Pruitt, Zack Reed, and Matt Zone

Excused: 1 - Anthony Brancatelli

ADJOURN

7:55 p.m.