



Cleveland City Council

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

Committee Calendar

City Council

Monday, March 18, 2019

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

[309-2019](#)

From Council President Kevin J. Kelley appointing, without objection of Cleveland City Council, Deputy Clerk Allan Dreyer as Clerk Pro Tempore from March 11, 2019, through March 14, 2019.

Attachments:

[309-2019-COMM-Clerk pro Temp 3-8-19](#)

[310-2019](#)

From Rachel Loewy, Assistant Director, Western Reserve Revitalization and Management Company, Inc. Notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development known as Riverside Park Phase III, 17800 Parkmount Avenue, Cleveland, Ohio.

Attachments:

[310-2019-COMM-Notice of intent by WRRMC to apply to OHFA for Riverside P](#)

[311-2019](#)

From Director Mary McNamara, Department of Aging, City of Cleveland. Notice of acceptance of a grant of \$2,200 from The Mt. Sinai Health Care Foundation to support 2019 Senior Day.

Attachments:

[311-2019-COMM-Notice of grant acceptance by Aging for Senior Day](#)

•The Ohio Division of Liquor Control

[312-2019](#)

#26312750340. New License Application, C2. Family Dollar Stores of Ohio, Inc., 8003 Broadway Ave. (Ward 12).

Attachments:

[312-2019-COMM-Liquor8003Broadway](#)

[313-2019](#) #45302820005. New License Application, C1. KDR Himalayan LLC, 14053 Lorain Ave. (Ward 16).

Attachments: [313-2019-COMM-Liquor14053Lorain](#)

[314-2019](#) #89421300005. New License Application, C1. Tink Holl Enterprises, Inc., 1735 East 36th St. (Ward 7).

Attachments: [314-2019-COMM-Liquor1735East36th](#)

[315-2019](#) #8695105. Transfer of Ownership Application, C1 C2 D6. Sun150 Corp., 15009 Puritas Ave. (Ward 16).

Attachments: [315-2019-COMM-Liquor15009Puritas](#)

[316-2019](#) #7569455. Transfer of Ownership Application, C1 C2 D6. RPM Spirits, Inc., 4071 Lee Rd. (Ward 1).

Attachments: [316-2019-COMM-Liquor4071Lee-trfo](#)

[317-2019](#) #7569455. Liquor Agency Contract. RPM Spirits, Inc., 4071 Lee Rd. (Ward 1).

Attachments: [317-2019-COMM-Liquor4071Lee-liquor agency contract](#)

[318-2019](#) #8219535. Transfer of Ownership Application, D1 D2 D3 D3A. Skeets Bar and Grill, Inc., 3551 East 93rd St. (Ward 6).

Attachments: [318-2019-COMM-Liquor3551East93rd](#)

SPECIAL RESOLUTIONS

Condolence; Moment of Silence

[345-2019](#) Condolence Resolution for Catherine Moon

Sponsors: Phyllis E. Cleveland

[346-2019](#) Condolence Resolution for Vivian Radford

Sponsors: Phyllis E. Cleveland

[347-2019](#) Condolence Resolution for Erma D. (Hayes) Walker-Hairston

Sponsors: Kevin Conwell

[348-2019](#) Condolence Resolution for Betty Jean McGhee

Sponsors: Kevin Conwell

[349-2019](#) Condolence Resolution for Carloyn Mae Siggers

Sponsors: Kenneth Johnson

[350-2019](#) Condolence Resolution for Kenneth McCormick Laster

Sponsors: Joseph Jones

[351-2019](#) Condolence Resolution for Emanuel Riley

Sponsors: Joseph Jones

[352-2019](#) Condolence Resolution for Craig A. Tame

Sponsors: Kevin Kelley

[353-2019](#) Condolence Resolution for Samuel H. Miller

Sponsors: Michael Polensek

359-2019 Condolence Resolution for Dezman Denzel Reeves

Sponsors: Anthony Hairston

360-2019 Condolence Resolution for Camilo Gabriel, Sr.

Sponsors: Jasmin Santana

Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome

[354-2019](#) Recognition Resolution for James M. Carter, Sr.

