

Cleveland City Council

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



Meeting Minutes

Monday, October 4, 2021

7:00 PM

**There will be limited seating due to COVID protocols; the meeting will be live broadcast. See meeting notice for details.
Council Chambers**

City Council

CALL TO ORDER; ROLL CALL

7:01 p.m.

- Present** 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner
- Excused** 2 - Anthony T. Hairston, and Anthony Brancatelli

MOMENT OF REFLECTION**PLEDGE OF ALLEGIANCE****DISPENSE WITH THE JOURNAL**

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

- Yea:** 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

PUBLIC COMMENT

Comments were made by Grace Heffernan, Robin Brown, Sara Gutierrez, Michael Hardy, Andy Schuman, Randy Cunningham, Ross Dibello, Yvonka Marie Hall, Mario Pollard, Darrick L. Wade.

REPORTS AND COMMUNICATIONS**•Communications**

[858-2021](#) From NISRE, Inc. and Alliant Treatment Center. Letter of Notification of Community Transitional Housing Program locations on Grantwood Avenue (two in Ward 9) and on West 73rd Street (in Ward 3), in Cleveland, Ohio.

Attachments: [858-2021-COMMUNICATIONS-Notice of transitional housing program](#)

This Communication was received and filed.

[859-2021](#) From Director Karrie D. Howard, Department of Public Safety, City of Cleveland. Notice of grant acceptance of \$1,200 from State of Ohio Department of Public Safety - Division of Emergency Medical Services, for 2021-2022 Training and Equipment Grant.

Attachments: [859-2021-COMMUNICATIONS-Notice of grant accept by Pub Safety Dept for EMS training and equipment grant, OH DPS-EMS](#)

This Communication was received and filed.

[860-2021](#) From Council President Kevin J. Kelley. Designating Allan Dreyer to serve as Clerk of Council Pro Tempore, without objection by Council, for all matters requiring the Clerk's signature on September 29, 2021.

Attachments: [860-2021-COMMUNICATIONS-Clerk pro Temp 9-29-2021](#)

This Communication was received and filed.

[861-2021](#) From Kevin J. Nowak, Executive Director, CHN Housing Partners. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Larchmere Homes, 30 units on scattered sites on Browning Avenue, Buckingham Avenue, Hamlen Avenue, Mount Overlook Avenue, East 111th Street, East 112th Street, East 114th Street, East 115th Street, East 117th Street, East 118th Street, East 119th Street, East 120th Street, East 124th Street, East 125th Street, East 127th Street, East 128th Street (all in Ward 6), Cleveland, Ohio.

Attachments: [861-2021-COMMUNICATIONS-Notice of app to OHFA by CHN for Larchmere Homes](#)

This Communication was received and filed.

•The Ohio Division of Liquor Control

[875-2021](#) #0798867. Economic Development Transfer Application, D1 D2 D3. Juneberry LLC, 3900 Lorain Ave. (Ward 3).

Attachments: [875-2021-COMMUNICATIONS-Liquor3900Lorain](#)

This Communication was received and filed.

[876-2021](#) #0285557. New License Application, D3A. Ankor Restaurant & Ultra Lounge LLC, 3400 St. Clair Ave. (Ward 7).

Attachments: [876-2021-COMMUNICATIONS-Liquor3400StClair](#)

This Communication was received and filed.

[877-2021](#) #1744240. Transfer of Ownership Application, D1 D2 D3 D3A D6. Cor Jam LLC, 8701 Madison Ave. (Ward 15).

Attachments: [877-2021-COMMUNICATIONS-Liquor8701Madison](#)

This Communication was received and filed.

[878-2021](#) #6534095. Transfer of Ownership Application, C1 C2. 152 Gas, Inc., 657 East 152nd St. (Ward 8).

Attachments: [878-2021-COMMUNICATIONS-Liquor657East152nd](#)

This Communication was received and filed.

[879-2021](#) #1390053. Transfer of Ownership Application, C1 C2. Chahal Beverage & Deli, Inc., 5915 St. Clair Ave. (Ward 10).

Attachments: [879-2021-COMMUNICATIONS-Liquor5915StClair](#)

This Communication was received and filed.

[880-2021](#) #6367879. Transfer of Ownership Application, D5J D6. New Punch Bowl Cleveland LLC, 1086 West 11th St. (Ward 3).

Attachments: [880-2021-COMMUNICATIONS-Liquor1086West11th](#)

This Communication was received and filed.

SPECIAL RESOLUTIONS

•Condolence; Moment of Silence

[881-2021](#) Condolence Resolution for Benjamin Patrick Caskey

Sponsors: Kevin Kelley

This Ceremonial Resolution was read into the record.

[882-2021](#) Condolence Resolution for Judge Nancy R. McDonnell

Sponsors: Kevin Kelley

This Ceremonial Resolution was read into the record.

[883-2021](#) Condolence Resolution for Judge Joseph D. Russo

Sponsors: Kevin Kelley

This Ceremonial Resolution was read into the record.

