

Cleveland City Council

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



Meeting Minutes

Monday, March 29, 2021

2:30 PM

This is the approximate start time; the meeting will start after the Finance Committee. This meeting will be conducted electronically; see meeting notice for public access.

City Council

[Item-255](#) Cleveland City Council Meeting Notice for March 29, 2021

Attachments: [Council Meeting Notice for 3-29-2021](#)

CALL TO ORDER; ROLL CALL

3:03 p.m.

Present 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent 1 - Joseph T. Jones

MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

DISPENSE WITH THE JOURNAL

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

REPORTS AND COMMUNICATIONS

•Communications

[200-2021](#) Oath of Office for Michiel Wackers, Director of Department of Community Development, City of Cleveland.

Attachments: [200-2021-COMMUNICATIONS-Oath of Office for Michiel Wackers, CD Director](#)

This Communication was received and filed.

•The Ohio Division of Liquor Control

[201-2021](#) #9182823. New License Application, C1. U & M Management, Inc., 7601 Union Ave. (Ward 6).

Attachments: [201-2021-COMMUNICATIONS-Liquor7601Union](#)

This Communication was received and filed.

[202-2021](#) #7753294. New License Application, C1. Saucisson LLC, 5324 Fleet Ave. (Ward 12).

Attachments: [202-2021-COMMUNICATIONS-Liquor5324Fleet](#)

This Communication was received and filed.

[203-2021](#) #6483986. New License Application, C1. Odat Food Mart, Inc., 9305 Miles Ave. (Ward 2).

Attachments: [203-2021-COMMUNICATIONS-Liquor9305Miles](#)

This Communication was received and filed.

[204-2021](#) #91151750005. New License Application, C1. 2747 Food, Inc., 2747 Cedar Ave. (Ward 5).

Attachments: [204-2021-COMMUNICATIONS-Liquor2747Cedar](#)

This Communication was received and filed.

FIRST READING LEGISLATION

•Emergency Ordinances Referred

[205-2021](#) AN EMERGENCY ORDINANCE To amend Section 1 of Ordinance No. 838-2020, passed December 9, 2020; to supplement the ordinance by adding new Section 3; and to renumber existing Section 3 to new Section 4, relating to an agreement with the Cleveland Browns Stadium Company LLC.

Sponsors: Kerry McCormack, Kevin Bishop, Kevin Kelley and By Departmental Request

Attachments: [205-2021-Amend 838-2020 Cleveland Brown Ag](#)

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

[206-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Health to apply for and accept a grant from the United States Department of Homeland Security for BioWatch Program; and authorizing one or more contracts to implement the grant.

Sponsors: Kerry McCormack, Kevin Kelley and By Departmental Request

Attachments: [206-2021-Ap & Ac Biowatch Program](#)
[206-2021-A-FILE - Ap & Ac Biowatch Grant](#)

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

[207-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to ground lease certain property located at 13000 Harvard Avenue from the Cleveland Metropolitan School District, for a term not less than ten years, for operating the John F. Kennedy Recreation Center located on the John F. Kennedy High School campus.

Sponsors: Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: [207-2021-City leasing property from Cleveland Metropolitan Schools for John F Kennedy Rec Center](#)

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

[208-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to enter into an agreement with the State of Ohio, Department of Transportation to maintain, repair, and plow the Jennings Freeway in exchange for road salt, for a period of two years, with three one-year options to renew, exercisable by the Director of Public Works.

Sponsors: Anthony Brancatelli, Kevin Bishop, Kevin Kelley and By Departmental Request

Attachments: [208-2021-K w ODOT to maintain Jennings Rd in exchange for road salt](#)

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

[209-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into contract with Inspirion Group, LTD, or its designee, to provide economic development assistance to partially finance the development of the Addis View apartments at Chester Avenue and East 90th Street, and other associated costs necessary to redevelop the property.

Sponsors: Basheer Jones, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: [Ord. No. 209-2021](#)
[209-2021-A-FILE - Loan Ag w Inspirion Group for Addis View Apartments at Chester and E 90](#)

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

[210-2021](#)

AN EMERGENCY ORDINANCE Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving recreation facilities, ancillary recreation buildings, and other similar structures, on City-owned and City-leased park property, including site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvements; enter into one or more professional services and other contracts needed to implement the improvement; to apply for and accept grants and gifts; and authorizing the direct employment of the necessary labor, for the Department of Public Works and Office of Capital Projects.

Sponsors: Kevin Bishop, Kevin Kelley and By Departmental Request

Attachments: [Ord. No. 210-2021](#)

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

[211-2021](#)

AN EMERGENCY ORDINANCE Determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving public facilities, buildings, and other similar structures, including site improvements and appurtenances; and authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more public improvement contracts for the making of the improvement; enter into one or more professional services and other contracts needed to implement the improvement; to apply for and accept grants and gifts; and authorizing the direct employment of the necessary labor, for the Department of Public Works and Office of Capital Projects.