Sponsors: Kevin Conwell

[355-2019](#) Recognition Resolution for Yvonne Pointer

Sponsors: Kevin Conwell

[356-2019](#) Recognition Resolution for Ukrainian Bandurist Chorus

Sponsors: Kerry McCormack

[357-2019](#) Recognition Resolution for Carmen Valentin

Sponsors: Jasmin Santana

[358-2019](#) Welcome Resolution for Reverend Gloria Chaney

Sponsors: Kevin Kelley

PRESENTATIONS

FIRST READING LEGISLATION

•Emergency Ordinances Referred

[319-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Utilities to enter into one or more agreements with the Wyland Foundation, to accept the gift of restoration of the Wyland Whale Wall mural entitled "Song of Whales" located on the Cleveland Public Power Building at 5251 North Marginal Road.

Sponsors:

Anthony Hairston, Martin Keane, Kevin Kelley and By Departmental Request

Attachments:

[319-2019-EOrd-Accept gift of restoring Whale Mural from Wyland](#)

[320-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Finance to enter into one or more contracts with JIJ Communications for professional services necessary for the development, support, and management of communication and media strategies, and related services, for a period of one year, with one option to renew for an additional one-year period, exercisable by the Director of Finance.

Sponsors:

Kevin Kelley and By Departmental Request

Attachments:

[320-2019-EOrd-Dir K w JIJ Communications for communication and media serv](#)

[321-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with Rosenbauer Minnesota, LLC for the purchase, installation, and integration of up to four EMEREC Drivers Enhanced Vision Systems, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Sponsors:

Phyllis E. Cleveland, Kevin Kelley and By Departmental Request

Attachments:

[321-2019-EOrd-Dir Std K w Rosenbauer for EMEREC for driver enhanced visio](#)

[322-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Bear Diversified Properties, LLC, or its designee, to provide for tax abatement for certain real property improvements to assist with the renovations located at the facility located at 5900-6000 Harvard Avenue as part of the Northern Stamping expansion project in the Cleveland Area Enterprise Zone.

Sponsors:

Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments:

[322-2019-EOrd-ed-Entpr Zn - Bear Diversified PProperties](#)

[322-2019-A-FILE](#)

[323-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with 18901 Euclid Avenue, LLC, or its designee, to provide for tax abatement for certain real property improvements to assist with the renovations located at 18901 Euclid Avenue as part of the Dynamic Metal Services expansion project in the Cleveland Area Enterprise Zone.

Sponsors:

Anthony Hairston, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments:

[323-2019-EOrd-ed-Entpr Zn - Tax Abatement for 18901 Euclid](#)

[323-2019-A-FILE](#)

[324-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Sustainable Community Associates, LTD, or its designee, to support debt service related to the project and assist with the development of market rate apartments, retail space and residential parking; 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

Attachments:

[324-2019-EOrd-ed-TIF Agreement - Sustainable Community Associates LLC fo](#)

[324-2019-A-FILE](#)

[325-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Sustainable Community Associates, LTD, or its designee, located at 2703 Scranton Road 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 Blaine Griffin

Attachments:

[325-2019-EOrd-ed-TIF Chain of Title w Sustainable Community Associates for `](#)

[326-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to issue one or more permits to Cellco Partnership d/b/a Verizon Wireless to encroach into the public right-of-way at various locations in the City of Cleveland by installing, using, and maintaining small cell technology equipment, fiber optic cable to be attached to Cleveland Public Power, CEI or Traffic utility poles (by separate permission of pole owner) and duct banks and vaults.

Sponsors:

Kenneth Johnson, Anthony Brancatelli and By Departmental Request

Attachments:

[326-2019-EOrd-Encr - Verizon small cell at various locations](#)

[327-2019](#)

AN EMERGENCY ORDINANCE Approving the 2019-2033 Cuyahoga County Solid Waste Management Plan Update for the Cuyahoga County Solid Waste Management District.

Sponsors:

Kenneth Johnson, Kevin Kelley and By Departmental Request

Attachments:

[327-2019-EOrd-pw-App solid waste management plan](#)

[327-2019-A-File-Solid Waste Management Plan Update](#)

[328-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to enter into an agreement with the State of Ohio, Department of Transportation to maintain, repair, and plow the Jennings Freeway in exchange for road salt, for a period of two years, with three one-year options to renew, exercisable by the Director of Public Works.

Sponsors:

Kenneth Johnson, Kevin Kelley and By Departmental Request

Attachments:

[328-2019-EOrd-pw-K w ODOT to maintain Jennings Rd in exchange for salt](#)

[329-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to execute a deed of easement and two deeds of temporary easement granting to the Northeast Ohio Regional Sewer District certain easement rights in property needed for its London Road Relief Sewer Project; and declaring the easement rights not needed for the City's public use.

