

Cleveland City Council

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



Meeting Minutes

Monday, September 25, 2017

7:00 PM

Council Chambers

City Council

ROLL CALL

7:01 p.m.

PRAYER OR MOMENT OF REFLECTION

Bishop Eugene W. Ward Jr., Greater Love Missionary Full Gospel Baptist Church, Cleveland, Ohio (Ward 2)

Present 17 - Dona Brady, Anthony Brancatelli, Phyllis E. Cleveland, Kevin Conwell, Brian Cummins, TJ Dow, Jeffery Johnson, Kenneth Johnson, Brian Kazy, Martin Keane, Kevin Kelley, Michael Polensek, Terrell Pruitt, Zack Reed, Matt Zone, Kerry McCormack, and Blaine A. Griffin

PLEDGE OF ALLEGIANCE

DISPENSE WITH THE JOURNAL

REPORTS AND COMMUNICATIONS

•The Ohio Division of Liquor Control

[1169-17](#) #9115193. Economic Development Transfer Application, D5 D6. 2222 International LLC, 2222 St. Clair Ave. (Ward 7).

Indexes: LIQUOR PERMITS; WARD 07

Attachments: [1169-17-COMM-Liquor2222StClair](#)

This Communication was received and filed.

[1170-17](#) #1335243. Transfer of Ownership Application, D2 D2X D3 D3A. Cavadas LLC, 2317 Denison Ave. (Ward 12).

Indexes: LIQUOR PERMITS; WARD 12

Attachments: [1170-17-COMM-Liquor2317Denison](#)

This Communication was received and filed.

[1171-17](#) #4590208. Stock Application, D2 D2X D3 D3A D6. Kennys Tav, Inc., 4227 Fulton Rd. (Ward 13).

Indexes: LIQUOR PERMITS; WARD 13

Attachments: [1171-17-COMM-Liquor4227Fulton](#)

This Communication was received and filed.

[1172-17](#) #2630329. Transfer of Ownership Application, C1 C2 D6. Falguni Krupa LLC, 3584 West 150th St. (Ward 11).

Indexes: LIQUOR PERMITS; WARD 11

Attachments: [1172-17-COMM-Liquor3584West150th](#)

This Communication was received and filed.

SPECIAL RESOLUTIONS

Condolence; Moment of Silence

[1173-17](#) Condolence Resolution for Ora Lee Thompson

Sponsors: Phyllis E. Cleveland

Indexes: CONDOLENCES; WARD 05

This Ceremonial Resolution was read into the record.

[1174-17](#) Condolence Resolution for David Brooks Bailey

Sponsors: Kenneth Johnson

Indexes: CONDOLENCES; WARD 04

This Ceremonial Resolution was read into the record.

[1180-17](#) Condolence Resolution for Troyonne Berge

Sponsors: Jeffery Johnson

Indexes: CONDOLENCES; WARD 10

This Ceremonial Resolution was read into the record.

[1181-17](#) Condolence Resolution for Martha Ann Mason

Sponsors: Matt Zone and Kevin Kelley

Indexes: CONDOLENCES; WARD 13; WARD 15

This Ceremonial Resolution was read into the record.

Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome

[1175-17](#) Congratulations Resolution for Michael DiMartino

Sponsors: Anthony Brancatelli

Indexes: CONGRATULATIONS; WARD 12

This Ceremonial Resolution was read into the record.

[1176-17](#) Congratulations Resolution for Christopher M. Connor

Sponsors: Kevin Kelley

Indexes: CONGRATULATIONS; WARD 13

This Ceremonial Resolution was read into the record.

[1177-17](#) Congratulations Resolution for Patrick A. Criscuolo

Sponsors: Kevin Kelley

Indexes: CONGRATULATIONS; WARD 13

This Ceremonial Resolution was read into the record.

[1178-17](#) Recognition Resolution for Menlo Park Academy Dedication

Sponsors: Kevin Kelley

Indexes: RECOGNITION; WARD 13

This Ceremonial Resolution was read into the record.