Sponsors: Kevin Bishop, Kevin Kelley and By Departmental Request

Attachments: [Ord. No. 211-2021](#)

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

[212-2021](#) AN EMERGENCY ORDINANCE Determining the method of making the public improvement of repairing, constructing, or installing, roadways, bus pads, sidewalks, driveway aprons, curbs, brick streets, ADA compliant curb ramps, minor bridge repairs, and appurtenances, and asphalt resurfacing and asphalt crack sealing; authorizing the Director of Capital Projects to enter into one or more public improvement requirement contracts for the making of the improvement; authorizing the director to apply for and accept any gifts or grants; and authorizing any agreements, for a period not to exceed two years.

Sponsors: Kevin Bishop, Kevin Kelley and By Departmental Request

Attachments: [212-2021-PIK Reg K roadways, sidewalks, bus pads, aprons, curbs, bridge, concrete, MOCAP](#)

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

[213-2021](#) AN EMERGENCY ORDINANCE Authorizing the purchase by one or more requirement contracts of various types of fencing, gate operators, gates, vertical pivot lift gates, barriers, walls, and guardrails, including associated appurtenances, and labor and materials necessary to repair or maintain existing equipment and appurtenances, including installation if necessary at various facilities, for the various divisions of the Department of Public Utilities, for a period up to two years.

Sponsors: Brian Kazy, Kevin Kelley and By Departmental Request

Attachments: [Ord. No. 213-2021](#)

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

[214-2021](#) AN EMERGENCY ORDINANCE Authorizing the purchase by one or more requirement contracts of valves, actuators, and appurtenances, and labor and materials needed to repair, replace, maintain, exercise, and test existing valves, actuators and appurtenances, and to provide related services, for the Division of Water, Department of Public Utilities, for a period of two years.

Sponsors: Brian Kazy, Kevin Kelley and By Departmental Request

Attachments: [Ord. No. 214-2021](#)

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

[215-2021](#) AN EMERGENCY ORDINANCE Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Inspirion Group, LTD, or its designee, located at Chester Avenue and East 90th Street 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 for the Addis View Apartments Project.

Sponsors: Basheer Jones, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: [Ord. No. 215-2021](#)

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

[219-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various technology projects, services, and upgrades to existing systems under the 2021 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: [Ord. No. 219-2021](#)

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

•Emergency Ordinances Read in Full and Passed

[216-2021](#) AN EMERGENCY ORDINANCE Authorizing the Clerk of Council to enter into a subscription agreement with LexisNexis to obtain online access to computer assisted legal and other research data bases, materials and services required for the work of Cleveland City Council.

Sponsors: Kevin Kelley

Attachments: [216-2021-FOR PASSAGE-Lexis K for Council 2021](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

•Ordinances Referred

[217-2021](#) AN ORDINANCE Establishing an Urban Form Overlay on the Chester Avenue frontage of Permanent Parcel Number 118-10-042 (Map Change 2629).

Sponsors: Basheer Jones

Attachments: [217-2021-Zoning establish Urban Form Overlay on Chester](#)

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

[220-2021](#) AN ORDINANCE Changing the Use, Area and Height Districts of parcels of land north and south of Harvard Avenue between slightly west of East 71st Street to Ottawa Road and east and west of East 71st Street between Indiana Avenue and Clement Avenue (Map Change 2624).

Sponsors: Anthony Brancatelli

Attachments: [220-2021-Zoning - E 71st](#)

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

[221-2021](#) AN ORDINANCE Changing the Use, Area and Height Districts of parcels of land west of the Pennsylvania Railroad and north and south of Harvard Avenue between East 76th Street and the Pennsylvania Railroad (Map Change 2625).

Sponsors: Anthony Brancatelli

Attachments: [221-2021-Zoning - W of Pennsylvania Railroad](#)

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

•Emergency Resolutions Referred

[218-2021](#) AN EMERGENCY RESOLUTION Calling upon the U.S. Congress to pass H.R. 6422 to create a National Infrastructure Bank to finance urgently needed infrastructure projects.

Sponsors: Joseph Jones

Attachments: [218-2021-support National Infrastructure Bank](#)

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

SECOND READING LEGISLATION

•Emergency Ordinances Passed

[948-2020](#)

AN EMERGENCY ORDINANCE Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio to construct safety improvements on Interstate 71; and authorizing the Director of Capital Projects to enter into any relative agreements.

Sponsors: Jasmin Santana, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: [Ord. No. 948-2020](#)

[948-2020 Executive Summary](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

[75-2021](#)

AN EMERGENCY ORDINANCE Authorizing the Directors of Public Works and Community Development to enter into a property exchange agreement with the Board of Education of the Cleveland Metropolitan School District for the transfer of various properties between the parties to facilitate the efficient use of real estate for public purposes including construction of a new Marion C. Seltzer Elementary School at Cudell Commons and redevelopment of former school sites; and authorizing the Commissioner of Purchases and Supplies to acquire and convey the properties; and authorizing the Department of Public Works to enter into a lease for playfields at the new school and a shared-use agreement for the parking lots at the new school and the Cudell Recreation Center.