Sponsors:

Anthony Hairston, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments:

[329-2019-EOrd-pw-Sell temporary and permanent easement to NEORSD for Lc](#)

[330-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to execute a deed of easement and four deeds of temporary easement granting to the Northeast Ohio Regional Sewer District certain easement rights in property at Clark Field needed for NEORSD's West 3rd Quigley / Westerly (W3QW) Miscellaneous CSO Control Project; and declaring the easement rights not needed for the City's public use.

Sponsors:

Kerry McCormack, Kenneth Johnson, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments:

[330-2019-EOrd-pw-Sell temporary and permanent easement to NEORSD for W](#)

•Emergency Ordinances Read in Full and Passed

[331-2019](#)

AN EMERGENCY ORDINANCE Authorizing the issuance of a Mobile Permit to Yusef Fergany/Vivint Smarthome to engage in mobile vending in Ward 2.

Sponsors:

Kevin Bishop

Attachments:

[331-2019-FOR PASSAGE-EOrd-peddling permit for modile vending](#)
[331-2019-A-FILE](#)

•Ordinances Referred[339-2019](#)

AN ORDINANCE Changing the Use, Height and Area Districts of parcels along West 25th Street, Lorain Avenue and Gehring Avenue as identified on the attached map (Map Change No. 2592); subjecting such parcels to Section 333.02 of the Cleveland Zoning Code; and attaching the Approved Site Development Plan.

Sponsors:

Kerry McCormack

Attachments:

[339-2019-Ord-Harbor Bay](#)

•Emergency Resolutions Referred[340-2019](#)

AN EMERGENCY RESOLUTION Supporting the proposal that the jurisdiction of the Cleveland Housing Court be expanded to include felony environmental crimes and administrative appeals from the Cleveland Board of Zoning Appeals and Cleveland Board of Building Standards.

Sponsors:

Kevin Kelley

Attachments:

[340-2019-ERes-Hsq Ct felony jurisdiction](#)

[341-2019](#)

AN EMERGENCY RESOLUTION Supporting Governor DeWine's proposed 18 cent gas tax increase to fund road construction projects.

Sponsors:

Kevin Kelley

Attachments:

[341-2019-ERes-gas tax](#)

[343-2019](#)

AN EMERGENCY RESOLUTION Urging the Ohio General Assembly to implement a statewide Climate Action Plan to mitigate current effects and reduce future impacts of climate change based on scientific evidence.

Sponsors:

Matt Zone, Anthony Brancatelli, Joseph Jones and Frank Jackson

Attachments:

[343-2019-ERes-urging Climate Action Plan](#)

[344-2019](#) AN EMERGENCY RESOLUTION Supporting the application from Slavic Village Development Organization to the Cuyahoga Land Bank Brownfield Assessment Program for Vacant, Abandoned, and Tax-Foreclosed Properties for 5936 Ackley Rd., Cleveland, Ohio in Ward 12.

Sponsors: Anthony Brancatelli

Attachments: [344-2019-ERes-5936 Ackley](#)

•Emergency Resolutions Read in Full and Adopted

[332-2019](#) AN EMERGENCY RESOLUTION Objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4071 Lee Road, Unit 290, 1st floor.

Sponsors: Joseph Jones

Attachments: [332-2019-FOR ADOPTION-ERes-OBJ-TRFO-4071 LEE ROAD](#)

[333-2019](#) AN EMERGENCY RESOLUTION Objecting to the Liquor Agency Contract located at 4071 Lee Road, Unit 290, 1st floor.

Sponsors: Joseph Jones

Attachments: [333-2019-FOR ADOPTION-ERes-OBJ-LIQUOR AGENCY CONTRACT-4071 L](#)

[334-2019](#) AN EMERGENCY RESOLUTION Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3609 Community College Boulevard.

Sponsors: Phyllis E. Cleveland

Attachments: [334-2019-FOR ADOPTION-ERes-OBJ-TRFO-3609 COMMUNITY COLLEGE](#)

[335-2019](#) AN EMERGENCY RESOLUTION Objecting to the transfer of stock of a C1 and C2 Liquor Permit to 870 East 185th Street.

Sponsors: Michael Polensek

Attachments: [335-2019-FOR ADOPTION-ERes-OBJ-STOCK-870 EAST 185TH](#)

[336-2019](#) AN EMERGENCY RESOLUTION Objecting to a New C2 Liquor Permit at 8003 Broadway Avenue.