FIRST READING LEGISLATION

•Emergency Ordinances Referred

[863-2021](#) AN EMERGENCY ORDINANCE To amend Sections 241.05 and 241.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 782-2020, passed November 4, 2020, relating to food shop licenses, fees, and categories.

Sponsors: Kerry McCormack, Kevin Kelley and By Departmental Request

Attachments: [863-2021-Amend 241.05 and 241.35, food shop fees](#)

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

[864-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to enter into an amendment to Contract No. CT 7013 PS 2020-60 with GT Environmental, Inc. to implement and stabilize accepted recommendations needed to improve efficiency, consistency, and reliable service delivery for residential solid waste and recycling services, for a period not to exceed two years.

Sponsors: Kevin Bishop, Kevin Kelley and By Departmental Request

Attachments: [864-2021-Amend K w GT Environment for solid waste and recycling services](#)

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

[865-2021](#) AN EMERGENCY ORDINANCE To amend Section 56 of Ordinance No. 194-2021, passed March 29, 2021, as amended, relating to compensation for various classifications.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: [865-2021-Amend Section 56 of Payband](#)

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

[866-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Homeland Security, FEMA, for the FY21 Port Security Grant Program; and authorizing the purchase by one or more contracts of one police boat and associated equipment, for the Division of Police, Department of Public Safety.

Sponsors: Blaine Griffin, Kevin Kelley and By Departmental Request

Attachments: [866-2021-Ap & Ac grant from US Dept of Homeland Security for purchase of police boat](#)
[866-2021-A-FILE - Ap & Ac grant from US Dept of Homeland Security for purchase of police boat](#)

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

[867-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into a development agreement with Bedrock Management Services LLC, or their designee, for the purpose of determining and planning the private development and related infrastructure improvements to implement the development of the Project area consistent with the Vision for the Valley Plan.

Sponsors: Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: [867-2021-Development Agreement with Bedrock Management Services for alignment with the Vision for Valley](#)

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

[868-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to execute a deed of easement granting to The Cleveland Electric Illuminating Company, or its designee, certain easement rights in property located in Mercedes Cotner Park; declaring that the easement rights granted are not needed for the City's public use; and authorizing payment to The Cleveland Electric Illuminating Company to release, vacate and abandon an existing easement located within the Park.

Sponsors: Jasmin Santana, Kevin Bishop, Anthony Brancatelli and By Departmental Request

Attachments: [868-2021-Grant easement to Cleveland Electric Illuminating at Mercedes Cotner Park, vacate easement and pay cost to cure for relocation jdd](#)

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

[869-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to renew the lease with City Rose, Ltd. for certain property at 743 East 140th Street, Cleveland, Ohio for a term of two years for the public purpose of operating the Division of Cleveland Public Power's East Side Service Center at 743 East 140th Street.

Sponsors: Michael Polensek, Brian Kazy, Kevin Kelley and By Departmental Request

Attachments: [869-2021-Renew Lease with City Rose for CPP East Side Service Center](#)

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

[870-2021](#) AN EMERGENCY ORDINANCE Authorizing the purchase by one or more requirement contracts of labor and materials necessary for analysis, identification, storage, remediation, transportation, clean-up, emergency response, recycling, and disposal of various chemicals, hazardous waste products, and other non-hazardous and recyclable waste materials, routine industrial cleaning, and required training, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities and the Department of Public Works for a period of two years, with two one-year options to renew, the first of which shall require additional legislative authority.

Sponsors: Brian Kazy, Kevin Bishop, Kevin Kelley and By Departmental Request

Attachments: [870-2021-Req K recycling and disposal of various chemicals - hazardous hazmat, PU and PW](#)

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

•Emergency Resolutions Referred

[871-2021](#) AN EMERGENCY RESOLUTION Supporting West Creek Conservancy's Clean Ohio Fund Greenspace Conservation Program application for the Zaclon River Landing Project in the City of Cleveland.

Sponsors: Kerry McCormack

Attachments: [871-2021-supporting West Creek Conservancy's Zaclon River Landing Project application to Clean Ohio](#)

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

[874-2021](#) AN EMERGENCY RESOLUTION_Supporting Western Reserve Land Conservancy's Ohio Department of Natural Resources Urban Canopy Restoration Grant Program application to fund additional tree planting at Albert Bushnell Hart School (A. B Hart) in the City of Cleveland.

Sponsors: Anthony Brancatelli

Attachments: [874-2021-supporting WRLC's Urban Canopy Restoration Grant application for AB Hart Tree Planting to ODNR](#)

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

•Emergency Resolutions Read in Full and Adopted

[872-2021](#) AN EMERGENCY RESOLUTION_Withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 1082-1098 East 105th Street and repealing Resolution No. 669-2020 objecting to said renewal.

Sponsors: Kevin Conwell

Attachments: [872-2021-FOR ADOPTION-WITHDRAWAL-1082-98 EAST 105TH](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

[873-2021](#) AN EMERGENCY RESOLUTION_Withdrawing objection to a New D3 and D3A Liquor Permit at 10412 Lorain Avenue and repealing Resolution No. 747-2021 objecting to said permit.

