

Cleveland City Council

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

Committee Calendar

City Council

Monday, October 16, 2017 7:00 PM Council Chambers

CALL TO ORDER; ROLL CALL

PRAYER OR MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

DISPENSE WITH THE JOURNAL

REPORTS AND COMMUNICATIONS

Communications

1244-17 From Timothy L. Tramble, Sr., Executive Director, Burten, Bell, Carr

Development, Inc. Notice of plans to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Colfax Family Homes, single-family housing at scattered sites on

Colfax Road, East 72nd Street, Leavitt Court and Minnie Street, all in

Cleveland, Ohio.

Indexes: COMMUNICATIONS; OHIO HOUSE FINANCE AGENCY; WARD 05

Attachments: 1244-17-COMM-notice of intent to apply to OHFA by Bell Burten Carr for Colfax

1247-17 From Office of Equal Opportunity, City of Cleveland. City Resident

Utilization Report, October 2, 2017.

<u>Indexes:</u> COMMUNICATIONS; OFFICE OF EQUAL OPPORTUNITY; REPORTS

Attachments: 1247-17-COMM-OEO Oct 2017 City Resident Utilization Report

•The Ohio Division of Liquor Control

<u>1248-17</u> #91770650001. Transfer of Location Application, D1 D2 D3 D3A D6.

Usha Babu LLC, 1360 East 9th St. (Ward 3).

Indexes: LIQUOR PERMITS; WARD 03

1249-17 #2528651. Economic Development Transfer Application, D1 D2 D3

D3A D6. Scale Entertainment LLC, 7802-04 Carnegie Ave. (Ward 6).

Indexes: LIQUOR PERMITS; WARD 06

#52625700001. Transfer of Location Application, C2 C2X. Lorain

Avenue Super Mercabo, Inc., 12201 Lorain Ave. (Ward 16).

Indexes: LIQUOR PERMITS; WARD 16

#5870996. Transfer of License Application, D2 D2X D3 D3A D6.

Meet and Greet Bar & Grill LLC, 3251 East 134th St. (Ward 4).

Indexes: LIQUOR PERMITS; WARD 04

Plats

1241-17 Dedication Plat for Circle Drive, between Euclid Avenue and Mayfield

Road. Approved by Committees on Municipal Services and

Properties, and Development Planning and Sustainability. Without

objection, Plat approved.

Indexes: COMMUNICATIONS; PLATS; WARD 06

Attachments: 1241-17-COMM-Plat-Circle Drive

SPECIAL RESOLUTIONS

Condolence; Moment of Silence

1259-17 Condolence Resolution for Betty Jo Johnson

Sponsors: Blaine Griffin

Indexes: CONDOLENCES; WARD 06

1260-17 Condolence Resolution for Monty G. Warren

<u>Sponsors:</u> Zack Reed

Indexes: CONDOLENCES; WARD 02

1270-17 Condolence Resolution for Thomas M. Gibbons

Sponsors: Martin Keane

Indexes: CONDOLENCES; WARD 17

1271-17 Condolence Resolution for James F. Hoban, Jr.

Sponsors: Martin Keane

Indexes: CONDOLENCES; WARD 17

Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome

<u>1261-17</u> Congratulations Resolution for Jefferson D. "Tuffy" Tufts, Jr.

<u>Sponsors:</u> Anthony Brancatelli and Kenneth Johnson <u>Indexes:</u> CONGRATULATIONS; WARD 04; WARD 12 1262-17 Congratulations Resolution for Mount Sinai Baptist Church - 90th

Anniversary

Sponsors: Phyllis E. Cleveland

Indexes: CONGRATULATIONS; WARD 05

1263-17 Congratulations Resolution for Lessie (Barnes) Brown - 113th Birthday

Sponsors: Phyllis E. Cleveland

Indexes: CONGRATULATIONS; WARD 05

<u>1264-17</u> Congratulations Resolution for Erskine Cade

<u>Sponsors:</u> Kevin Kelley

Indexes: CONGRATULATIONS; WARD 13

1265-17 Congratulations Resolution for Patrick Criscuolo

<u>Sponsors:</u> Kevin Kelley

Indexes: CONGRATULATIONS; WARD 13

<u>1266-17</u> Congratulations Resolution for Letitia Lopez

Sponsors: Matt Zone

Indexes: CONGRATULATIONS; WARD 15

<u>1267-17</u> Appreciation Resolution for Jerome Brown

Sponsors: Terrell Pruitt

Indexes: APPRECIATION; WARD 01

<u>1268-17</u> Appreciation Resolution for Eileen Kelly

Sponsors: Matt Zone

Indexes: APPRECIATION; WARD 15

1269-17 Recognition Resolution for "Thomas R. and Louise Boddie Way" Street

Dedication

Sponsors: Kenneth Johnson

Indexes: RECOGNITION; WARD 04

PRESENTATIONS

FIRST READING LEGISLATION

• Emergency Ordinances Referred

1242-17 AN EMERGENCY ORDINANCE Authorizing the Director of Community

Development to apply for and accept a Clean Ohio Fund - Green Space Conservation Program grant from the Ohio Public Works