Sponsors: Kevin Conwell, Brian Mooney, Jenny Spencer, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: [75-2021-Land swap with CMSD for Marion C Seltzer school at Cudell](#)

[Commons jdd 1.29.21](#)

[Ord. No. 75-2021-City Record](#)

[75-2021 Executive Summary](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

[126-2021](#)

AN EMERGENCY ORDINANCE Giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for Towpath Phase 4 Trailhead; to apply for and accept any gifts or grants from any public or private entity; authorizing the Director of Capital Projects or Director of Public Works to enter into any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

Sponsors: Kerry McCormack, Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: [126-2021-Consent w ODOT for Towpath Trail Phase 4](#)
[126-2021 Exec. Summary - Towpath Trail Ph 4](#)
[Presentation - Ord. 126-2021 Canal Basin Park](#)

A motion was made by Council Member Mooney, seconded by Council Member Slife, that this Emergency Ordinance be amended. The motion carried by the following vote:

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

[127-2021](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the second option to renew Contract No. PS 2019-273 with Glaus, Pyle, Schomer, Burns, and DeHaven, Inc. aka GPD Group to provide general engineering services on an as-needed basis for the Department of Port Control.

Sponsors: Phyllis E. Cleveland, Kevin Kelley and By Departmental Request

Attachments: [127-2021-Exer option to renew K w Glaus, Pyle, GPD Group, for general engineering, PC](#)
[127-2021 Exec. Summary - P&E - GPD Option](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

[128-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the second option to renew Contract No. PS 2019-279 with Professional Services Industries, Inc. to provide quality assurance/control and surveying services for airport-related projects.

Sponsors: Phyllis E. Cleveland, Kevin Kelley and By Departmental Request

Attachments: [128-2021-Exer option to renew K w Professional Services Industries for quality assurance, quality control and surveying services, PC](#)
[128-2021 Exec. Summary - P&E - PSI Option](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

[192-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to enter into an amendment to Contract No. PS 2019-129 with Nashwest, LLC to provide additional professional project management services related to integrating, training, and analysis for the new case management system, for a term of six months.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: [192-2021-Amd K to extend K w Nashwest for courts case management system](#)
[Ord. 192-2021 Exec. Summary - Clerk of Courts NashWest LLC -amedn](#)

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

Yea: 15 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Nay: 1 - Brian Kazy

Absent: 1 - Joseph T. Jones

[193-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept a grant from The Alcohol, Drug Addiction & Mental Health Services Board for the 2021 Addiction Treatment Program; and authorizing a contract with Community Assessment and Treatment Services and other agencies needed to implement the grant.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: [193-2021-Ap & Ac grant from ADAMHS Board for Addiction Treatment Program](#)
[193-2021-A-FILE - Ap & Ac grant from ADAMHS Board for Addiction Treatment Program](#)
[Ord. 193-2021 Executive Summary - ADAMS Board](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

[194-2021](#) AN EMERGENCY ORDINANCE Establishing salary and wage schedules for various classifications, effective as of April 1, 2021, and repealing existing Ordinance No. 323-15, passed March 30, 2015, as amended.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: [194-2021-Establish salary and wage schedules for 2021 comprehensive general salary](#)
[Ord. 194-2021 Executive Summary Payband \(2\)](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

•Emergency Resolutions Adopted

[863-2019](#) AN EMERGENCY RESOLUTION Declaring the intent to vacate a portion of Chadakoin Court S.E., East 59th Place, East 61st Street and East 63rd Street.

Sponsors: Phyllis E. Cleveland, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

Indexes: CAPITAL PROJECTS; CITY PLANNING COMMISSION; STREET VACATION; WARD 05

Attachments: [863-2019-ERes-Int to vac portion of Chadakoin Ct. E 59, E 61 and E 63](#)
[863-2019 Executive Summary](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

[154-2021](#) AN EMERGENCY RESOLUTION Supporting Amtrak's proposed expansion of passenger rail services in Ohio and urging the Congressional delegation from Ohio to support a renewal of the five-year federal Surface Transportation Reauthorization and to otherwise authorize and appropriate funds to support the Amtrak expansion in Ohio.

Sponsors: Phyllis E. Cleveland and Charles Slife

Attachments: [Res. No. 154-2021](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Phyllis E. Cleveland, Charles Slife, Brian Mooney, and Jenny Spencer

Absent: 1 - Joseph T. Jones

MISCELLANEOUS

Council Members B. Jones, Griffin, Polensek, Conwell, Brancatelli and Bishop made personal remarks.

ADJOURN

3:37 p.m.