Sponsors: Brian Mooney

Attachments: [873-2021-FOR ADOPTION-WITHDRAWAL-NEW-10412 LORAIN](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

SECOND READING LEGISLATION**•Emergency Ordinances Passed**

[652-2021](#) AN EMERGENCY ORDINANCE To amend Section 2 of Ordinance No. 202-2020, passed March 23, 2020, relating to a requirement contract for the purchase of turnout gear to add additional fund numbers.

Sponsors: Blaine Griffin, Kevin Kelley and By Departmental Request

Attachments: [652-2021-Amend 202-2020, turnout gear, to add fund numbers](#)

[652-2021 Exec. Summary - To Amend Ord No 202-2020 for Purch of Turnout Gear for Fire to add Additional Funding Sources](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

[659-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to execute various deeds of permanent easement and deeds of temporary easement granting to the Northeast Ohio Regional Sewer District certain easement rights at or under several City parks for the NEORSD's Shoreline Storage Tunnel Project and declaring the easement rights not needed for the City's public use; and authorizing an agreement with NEORSD for compensation for such easements and a gift of cash to provide replacement park improvements at the affected parks.

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

Attachments: [659-2021-Sell easements to NEORSD for Shoreline Storage Tunnel Project temporary and permanent jdd 8.11.21](#)
[659-2021 Exec. Summary - NEORSD shoreline storage tunnel SST](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

[660-2021](#) AN EMERGENCY ORDINANCE Authorizing the purchase by one or more contracts of a propane-fired training system and various training props, for the Division of Fire, Department of Public Safety for a period of one year, with two one-year options to renew, exercisable by the Director of Public Safety.

Sponsors: Blaine Griffin, Kevin Kelley and By Departmental Request

Attachments: [660-2021-Std K propane-fire training props and system, Div of Fire](#)
[660-2021 Exec. Summary - Auth Purch of Propane-Fired Training System and Props for the Div of Fire](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

[684-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to issue one or more permits to Muldoon's LLC, to encroach into the public right-of-way of East 185th Street by using and maintaining existing asphalt pavement, fence, brick wall and building canopy for their restaurant at the northwest corner of Villaview Road and East 185th Street.

Sponsors: Michael Polensek, Kevin Bishop, Anthony Brancatelli and By Departmental Request

Attachments: [684-2021-Encr - E 185 and Muldoon](#)
[684-2021 Exec. Summary - East 185th Street encroachment Muldoon's LLC](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

[685-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to issue a permit to the Greater Cleveland Regional Transit Authority to encroach into the public rights-of-way of West 63rd Place, Corona Court and Lawn Avenue by installing, using, and maintaining a sanitary sewer force main from the existing substation building to the existing sewer along Lawn Avenue.

Sponsors: Jenny Spencer, Kevin Bishop, Anthony Brancatelli and By Departmental Request

Attachments: [685-2021-Encr to GCRTA in W 63 for a sanitary sewer](#)
[685-2021 Exec. Summary - West 63 St Corono Crt and Lawn Avenue encroachment](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

[690-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects and/or City Planning to enter into one or more contracts with DFALT LLC for professional services necessary for the design, production, and installation of a yet-to-be designed public artwork associated with, and installed at, the renovated Kovacic Recreation Center.

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

Attachments: [690-2021-K w DFALT LLC for public art at Kovacic Rec Center](#)
[690-2021 Exec. Summary -Kovacic Recreation Center Public Art](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

[759-2021](#) AN EMERGENCY ORDINANCE Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Skyline Investments Inc., or its designee, located at 24 Public Square 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 Hotel Cleveland Project.

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

Attachments: [759-2021-Enter into chain of title w Skyline for Hotel Cleveland Project](#)
[759-2021 Exec. Summary - Hotel Cleveland \(Chain of Title \)](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

•Emergency Resolutions Adopted

[693-2021](#) AN EMERGENCY RESOLUTION Declaring the intent to vacate a portion of Rawlings Avenue between East 75th Street and East 79th Street, a portion of Holton Avenue between East 75th Street and East 79th Street and a portion of East 78th Street from the south line of Holton Avenue to the prolongation of the south lines of Sublots 84 and 75 in J.H. Hardy's Subdivision.

Sponsors: Delores Gray, Kevin Bishop, Anthony Brancatelli and By Departmental Request

Attachments: [693-2021-Int to vacate a portion or Rawlings Holton and E 78](#)
[693-2021 Exec. Summary - Rawlings, Holton and E 78th Intent to vacate](#)

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

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

INTRODUCTIONS

MISCELLANEOUS

Council Members Spencer, B. Jones and McCormack made remarks.

MOTION TO EXCUSE THE ABSENCES

The absences of Council Members Brancatelli and Hairston were excused.

This was approved.

Yea: 15 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 2 - Anthony T. Hairston, and Anthony Brancatelli

ADJOURN

7:49 p.m.