[1179-17](#) Recognition Resolution for The Foundry

Sponsors: Kerry McCormack, Anthony Brancatelli and Kevin Kelley

Indexes: RECOGNITION; WARD 03; WARD 12; WARD 13

This Ceremonial Resolution was read into the record.

PRESENTATIONS

Council Member Zone presented Thomas B. Schorgl with a Resolution of Appreciation (Res. No. 1155-17) for his years of service as President and CEO of the Community Partnership for Arts and Culture.

FIRST READING LEGISLATION

•Emergency Ordinances Referred

[1162-17](#)

AN EMERGENCY ORDINANCE Authorizing the Mayor to apply to the District One Public Works Integrating Committee for state funding for the rehabilitation of Clark Avenue, East 105th Street, East 131st Street, Fulton Road, Harvard Avenue and Lorain Avenue; to apply for and accept gifts, grants, and other funding from various entities for the improvements; authorizing the Director of Capital Projects to enter into contracts and agreements to design and construct the improvements and other agreements needed to implement the improvements; authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to make the improvements; giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for improving Clark Avenue and Lorain Avenue; and cause payment to the State of Ohio for the City's share of the cost of the Clark Avenue and Lorain Avenue improvement.

Sponsors: Kenneth Johnson, Kevin Kelley and By Departmental Request

Indexes: CAPITAL PROJECTS; PUBLIC IMPROVEMENTS; CONTRACTS; STATE OF OHIO

Attachments: [1162-17-EOrd-Ap Ac Issue I funding for clark E 105 E 131 Fulton Harvard Lorain rev tpb Sept 21, 2017](#)

This Emergency Ordinance was read on first reading to the City Council

[1163-17](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to issue a permit to Key Center Properties LLC to encroach into the public right-of-way of St. Clair Avenue by installing, using, and maintaining an entrance vestibule and canopy.

Sponsors: Kerry McCormack, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

Indexes: CAPITAL PROJECTS; ENCROACHMENTS; PERMITS; WARD 03

Attachments: [1163-17-EOrd-Encr - Key Center Properties into St. Clair w vestibule and canopy](#)

This Emergency Ordinance was read on first reading.to the City Council

[1168-17](#) AN EMERGENCY RESOLUTION Urging the Ohio Attorney General and Superintendent of the Ohio Department of Commerce, Division of Real Estate and Professional Licensing to vigorously enforce and collect civil penalties assessed as disciplinary actions for violating the Ohio Revised Code Section 4735.02 requirement that no person or corporation advertise, act or assume to act as a real estate broker or salesperson without first being licensed under ORC Chapter 4735.

Sponsors: Kenneth Johnson

Indexes: OHIO ATTORNEY GENERAL ; OHIO REVISED CODE; RESOLUTION OF SUPPORT

Attachments: [1168-17-cc-ERes-urging the Atty Genl and Superintendent to enforce civil pealties for violating ORC 4735.02](#)

This Emergency Resolution was read on first reading.to the City Council

•Emergency Ordinances Read in Full and Passed

[1164-17](#) AN EMERGENCY ORDINANCE Consenting and approving the issuance of a permit for the 40th Annual “Walk of Hope”, on Saturday, October 7, 2017, sponsored by the Catholic Charities Disability Services and Ministries.

Sponsors: Kerry McCormack

Indexes: CAPITAL PROJECTS; PERMITS; WALK-A-THONS; WARD 03

Attachments: [1164-17-EOrd-permit-Walk of Hope-Catholic Charities Disability Services and Ministries 10-7-17](#)

This Emergency Ordinance was approved.

•Emergency Resolutions Read in Full and Adopted

[1165-17](#) AN EMERGENCY RESOLUTION Withdrawing objection to a New C2 Liquor Permit at 3350 East 116th Street and repealing Resolution No. 1157-17, objecting to said permit.

Sponsors: Kenneth Johnson

Indexes: LIQUOR PERMITS; WARD 04

Attachments: [1165-17-FOR ADOPTION-ERes-4-WITHDRAWAL-3350 EAST 116TH](#)

This Emergency Resolution was approved.

[1166-17](#) AN EMERGENCY RESOLUTION Objecting to a New C1 Liquor Permit at 8003 Broadway Avenue.