Commission for construction of the Morgana Bluff Nature Preserve and Learning Center; and authorizing the Director to enter into one or more contracts with the Boys & Girls Clubs of Cleveland, or its designee, to

implement the grant project.

Sponsors: Anthony Brancatelli, Kevin Kelley and By Departmental Request

Indexes: BOYS AND GIRLS CLUBS OF GREATER CLEVELAND; COMMUNITY

DEVELOPMENT: GRANTS

Attachments: 1242-17-FOR PASSAGE-EOrd-Ap & Ac Clean Ohio Grant for the Morgana Bluf

1242-17-A-FILE

1243-17 AN EMERGENCY ORDINANCE To vacate a portion of Southpoint

Drive S.W., Eglindale Avenue S.W., West 17th Street, West 22nd

Place and Ginger Court.

Sponsors: Brian Cummins, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By

Departmental Request

Indexes: CITY PLANNING COMMISSION; STREET VACATION; WARD 14

Attachments: 1243-17-EOrd-vacate a portion of Southpoint Drive

Ordinances Referred

<u>1256-17</u> AN ORDINANCE Changing the Use, Height and Area Districts of

parcels west of Pearl Road between Wildlife Way and Ardmore Avenue and adding an Urban Form Overlay and as identified on the attached

map (Map Change No. 2570).

<u>Sponsors:</u> Kevin Kelley

Indexes: CITY PLANNING COMMISSION; WARD 13; ZONING

Attachments: 1256-17-Ord-Zoning - Pearl b. Wildlife & Ardmore

1257-17 AN ORDINANCE Changing the Use, Height and Area District of a

parcel east of Ridge Road between I-71 and Associate Avenue as

identified on the attached map (Map Change No. 2574).

Sponsors: Kevin Kelley

Indexes: CITY PLANNING COMMISSION; WARD 13; ZONING

Attachments: 1257-17-Ord-Zoning - Ridge b I-71 and Associate

Emergency Resolutions Referred

1258-17 AN EMERGENCY RESOLUTION Urging the Cuyahoga County Council

to restore the 17 million dollars in the County Demolition Fund previously committed to eliminate blighted conditions in the City of

Cleveland and our region.

Sponsors: Anthony Brancatelli

Indexes: CUYAHOGA COUNTY; RESOLUTIONS - MISCELLANEOUS

Attachments: 1258-17-ERes-urging Cuyahoga County Council to restore 17 million demolition

• Emergency Resolutions Read in Full and Adopted

1252-17 AN EMERGENCY RESOLUTION Withdrawing objection to the renewal

of a C2 and C2X Liquor Permit at 4525 Turney Road and repealing

Resolution No. 990-16 objecting to said renewal.

Sponsors: Zack Reed

Indexes: LIQUOR PERMITS; WARD 02

Attachments: 1252-17-FOR ADOPTION-OBJ renewal-4525 Turney Rd

1253-17 AN EMERGENCY RESOLUTION Objecting to the transfer of ownership

of a D2, D2X, D3 and D3A Liquor Permit to 2317 Denison Avenue.

Sponsors: Anthony Brancatelli

Indexes: LIQUOR PERMITS; WARD 12

Attachments: 1253-17-FOR ADOPTION-ERes-OBJ-TRFO-2317 DENISON

<u>1254-17</u> AN EMERGENCY RESOLUTION Objecting to the transfer of liquor

license of a C2 and C2X Liquor Permit to 12201 Lorain Avenue.

<u>Sponsors:</u> Brian Kazy

Indexes: LIQUOR PERMITS; WARD 16

Attachments: 1254-17-FOR ADOPTION-ERes-OBJ-TRFL-12201 LORAIN

1255-17 AN EMERGENCY RESOLUTION Withdrawing objection to the transfer

of ownership of a C1 and C2 Liquor Permit at 3750 Martin Luther King, Jr. Boulevard, 1st floor and basement and repealing Resolution No.

467-17 objecting to said permit.

