

Cleveland City Council

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



Meeting Minutes

Monday, May 6, 2019

7:00 PM

Council Chambers

City Council

CALL TO ORDER; ROLL CALL

7:03 p.m.

Present 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, Phyllis E. Cleveland, and Frank Jackson

Excused 2 - Joseph T. Jones, and Kevin L. Bishop

PRAYER OR MOMENT OF REFLECTION**PLEDGE OF ALLEGIANCE****DISPENSE WITH THE JOURNAL****REPORTS AND COMMUNICATIONS****•Communications****[606-2019](#)**

From Director Robert L. Davis, Department of Public Utilities, City of Cleveland. Pursuant to Sect. 111.072 of the Codified Ordinances, notification of intent to request legislation for proposed new rates and fees for the Division of Water Pollution Control.

Indexes: CODIFIED ORDINANCES; FEES; UTILITIES DEPARTMENT; WATER POLLUTION CONTROL DIVISION

Attachments: [606-2019-COMM-Notice of Intent for new WPC rates](#)

This Communication was read into the record.

•The Ohio Division of Liquor Control**[589-2019](#)**

#9119544. Transfer of Ownership Application, D5J D6. 20 Taps, Inc., 1050 West 10th St. (Ward 3).

Indexes: LIQUOR PERMITS; WARD 03

Attachments: [589-2019-COMM-Liquor1050West10th](#)

This Communication was received and filed.

[590-2019](#) #6552450. New License Application, C1. 1201 Oil, Inc., 1201 East 185th St. (Ward 8).

Indexes: LIQUOR PERMITS; WARD 08

Attachments: [590-2019-COMM-Liquor1201East185th](#)

This Communication was received and filed.

[607-2019](#) #1360513. Transfer of Ownership Application, D5 D6. Cellos LLC, 1300 West 9th St. (Ward 3).

Indexes: LIQUOR PERMITS; WARD 03

Attachments: [607-2019-COMM-Liquor1300West9th](#)

This Communication was received and filed.

[608-2019](#) #5357939. Transfer of License Application, D1 D2 D3 D3A D6. Lulo Enterprises LLC, 1273 West 9th St. (Ward 3).

Indexes: LIQUOR PERMITS; WARD 03

Attachments: [608-2019-COMM-Liquor1273West9th](#)

This Communication was received and filed.

SPECIAL RESOLUTIONS

Condolence; Moment of Silence

[609-2019](#) Condolence Resolution for Anthony "Tony" Zajac

Sponsors: Anthony Brancatelli

Indexes: CONDOLENCES; WARD 12

This Ceremonial Resolution was read into the record.

[610-2019](#) Condolence Resolution for Ernest W. Golphin

Sponsors: Kenneth Johnson

Indexes: CONDOLENCES; WARD 04

This Ceremonial Resolution was read into the record.

[611-2019](#) Condolence Resolution for Sayman Bell

Sponsors: Basheer Jones

Indexes: CONDOLENCES; WARD 07

This Ceremonial Resolution was read into the record.

[612-2019](#) Condolence Resolution for Gene Edward Turner, II

Sponsors: Joseph Jones

Indexes: CONDOLENCES; WARD 01

This Ceremonial Resolution was read into the record.

[617-2019](#) Condolence Resolution for Mattie Moody

Sponsors: Blaine Griffin

Indexes: CONDOLENCES; WARD 06

This Ceremonial Resolution was read into the record.

Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome[613-2019](#) Congratulations Resolution for Reverend Dr. Robin E. Hedgeman

Sponsors: Kevin Bishop

Indexes: CONGRATULATIONS; WARD 02

This Ceremonial Resolution was read into the record.

[614-2019](#) Congratulations Resolution for Lottie Whitaker

Sponsors: Phyllis E. Cleveland

Indexes: CONGRATULATIONS; WARD 05

This Ceremonial Resolution was read into the record.

[615-2019](#) Congratulations Resolution for Barb Stockhausen

Sponsors: Martin Keane

Indexes: CONGRATULATIONS; WARD 17

This Ceremonial Resolution was read into the record.

[616-2019](#) Congratulations Resolution for St. Stephen Roman Catholic Church - 150th Anniversary

Sponsors: Matt Zone

Indexes: CONGRATULATIONS; WARD 15

This Ceremonial Resolution was read into the record.

FIRST READING LEGISLATION

•Emergency Ordinances Referred

[591-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Finance to enter into one or more amendments to Contract No. PS 2017-205 with Youth Opportunity Unlimited for the continuation of services and expansion of the Cleveland Youth Summer Employment Program to include youth diversion employment; and to change the contracting director from Community Relations to Finance.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; FINANCE DEPARTMENT; SUMMER EMPLOYMENT PROGRAM

Attachments: [591-2019-EOrd-Amend PS 2017-205 w YOU](#)

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

[592-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to exercise the first option to renew Contract No. PIRC 2018-3 with Terrace Construction Company, Inc. for the public improvement of installing automated meter reading units on remaining residential and commercial accounts, including Cleveland Heights accounts and master meter vaults not yet converted.