Sponsors: Anthony Brancatelli

Indexes: LIQUOR PERMITS; WARD 12

Attachments: [1166-17-FOR ADOPTION-ERes 12-OBJ-NEW-8003 BROADWAY](#)

This Emergency Resolution was approved.

[1167-17](#) AN EMERGENCY RESOLUTION Objecting to a New C1 Liquor Permit at 2152 Brookpark Road.

Sponsors: Kevin Kelley

Indexes: LIQUOR PERMITS; WARD 13

Attachments: [1167-17-FOR ADOPTION-ERes-13-OBJ-NEW-2152 BROOKPARK](#)

This Emergency Resolution was approved.

SECOND READING LEGISLATION

•Emergency Ordinances Passed

[935-17](#) AN EMERGENCY ORDINANCE Authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by CAC Project 2014 Limited Liability Company, or its designee, located at 1118-1148 Euclid 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.

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

Indexes: ECONOMIC DEVELOPMENT DEPARTMENT; WARD 03; TAX INCREMENT FINANCING (TIF) ; PURCHASES AND SUPPLIES DIVISION

Attachments: [935-17-ed-EOrd-Acq and reconvey for chain of title for Cleveland Athletic Club](#)
[935-17-Legislative Summary_Chain of Title](#)

This Emergency Ordinance was passed on second reading.

[936-17](#)

AN EMERGENCY ORDINANCE Approving the addition of certain property to the Northeast Ohio Advanced Energy District; accepting a petition and plan from a lessee in the District identifying a special energy improvement project, and approving the petition and plan as owner of property in the District; declaring it necessary to conduct the special energy improvement project; providing for the assessment of the cost and expense of such special energy improvement project; and authorizing the Director of Economic Development to enter into a Cooperative Agreement and a Special Assessment Agreement to implement the project; and declaring an emergency.

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

Indexes: COOPERATIVE AGREEMENT ; ECONOMIC DEVELOPMENT DEPARTMENT;
LEASES; NORTHEAST OHIO ADVANCED ENERGY DISTRICT

Attachments: [936-17-ed-EOrd-Approving addition of Advanced Energy District for 900 E 9 w Cumberland AED](#)
[936-17-A-FILE](#)

This Emergency Ordinance was passed on second reading.

[938-17](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Nova Tube and Steel LLC, and/or its designee, to provide for tax abatement for certain real property improvements for the development of a tube mill manufacturing facility in the Cuyahoga Valley Industrial Center located at I-77 and Pershing Avenue in the Cleveland Area Enterprise Zone.

Sponsors: Anthony Brancatelli, Kevin Kelley and By Departmental Request

Indexes: ECONOMIC DEVELOPMENT DEPARTMENT; ENTERPRISE ZONE AGREEMENT;
TAX ABATEMENT; WARD 12

Attachments: [938-17-ed-EOrd-Entpr Zn - Nova Tube and Steel, ED](#)
[938-17-A-FILE](#)

This Emergency Ordinance was passed on second reading.

[993-17](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into a grant agreement with the Detroit Shoreway Community Development Organization, or its designee, to provide economic development assistance to partially finance the redevelopment of the Variety Theatre.

Sponsors: Dona Brady, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Indexes: ECONOMIC DEVELOPMENT DEPARTMENT; GRANT AGREEMENT ; DETROIT SHOREWAY COMMUNITY DEVELOPMENT ORGANIZATIO; WARD 11

Attachments: [993-17-ed-EOrd-Grant ag w Detroit Shoreway for Variety Theatre. ED](#)
[993-17 Variety Theatre \\$1M grant](#)

This Emergency Ordinance was passed on second reading.

[1059-17](#)

AN EMERGENCY ORDINANCE To amend Chapter 106 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No.1015-16, passed December 5, 2016, relating to Democracy Day.

Sponsors: Brian Cummins

Indexes: CODIFIED ORDINANCES; DEMOCRACY DAY

Attachments: [1059-17-cc-14-EOrd-democracy day amend Ch106](#)

This Emergency Ordinance was passed on second reading.