<u>Sponsors:</u> Zack Reed

Indexes: LIQUOR PERMITS; WARD 02

Attachments: 1255-17-FOR ADOPTION-ERes-WITHDRAWAL-3750 MLK

SECOND READING LEGISLATION

Emergency Ordinances Passed

625-17 AN EMERGENCY ORDINANCE To repeal Section 433.01 of the

Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 711-04, passed October 18, 2004; and to supplement the codified ordinances by enacting new Section 433.01 relating to driving or physical control while under the influence of alcohol or drugs, tests, presumptions, and penalties; and to repeal Section 433.011 of the codified ordinances, relating to intoxication, reckless operation and

speed.

Sponsors: Kevin Kelley

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT

Attachments: 625-17-EOrd-enacting Sects 433.01

1276-15 AN EMERGENCY ORDINANCE To supplement the Codified

Ordinances of Cleveland, Ohio, 1976, by amending Section 405.02, as amended by Ordinance No. 645-06, passed June 12, 2006 relating to

impounding vehicles.

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT; VEHICLES

<u>Attachments:</u> Ordinance-108630.docx

Amend 1276-15

Exec Summ - Ord No 1276-15 Amending Section 405.02 of CO Relating to Impu

<u>1278-15</u> AN EMERGENCY ORDINANCE To repeal various sections of Chapter

413 of the Codified Ordinances of Cleveland, Ohio, 1976 as amended by various ordinances; and to supplement the codified ordinances by enacting new Sections 413.01, 413.03, 413.04, and 413.05 and by amending Sections 413.07, 413.08 and 413.11; and to repeal Sections 413.031, 413.032 and 413.06 of the codified ordinances, relating to

traffic control devices.

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT; TRAFFIC COMMISSIONER

Attachments: Ordinance-108638.docx

Amend 1278-15

Exec Summ - Ord No 1278-15 Amending Various Sections of Chapter 413 of Ct

1281-15 AN EMERGENCY ORDINANCE To repeal various sections of Chapter

439 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to supplement the codified ordinances by enacting new sections 439.07, 439.09, 439.10, 439.13, 439.14, and 439.15; and by amending sections 439.01, 439.03, 439.06, and 439.11 as amended by various ordinances; and to repeal section 439.99 of the codified ordinances, relating to commercial and heavy

vehicles.

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT; VEHICLES

<u>Attachments:</u> Ordinance-108650.docx

Amend 1216-17

Exec Summ - Ord No 1281-15 Repealing and Amending Various Sections of Ch

1282-15 AN EMERGENCY ORDINANCE To repeal Section 483.06, as

amended by Ordinance No. 91-96, passed March 18, 1996 and to supplement the Codified Ordinances of Cleveland, Ohio, 1976 by enacting new Section 483.06 relating to prohibited riding positions on

watercraft

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT

<u>Attachments:</u> Ordinance-108654.docx

1283-15 AN EMERGENCY ORDINANCE To repeal various sections of Chapter

487 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances and to supplement the codified ordinances by enacting new Sections 487.05, 487.06, 487.07, 487.10 and 487.11 and by amending Section 487.09, as amended by Ordinance No.

91-96, passed March 18, 1996, relating to equipment.

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT

Attachments: Ordinance-108658.docx

Amend 1283-15

Exec Summ - Ord No 1283-15 Repeal-Amend Var Sect of Ch 487 of CO Relatir

AN EMERGENCY ORDINANCE To repeal various sections of Chapter

401 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended and enacted by various ordinances; and to supplement the codified ordinances by enacting new sections 401.03, 401.031, 401.041, 401.05, 401.081, 401.161, 401.171, 401.201, 401.202, 401.23, 401.25, 401.26, 401.261, 401.262, 401.263, 401.291, 401.331, 401.401, 401.402, 401.43, 401.481, 401.491, 401.531, 401.561, 401.67, 401.68, and 401.69; and by amending sections 401.04, 401.06, 401.07, 401.10, 401.14, 401.21, 401.61, 401.66 and 401.73 as amended by various ordinances; and to repeal section 401.101 of

the codified ordinances relating to traffic code definitions.

Indexes: CODIFIED ORDINANCES; TRAFFIC CODE; SAFETY DEPARTMENT

<u>Attachments:</u> 188-16-EOrd-repeal and amend and enact new sects in Chap 401 of CO relating

Amend 188-16

Exec Summ - Ord No 188-16 Repeal-Enact New Sections of Ch 401 of CO Rela

655-17 AN EMERGENCY ORDINANCE To repeal various sections of Chapter

437 of the Codified Ordinances of Cleveland, Ohio, 1976 as amended by various ordinances; and to supplement the codified ordinances by enacting new Sections 437.01 through 437.06, 437.10 through 437.14, 437.16 through 437.19, 437.21, 437.22, 437.24, 437.26, through

437.28, and 437.99 as amended by various ordinances, relating

vehicle safety and equipment.

