

# Cleveland City Council

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



## Meeting Minutes

Monday, April 12, 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-266](#) Cleveland City Council Meeting Notice for April 12, 2021

**Attachments:** [Council Meeting Notice for 4-12-2021](#)

## CALL TO ORDER; ROLL CALL

2:34 p.m.

**Present** 16 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, 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

**Excused** 1 - Anthony T. Hairston

## MOMENT OF REFLECTION

## PLEDGE OF ALLEGIANCE

## DISPENSE WITH THE JOURNAL

### REPORTS AND COMMUNICATIONS

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

**Yea:** 16 - Basheer S. Jones, Jasmin Santana, Joseph T. Jones, 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

**Excused:** 1 - Anthony T. Hairston

### •The Ohio Division of Liquor Control

[235-2021](#) #4220854. New License Application, D3. Jalapenos Grill and Moore LLC, 6241 Broadway Ave. (Ward 5).

**Attachments:** [235-2021-COMMUNICATIONS-Liquor6241Broadway](#)

**This Communication was received and filed.**

[236-2021](#) #30612130025. New License Application, C1. GB License LLC, 3228 West 65th St. (Ward 14).

**Attachments:** [236-2021-2021-COMMUNICATIONS-Liquor3228West65th](#)

**This Communication was received and filed.**

[237-2021](#) #1890999. New License Application, D4. DA Legion 315 Buffalo Soldiers, 769 East 105th St. (Ward 9).

**Attachments:** [237-2021-COMMUNICATIONS-Liquor769East105th](#)

**This Communication was received and filed.**

[238-2021](#) #8922813. Transfer of License Application, C2X. 3945 West 130th Gas, Inc., 3945 West 130th St. (Ward 11).

**Attachments:** [238-2021-COMMUNICATIONS-Liquor3945West130th](#)

**This Communication was received and filed.**

### **SPECIAL RESOLUTIONS**

#### **Condolence; Moment of Silence**

[239-2021](#) Condolence Resolution for Thomas Edward Banks

**Sponsors:** Kevin Bishop

**This Ceremonial Resolution was read into the record.**

[255-2021](#) Condolence Resolution for Earl "DMX" Simmons

**Sponsors:** Basheer Jones

**This Ceremonial Resolution was read into the record.**

#### **Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome**

[240-2021](#) Congratulations Resolution for Vida Vest

**Sponsors:** Kevin Kelley

**This Ceremonial Resolution was read into the record.**

[241-2021](#) Congratulations Resolution for Mozell Collins - 100th Birthday

**Sponsors:** Brian Mooney

**This Ceremonial Resolution was read into the record.**

[242-2021](#) Recognition Resolution for National Arab American Heritage Month

**Sponsors:** Anthony Brancatelli

**This Ceremonial Resolution was read into the record.**

### **FIRST READING LEGISLATION**

**•Emergency Ordinances Referred**

[243-2021](#) AN EMERGENCY ORDINANCE To amend Section 50 of Ordinance No. 194-2021, passed March 29, 2021, relating to compensation for various classifications.

**Sponsors:** Kevin Kelley and By Departmental Request

**Attachments:** [243-2021-Amend Section 50 of payband, Muni Court](#)

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

[244-2021](#) AN EMERGENCY ORDINANCE Authorizing the Directors of Finance and Public Works to enter into one or more concession agreements for the operation of soft drink, candy, snack, and other vending machines throughout various parks and various City-owned and City-leased buildings, for a period not to exceed two years, with a one-year option to renew, exercisable by the Directors of Finance and Public Works; and to extend the existing concession agreements for a period up to six months or until such earlier time as new concession agreements are entered into under this ordinance.

**Sponsors:** Kevin Bishop, Kevin Kelley and By Departmental Request

**Attachments:** [244-2021-Concession ags for vending machines in City facilities \(2\)](#)

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

[245-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to issue one or more permits to East 12th Properties LLC to encroach into the public rights-of-way of Hamilton Avenue and East 12th Street by using and maintaining existing eaves and an existing canopy.

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

**Attachments:** [245-2021-Encr - East 12th Properties LLC - eaves a canopy on Hamilton E. 12th](#)

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

[246-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to enter into a grant agreement with West Denison Baseball Leagues, Inc. to provide free or reduced-cost recreational youth baseball and softball, including equipment if necessary, for a period of one year.

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

**Attachments:** [246-2021-Grant Ag with West Denison Baseball Leagues](#)

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

[247-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to execute a deed of easement granting to the Tamir Rice Foundation certain easement rights in property located at Cudell Commons, and declaring that the easement rights granted are not needed for the City's public use.

**Sponsors:** Brian Mooney, Jenny Spencer, Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:** [247-2021-Grant permanent easement to Tamir Rice Foundation at Cudell](#)

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

[248-2021](#) AN EMERGENCY ORDINANCE Approving the collective bargaining agreement with the International Longshoremen Association, Local 1317; and to amend Section 19 of Ordinance No. 194-2021, passed March 29, 2021, relating to compensation for various classifications.

**Sponsors:** Kevin Kelley and By Departmental Request

**Attachments:** [248-2021-Ratify CBA collective bargaining ag w Local 1317 Longshoremen, amend payband 19](#)  
[248-2021-A FILE - ratify CBA collective bargaining ag w Local 1317 Longshoremen, amend payband 19](#)

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

[249-2021](#) AN EMERGENCY ORDINANCE Authorizing the Clerk of Council to enter into an agreement with Recess Creative, LLC for a comprehensive redesign of the Cleveland City Council website and further authorizing the Clerk to enter into an agreement with Recess Creative, LLC for hosting, monitoring and maintenance of the completed redesigned website.