[1069-17](#)

AN EMERGENCY ORDINANCE To amend Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 667-17, passed June 5, 2017, relating to the use of City credit cards.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: CODIFIED ORDINANCES; FINANCE DEPARTMENT

Attachments: [1069-17-fin-EOrd-Amend 171.40 - City credit card](#)

This Emergency Ordinance was passed on second reading.

[1070-17](#) AN EMERGENCY ORDINANCE Authorizing the Director of Finance to lease certain space located at 3631 Perkins Avenue from MidCity, Ltd. for the public purpose of providing executive office space for the Cleveland Community Police Commission, for a term of two years, with one option to renew for an additional one year period, exercisable by the Director of Finance.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: FINANCE DEPARTMENT; LEASES

Attachments: [1070-17-fin-EOrd-City leasing property from MidCity for offices for the Community Police Commission](#)

This Emergency Ordinance was passed on second reading.

[1071-17](#) AN EMERGENCY ORDINANCE Authorizing payment of membership dues of the City of Cleveland in the Northeast Ohio Areawide Coordinating Agency for 2018.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: DUES; FINANCE DEPARTMENT

Attachments: [1071-17-fin-EOrd-Pay dues to NOACA for 2018 membership](#)

This Emergency Ordinance was passed on second reading.

[1072-17](#) AN EMERGENCY ORDINANCE Authorizing the Director of Finance to enter into various written standard purchase and requirement contracts for the purchase of various electrical and plumbing materials and related equipment, supplies, and services, including labor if necessary, for the various divisions of City government, for a period up to two years, with one option to renew for an additional year, exercisable by the Director of Finance.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; FINANCE DEPARTMENT

Attachments: [1072-17-fin-EOrd-Req K Std K various electrical and plumbing - Citywide](#)

This Emergency Ordinance was passed on second reading.

[1073-17](#)

AN EMERGENCY ORDINANCE Authorizing the purchase by one or more requirement contracts of unarmed, uniformed security guard services, for the various divisions of City government, for a period of two years, with an option to renew for a one-year period, exercisable by the Director of Finance.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; FINANCE DEPARTMENT

Attachments: [1073-17-fin-EOrd-Req K unarmed security guards - citywide](#)

This Emergency Ordinance was passed on second reading.

[1074-17](#)

AN EMERGENCY ORDINANCE Authorizing the purchase by one or more contracts to demolish blighted and nuisance outdoor payphones and sidewalk restoration services, including storage and disposal of scrap materials, for the Division of Assessment and Licenses, Department of Finance, for a period of two years, with two one-year options to renew, exercisable by the Director of Finance.

Sponsors: Kevin Kelley and By Departmental Request

Indexes: CONTRACTS; FINANCE DEPARTMENT

Attachments: [1074-17-fin-EOrd-Std K outdoor payphone demolition and sidewalk restoration](#)

This Emergency Ordinance was passed on second reading.

•Emergency Resolutions Adopted

[1058-17](#)

AN EMERGENCY RESOLUTION Supporting immigrant youth, including those protected by DACA and supporting a federal law that would continue the DACA program and allow a path to citizenship for Dreamers; opposing the withholding of federal funding as a way to pressure local municipalities to enforce federal immigration policies; denouncing anti-immigrant bills that promote racial profiling, discrimination and harassment of immigrant communities; and committing to working with the Jackson administration to establish strong policies to protect vulnerable communities, especially immigrant communities.

Sponsors: Brian Cummins, Dona Brady, Kerry McCormack, Matt Zone, Jeffery Johnson and Blaine Griffin

Indexes: SENATE BILLS; RESOLUTION OF SUPPORT

Attachments: [1058-17-cc-14+11-ERes-immigrationDACA](#)

This Emergency Resolution was passed on second reading.

INTRODUCTIONS

Council Member Blaine A. Griffin

ANNOUNCEMENTS

Council Member Kerry McCormack

MISCELLANEOUS

Council Member Brian A Cummins; Council Member Dona Brady; Council Mmember Zack Reed; Council Member Jeffery Johnson; Council Member Phyllis Cleveland; Council Member Anthony Brancatelli; Council Member Kerry McCormack; Council Member Blaine A. Griffin

ADJOURN

7:58 p.m.