<u>Sponsors:</u> Kevin Kelley

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT

Attachments: 655-17-cc-EOrd-section 437

Amend 655-17

Exec Summ - Ord No 655-17 Repeal-Enact New Sections of Ch 437 of CO Rela

656-17 AN EMERGENCY ORDINANCE To repeal various sections of Chapter

451 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances; and to supplement the codified ordinances by enacting new Sections 451.03, 451.04, 451.041, 452.24 and 451.27

relating to parking generally.

Sponsors: Kevin Kelley

Indexes: CODIFIED ORDINANCES; PARKING; SAFETY DEPARTMENT

Attachments: 656-17-cc-EOrd-section 451

Amend 656-17

Exec Summ - Ord No 656-17 Repeal-Enact New Sections of Ch 451 of CO Rela

657-17 AN EMERGENCY ORDINANCE To amend Sections 471.01 471.03,

471.05 and 471.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances relating pedestrians.

<u>Sponsors:</u> Kevin Kelley

<u>Indexes:</u> CODIFIED ORDINANCES; SAFETY DEPARTMENT

<u>Attachments:</u> 657-17-cc-EOrd-section 471

658-17 AN EMERGENCY ORDINANCE To repeal various sections of Chapter

473 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances and to supplement the codified ordinances by enacting new Sections 473.01 through 473.03, 473.05, 473.07 and

473.14, relating to bicycles and motorcycles.

Sponsors: Kevin Kelley

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT

<u>Attachments:</u> 658-17-cc-EOrd-section 473

659-17 AN EMERGENCY ORDINANCE To repeal sections 485.03 and

485.09 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 91-96, passed March 18, 1996 and to supplement the codified ordinances by enacting new Sections 485.03

and 485.09, relating to watercraft operation.

<u>Sponsors:</u> Kevin Kelley

Indexes: CODIFIED ORDINANCES; SAFETY DEPARTMENT

Attachments: 659-17-cc-EOrd-section 485

Amend 659-17

Exec Summ - Ord No 659-17 Repeal and Enact New Sections of Ch 485 of CO

726-17 AN EMERGENCY ORDINANCE To supplement the Codified

Ordinances of Cleveland, Ohio, 1976, by enacting new Sections 449.01 to 449.13 relating to snowmobiles, off-highway motorcycles, and all-purpose vehicles; and new Section 433.08 relating to trick or

stunt riding prohibited.

Sponsors: Frank Jackson, Matt Zone and Kevin Kelley

<u>Indexes:</u> CODIFIED ORDINANCES; SAFETY DEPARTMENT; VEHICLES

Attachments: 726-17-ps-EOrd-Enact 449 - ATV and 433.08

Amend 726-17

Exec Summ - Ord No 726-17 Enact New Sections of Ch 449 relating to snowmo

933-17 AN EMERGENCY ORDINANCE Authorizing the Director of Capital

Projects to issue a permit to Destination Cleveland to encroach into the public right-of-way within the Gordon Square Area by installing, using, and maintaining four way-finding signs, and electrical duct banks and a

permit to Studios at 78th Street, LLC to encroach into the public right-of-way within the Gordon Square Area by installing, using, and

maintaining one lantern art sculpture.

<u>Sponsors:</u> Matt Zone, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

Indexes: CAPITAL PROJECTS; PERMITS; ENCROACHMENTS; WARD 15

<u>Attachments:</u> 933-17-cap-EOrd-Encr - Destination Cleveland for Gordon Square for signs and

934-17 AN EMERGENCY ORDINANCE Authorizing the Director of Capital

Projects to issue a permit to Buray, LLC to encroach into the public right of way of West 25th Street by installing, using, and maintaining an

entrance canopy and a building projection.

<u>Sponsors:</u> Kerry McCormack, Kenneth Johnson, Anthony Brancatelli and By Departmental

Request

<u>Indexes:</u> CAPITAL PROJECTS; ENCROACHMENTS; PERMITS; WARD 03

Attachments: 934-17-cap-EOrd-Encr to Buray for canopy and building projection on W 25

1012-17 AN EMERGENCY ORDINANCE Authorizing the Directors of Public

Works and Finance to enter into agreement to enter into one or more contracts with the Cleveland Metropolitan School District to conduct educational, recreational and extracurricular programming through the use of Ward 13 Neighborhood Capital Funds, Neighborhood Equity Funds, Casino Revenue Funds and Neighborhood Development

Funds.