**Sponsors:** Kevin Kelley

**Attachments:** [249-2021-RecessCreative Ord 2021](#)

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

[250-2021](#) AN EMERGENCY ORDINANCE Authorizing the purchase by one or more requirement contracts of disposal of debris at landfills, transfer stations, or recycle/reclaim facility sites, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a term of two years.

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

**Attachments:** [Ord. No. 250-2021](#)

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

[251-2021](#) AN EMERGENCY ORDINANCE Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located in the vicinity of 5806 Woodland Avenue to the Board of Trustees of the Cleveland Public Library for purposes of renovating and expanding the Woodland Branch.

**Sponsors:** Phyllis E. Cleveland, Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By Departmental Request

**Attachments:** [Ord. No. 251-2021](#)

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

•Emergency Resolutions Read in Full and Adopted

[252-2021](#) AN EMERGENCY RESOLUTION Objecting to a New C1 Liquor Permit at 2747 Cedar Avenue.

**Sponsors:** Phyllis E. Cleveland

**Attachments:** [252-2021-FOR ADOPTION-OBJ-NEW-2747 CEDAR](#)

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

**Yea:** 15 - 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

**Excused:** 1 - Anthony T. Hairston

**Absent:** 1 - Joseph T. Jones

[253-2021](#) AN EMERGENCY RESOLUTION Objecting to a New D3 Liquor Permit at 6241 Broadway Avenue.

**Sponsors:** Phyllis E. Cleveland

**Attachments:** [253-2021-FOR ADOPTION-OBJ-NEW-6241 BROADWAY](#)

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

**Yea:** 15 - 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

**Excused:** 1 - Anthony T. Hairston

**Absent:** 1 - Joseph T. Jones

[254-2021](#) AN EMERGENCY RESOLUTION Objecting to a New C2 Liquor Permit at 10390 St. Clair Avenue.

**Sponsors:** Kevin Conwell

**Attachments:** [254-2021-FOR ADOPTION-OBJ-NEW-10390 ST. CLAIR](#)

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

**Yea:** 15 - 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

**Excused:** 1 - Anthony T. Hairston

**Absent:** 1 - Joseph T. Jones

## **SECOND READING LEGISLATION**

### **•Ordinances Passed**

[175-2021](#) AN ORDINANCE Establishing a seven (7) foot specific mapped setback along the west side of East 90th Street from Chester Avenue extending north to the southern property line of Permanent Parcel Number 119-09-036 (Map Change 2627).

**Sponsors:** Basheer Jones

**Attachments:** [175-2021-Zoning, Est. setback on E 90](#)  
[175-2021 - Presentation](#)

**A motion was made by Council Member Spencer, seconded by Council Member Polensek, that this Ordinance be approved. The motion carried by the following vote:**

**Yea:** 15 - 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

**Excused:** 1 - Anthony T. Hairston

**Absent:** 1 - Joseph T. Jones

[176-2021](#) AN ORDINANCE Establishing a seven (7) foot Specific Mapped Building Setback from the property line along East 73rd Street between St. Clair Avenue and Detour Avenue (Map Change 2621).

**Sponsors:** Anthony Hairston

**Attachments:** [176-2021-Zoning, establish setback o E 73 b. St Clair and Detour](#)  
[176-2021 - Presentation](#)

**A motion was made by Council Member Spencer, seconded by Council Member Polensek, that this Ordinance be approved. The motion carried by the following vote:**

**Yea:** 15 - 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

**Excused:** 1 - Anthony T. Hairston

**Absent:** 1 - Joseph T. Jones

**•Emergency Resolutions Adopted**



[234-2021](#) AN EMERGENCY RESOLUTION Strongly supporting Ohio Senate Concurrent Resolution No. 4 declaring racism a public health crisis and asking the Governor to establish a working group to promote racial equity in Ohio.

**Sponsors:** Kerry McCormack, Blaine Griffin and Anthony Hairston

**Attachments:** [234-2021-SCR4 racism health crisis state](#)

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

**Yea:** 15 - 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

**Excused:** 1 - Anthony T. Hairston

**Absent:** 1 - Joseph T. Jones

### **THIRD READING LEGISLATION**

#### **•Ordinances Passed**

[151-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Building and Housing to lease certain space located on the fourth floor and a portion of the first floor of 65-75 Erieview Plaza from Alto 55 Erieview, LLC, for a term not to exceed eight years, with two five-year options to renew, exercisable by the Director of Building and Housing for the public purpose of providing office and administrative spaces for use by the various divisions of the Department of Building and Housing; to accept gifts or grants for the purposes of this ordinance; and authorizing various written standard purchase and requirement contracts needed for movers, furniture, fixtures, equipment, and related office materials, including labor, materials, and installation, if necessary.

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

**Attachments:** [151-2021-Lease 65-75 Erieview from Alto 55 Erieview for Building and Housing](#)  
[151-2021 Executive Summary - Lease BH at 65-75 Erieview 2.23.21](#)

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

**Yea:** 10 - Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kenneth Johnson, Kerry McCormack, Kevin Conwell, Kevin Kelley, Phyllis E. Cleveland, Charles Slife, and Brian Mooney

**Nay:** 5 - Basheer S. Jones, Jasmin Santana, Brian Kazy, Michael Polensek, and Jenny Spencer

**Excused:** 1 - Anthony T. Hairston

**Absent:** 1 - Joseph T. Jones

**MISCELLANEOUS**

Council Members B. Jones and J. Jones made remarks.

**MOTION TO EXCUSE THE ABSENCES**

The absence of Council Member Hairston was excused.

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

**Yea:** 15 - 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

**Excused:** 1 - Anthony T. Hairston

**Absent:** 1 - Joseph T. Jones

**ADJOURN**

3:15 p.m.