Sponsors: Martin Keane, Kevin Kelley and By Departmental Request

Indexes: PUBLIC IMPROVEMENT CONTRACTS ; UTILITIES DEPARTMENT

Attachments: [592-2019-EOrd-Exer option to to renew w Terrace to install AMR meters PU](#)

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

[593-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to exercise the option to renew Contract No. RCD 2017-6 with Hach Co. to maintain, service, calibrate, refurbish, and test various scientific and in-line process analytical instruments manufactured by Hach Co. used to monitor the drinking water purification process.

Sponsors: Martin Keane, Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; UTILITIES DEPARTMENT

Attachments: [593-2019-EOrd-Exercise option to renew K w Hach for Hach scientific instruments, PU](#)

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

[594-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to exercise the options to renew various contracts for the requirements of various types of machines and equipment, and labor and materials to repair and/or replace parts or equipment to maintain various types of machines and equipment, for the Department of Public Utilities.

Sponsors: Martin Keane, Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; UTILITIES DEPARTMENT

Attachments: [594-2019-EOrd-Exercise option to renew Ks with various vendors for repair, replacement and parts for machines and equipment, PU](#)

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

[595-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to employ one or more computer software vendors to acquire or renew Cisco maintenance and support, including Cisco Smartnet, for networking and telecommunication software and equipment; and authorizing the purchase by one or more requirement contracts of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, and maintenance and technical support, for the various divisions of the Department of Public Utilities, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities.

Sponsors: Martin Keane, Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; UTILITIES DEPARTMENT

Attachments: [595-2019-EOrd-Prof Serv Req K Cisco Smartnet hardware software - Util](#)

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

[596-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to employ one or more professional consultants or vendors to acquire licenses for data storage expansion or to develop data storage expansion solutions, and other related services and equipment, including but not limited to, hardware, servers, chassis, ancillary components, and maintenance, for the Division of Water, Department of Public Utilities; for a period of one year, with two one-year options to renew, the second of which requires additional legislative authority.

Sponsors: Martin Keane, Kevin Kelley and By Departmental Request

Indexes: LICENSES; PROFESSIONAL SERVICES CONTRACTS; UTILITIES DEPARTMENT; WATER DIVISION

Attachments: [596-2019-EOrd-Prof Serv software and services for data storage expansion, AMR, PU](#)

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

[597-2019](#)

AN EMERGENCY ORDINANCE Authorizing the procurement by one or more requirement contracts for the rental of various types of heavy duty equipment, on an as-needed basis, for the Office of Radio Communications, Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years.

Sponsors: Martin Keane, Kevin Kelley and By Departmental Request

Indexes: CLEVELAND PUBLIC POWER; CONTRACTS; UTILITIES DEPARTMENT; WATER DIVISION; WATER POLLUTION CONTROL DIVISION

Attachments: [597-2019-EOrd-Req K heavy duty equipment rental - PU](#)

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

[604-2019](#)

AN EMERGENCY ORDINANCE To amend Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1069-17, passed September 25, 2017, relating to the use of City credit cards.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: CODIFIED ORDINANCES; FINANCE DEPARTMENT

Attachments: [604-2019-EOrd-Amend 171.40 - use of City credit cards](#)

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

•Emergency Ordinances Read in Full and Passed

[598-2019](#) AN EMERGENCY ORDINANCE Designating Brookside Boulevard between Highlandview Avenue and the eastern edge of the dead-end street with a secondary and honorary designation of “St. Paul AME Way”.

Sponsors: Brian Kazy

Indexes: CAPITAL PROJECTS; CITY PLANNING COMMISSION; STREETS - NAME; WARD 16

Attachments: [598-2019-FOR PASSAGE-EOrd-designating honorary street name of St. Paul AME Way](#)

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

Yea: 15 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, Phyllis E. Cleveland, and Frank Jackson

Excused: 2 - Joseph T. Jones, and Kevin L. Bishop

[599-2019](#) AN EMERGENCY ORDINANCE Amending the Title and Sections 1 and 2 of Ordinance No. 481-2019 passed April 15, 2019 as it pertains to authorizing the Director of the Department of Aging to enter into an agreement with Court Community Service for the Senior Lawn Care Program through the use of Ward 11 Casino Revenue Funds.

Sponsors: Dona Brady

Indexes: AGING DEPARTMENT; AGREEMENTS; CASINO REVENUE FUNDS ; WARD 11

Attachments: [599-2019-FOR PASSAGE-EOrd-Amendment Senior Lawn Care and Snow Program Ward 11 Casino Fund 2019](#)

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

Yea: 15 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, Phyllis E. Cleveland, and Frank Jackson

Excused: 2 - Joseph T. Jones, and Kevin L. Bishop

[600-2019](#) AN EMERGENCY ORDINANCE Authorizing the Director of the Department of Aging to enter into an agreement with Mt. Pleasant NOW Development Corporation for the Senior Lawn Care and Snow Removal Program through the use of Ward 1 and 2 Casino Revenue Funds.