Sponsors: Kevin Kelley

Indexes: CONTRACTS; FINANCE DEPARTMENT; PUBLIC WORKS; WARD 13;

CLEVELAND METROPOLITAN SCHOOL DISTRICT

<u>Attachments:</u> 1012-12-cc-EOrd-CMSD Funding Ordinance Ward 13

1043-17 AN EMERGENCY ORDINANCE Designating Home Court from East

79th Street westerly to its terminus with a secondary and honorary

designation of "Gethsemane Baptist Church Way".

Sponsors: TJ Dow, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

<u>Indexes:</u> CAPITAL PROJECTS; CITY PLANNING COMMISSION; WARD 07; STREETS -

NAME

<u>Attachments:</u> 1043-17-cap-EOrd-Designate Home Court b. E 79 to end as Gethsemane Bapt

1044-17 AN EMERGENCY ORDINANCE Designating East 79th Street

between Chester Avenue and Hough Avenue with a secondary and

honorary designation of "Glenn T. Settle Way".

Sponsors: TJ Dow, Kenneth Johnson, Anthony Brancatelli and By Departmental Request

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

07

1044-17-cap-EOrd-Designate E 79 b. Chester and Hough as Glenn T Settle Wa Attachments:

1189-17 AN EMERGENCY ORDINANCE Authorizing the Director of Economic

> Development to enter into a Tax Increment Financing Agreement with KD Tower City LLC, or its designee, to provide financial assistance towards improvements to certain parcels in the Terminal Tower Building located at 50 Public Square and the North Park Garage located on Superior Avenue; to provide for payments to the Cleveland City School District; and to declare certain improvements to real

property to be a public purpose.

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

ECONOMIC DEVELOPMENT DEPARTMENT; TAX INCREMENT FINANCING (TIF)

; WARD 03

Attachments: 1189-17-ed-EOrd-TIF - KD Tower City for Tower City

1189-17-A-FILE

1213-17 AN EMERGENCY ORDINANCE To make additional appropriations of

Eight Million Dollars (\$8,000,000) in the General Fund for residential

and commercial demolitions.

Sponsors: Frank Jackson, Anthony Brancatelli and Kevin Kelley

APPROPRIATIONS; FINANCE DEPARTMENT; GENERAL FUND Indexes:

1213-17-fin-EOrd-2017 Supplemental, additional appropriations - demolition Attachments:

<u>1215-17</u> AN EMERGENCY ORDINANCE Authorizing the Mayor, or his

> designee, to enter into agreement with the National Forum of Black Public Administrators to host and sponsor the NFBPA Forum 2018 in Cleveland and authorizing various directors to accept grants and gifts, issue permits, or to enter agreements necessary to host and support

the Forum in Cleveland in 2018.

Sponsors: Frank Jackson and Kevin Kelley

Indexes: AGREEMENTS; GRANTS; NATIONAL FORUM OF BLACK PUBLIC

ADMINISTRATORS (NFBPA); MAYOR'S OFFICE

1215-17-mayor-EOrd-Ag w Host Committee for the 2018 NFBPA Forum Attachments:

1216-17 AN EMERGENCY ORDINANCE To amend Section 3 of Ordinance No.

299-14, passed April 28, 2014, as amended by Ordinance No. 246-17, passed June 5, 2017, relating to an agreement with Cuyahoga County for booking, housing, and other related services of City prisoners.

Sponsors: Matt Zone, Kevin Kelley and By Departmental Request

Indexes: AGREEMENTS; CUYAHOGA COUNTY; SAFETY DEPARTMENT

Attachments: 1216-17-ps-EOrd-Amend 299-14, Police and County care of prisoners, jail

Amend 1216-17

1216-17 To Amend Ord Nos 299-14 and 246-17 Relating to an Agreement with

• Emergency Resolutions Adopted

931-17 AN EMERGENCY RESOLUTION Declaring the intent to vacate a

portion of Grand Avenue S.E., East 64th Place and East 65th Street.

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

Request

<u>Indexes:</u> CITY PLANNING COMMISSION; STREET VACATION; WARD 05

<u>Attachments:</u> 931-17-cap-ERes-Int to vacate portion of Grand, E 64 and E 65

932-17 AN EMERGENCY RESOLUTION Declaring the intent to vacate a

portion of Washington Avenue.

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

Request

Indexes: CITY PLANNING COMMISSION; STREET VACATION; WARD 03

<u>Attachments:</u> 932-17-cap-ERes-Int to vacate portion of Washington

INTRODUCTIONS

ANNOUNCEMENTS

MISCELLANEOUS

MOTION TO EXCUSE THE ABSENCES

ADJOURN