Sponsors: Joseph Jones and Kevin Bishop

Indexes: AGING DEPARTMENT; AGREEMENTS; CASINO REVENUE FUNDS ; MT. PLEASANT NOW DEVELOPMENT CORPORATION ; WARD 01; WARD 02

Attachments: [600-2019-FOR PASSAGE-EOrd-Seniorlawn ward 2019 Casino for Wards 1 and 2](#)

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

Yea: 15 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, Phyllis E. Cleveland, and Frank Jackson

Excused: 2 - Joseph T. Jones, and Kevin L. Bishop

•Emergency Resolutions Referred

[605-2019](#) AN EMERGENCY RESOLUTION Declaring the second Monday in October, currently observed as Columbus Day, annually as Indigenous Peoples' Day in the City of Cleveland; encouraging other institutions to recognize this day; and reaffirming the City's commitment to promote the well-being and growth of Cleveland's Native American and Indigenous community.

Sponsors: Basheer Jones

Indexes: RESOLUTIONS - MISCELLANEOUS; WARD 07

Attachments: [605-2019-ERes-Declaring Indigenous Peoples Day](#)

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

•Emergency Resolutions Read in Full and Adopted

[601-2019](#) AN EMERGENCY RESOLUTION Objecting to a New C1 Liquor Permit at 1201 East 185th Street.

Sponsors: Michael Polensek

Indexes: LIQUOR PERMITS; WARD 08

Attachments: [601-2019-FOR ADOPTION-ERes-OBJ-NEW-1201 EAST 185TH](#)

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

Yea: 15 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, Phyllis E. Cleveland, and Frank Jackson

Excused: 2 - Joseph T. Jones, and Kevin L. Bishop

[602-2019](#) AN EMERGENCY RESOLUTION Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 1035 East 185th Street.

Sponsors: Michael Polensek

Indexes: LIQUOR PERMITS; WARD 08

Attachments: [602-2019-FOR ADOPTION-ERes-OBJ-TRFO-1035 E. 185TH](#)

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

Yea: 15 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, Phyllis E. Cleveland, and Frank Jackson

Excused: 2 - Joseph T. Jones, and Kevin L. Bishop

[603-2019](#) AN EMERGENCY RESOLUTION Withdrawing objection to a New C1 Liquor Permit at 14053 Lorain Avenue and repealing Resolution No. 384-2019 objecting to said permit.

Sponsors: Brian Kazy

Indexes: LIQUOR PERMITS; WARD 16

Attachments: [603-2019-FOR ADOPTION-ERes-WITHDRAW-14053 LORAIN](#)

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

Yea: 15 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, Phyllis E. Cleveland, and Frank Jackson

Excused: 2 - Joseph T. Jones, and Kevin L. Bishop

SECOND READING LEGISLATION

•Emergency Ordinances Passed

476-2019

AN EMERGENCY ORDINANCE Authorizing the Director of Community Development to apply for and accept a grant from the Cleveland Foundation and other grants from any public and private entity to conduct a research study on the City's real property tax policies and tax abatement programs and to assess the results; and authorizing the director to enter into one or more contracts for professional consultants to implement this ordinance.

Sponsors: Anthony Brancatelli, Kevin Kelley and By Departmental Request

Indexes: CLEVELAND FOUNDATION; COMMUNITY DEVELOPMENT; GRANTS; TAX ABATEMENT

Attachments: [476-2019-EOrd-Ap Ac grant from Cleveland Foundation to hire consultant for real property tax and tax abatement studies](#)
[476-2019-A-FILE](#)
[476-2019 Executive Summary-Tax Policy Study](#)

A motion was made by Council Member Conwell, seconded by Council Member Brady, that this Emergency Ordinance be passed on second reading. The motion carried by the following vote:

Yea: 15 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Michael Polensek, Phyllis E. Cleveland, and Frank Jackson

Excused: 2 - Joseph T. Jones, and Kevin L. Bishop

•Emergency Resolutions Adopted

569-2019

AN EMERGENCY RESOLUTION Opposing Senate Bill 23 which prohibits abortion when a fetal heartbeat is detected.

Sponsors: Phyllis E. Cleveland, Matt Zone and Kerry McCormack

Indexes: RESOLUTIONS - MISCELLANEOUS; SENATE BILLS

Attachments: [569-2019-ERes-SenateBill23](#)

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

Yea: 14 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Dona Brady, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Martin Keane, Matt Zone, Phyllis E. Cleveland, and Frank Jackson

Nay: 1 - Michael Polensek

Excused: 2 - Joseph T. Jones, and Kevin L. Bishop

INTRODUCTIONS

Council Members Griffin, B. Jones, Hairston

ANNOUNCEMENTS

Council Member Cleveland

MISCELLANEOUS

Council Members Conwell, B. Jones, Zone, Polensek

MOTION TO EXCUSE THE ABSENCES

Absences excused for Council Members J. Jones, Bishop

This was approved.

ADJOURN

7:36 p.m.