Sponsors: Anthony Brancatelli

Attachments: [336-2019-FOR ADOPTION-ERes-OBJ-NEW-8003 BROADWAY](#)

[337-2019](#) AN EMERGENCY RESOLUTION Objecting to the transfer of stock of a C1 and C2 Liquor Permit to 5741 Memphis Avenue.

Sponsors: Kevin Kelley

Attachments: [337-2019-FOR ADOPTION-ERes-OBJ-STOCK-5741 MEMPHIS](#)

[338-2019](#) AN EMERGENCY RESOLUTION Objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 4716 State Road, 1st floor and basement.

Sponsors: Kevin Kelley

Attachments: [338-2019-FOR ADOPTION-ERes-OBJ-TRFO-4716 STATE](#)

[342-2019](#) AN EMERGENCY RESOLUTION Supporting Ohio Senate Bill 37 that extends eligibility for and revises the Motion Picture Tax Credit; and urging the Senate to expand the maximum amount of credits that may be awarded annually to \$100 million.

Sponsors: Kevin Kelley, Michael Polensek and Blaine Griffin

Attachments: [342-2019-FOR ADOPTION-ERes-supporting SB 37 re Motion Picture Tax Cred](#)

SECOND READING LEGISLATION

•Emergency Ordinances Passed

[202-2019](#) AN EMERGENCY ORDINANCE Determining the method of making the public improvement of constructing the Water Pollution Control Pavement and Drainage Improvement Project Phase II at 12302 Kirby Avenue; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; and authorizing the director to apply for and accept any grants from any public or private entity, including but not limited to, the Northeast Ohio Regional Sewer District Green Infrastructure Grant Program funding.

Sponsors: Martin Keane, Kevin Kelley and By Departmental Request

Indexes: PUBLIC IMPROVEMENT CONTRACTS ; UTILITIES DEPARTMENT; WATER POLLUTION CONTROL DIVISION

Attachments: [202-2019-EOrd-PIK pavement and drainage imp project at 12302 Kirby, grants](#)
[202-2019 Exec. Summary - WPC Pavement and Drainage Improvement Project](#)

[203-2019](#) AN EMERGENCY ORDINANCE Determining the method of making the public improvement of constructing and installing replacement sewers and repairing and rehabilitating existing sewers and sewer connections, relining sewers, and constructing and repairing catch basins and manholes at various locations throughout the City on an as-needed basis; and authorizing the Director of Public Utilities to enter into one or more public improvement requirement contracts for the making of the improvement; and authorizing gifts, grants, or loans.

Sponsors: Martin Keane, Kevin Kelley and By Departmental Request

Indexes: PUBLIC IMPROVEMENT CONTRACTS ; UTILITIES DEPARTMENT; SEWERS

Attachments: [203-2019-EOrd-PIK Req K sewers citywide, gifts, grants, stormwater funding \(2](#)
[203-2019 Exec. Summary - Various Sewer Repair Requirement Contracts WP](#)

[252-2019](#)

AN EMERGENCY ORDINANCE To amend the title and Section 10 of Ordinance No. 422-18, passed May 14, 2018 relating to the East 185th Street and Marcella Road, Memphis Avenue, Henninger Road, Almira Avenue, and West 3rd Street area sewer replacements; and to supplement the ordinance by adding new Sections 8a. and 8b. relating to right-of-way acquisition and funding.

Sponsors:

Martin Keane, Kevin Kelley and By Departmental Request

Indexes:

NORTHEAST OHIO REGIONAL SEWER DISTRICT; PUBLIC IMPROVEMENT CONTRACTS ; UTILITIES DEPARTMENT; SEWERS

Attachments:

[252-2019-EOrd-Amend 422-18, E 185 & Marcella sewer](#)

[252-2019 Exec. Summary - Legislation Amendment 422-18Capital Improvemer](#)

[256-2019](#)

AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to employ one or more professional consultants to provide armed security services at the West Side Market Parking Lots during operational hours, for a period of one year, with two one-year options to renew, exercised by the Director of Public Works.

Sponsors:

Kenneth Johnson, Kevin Kelley and By Departmental Request

Indexes:

PUBLIC WORKS; PROFESSIONAL SERVICES CONTRACTS; WEST SIDE MARKET

Attachments:

[256-2019-EOrd-Prof Serv armed security services - West Side Market parking l](#)

[256-2019 Exec Summary](#)

[294-2019](#)

AN EMERGENCY ORDINANCE Authorizing the purchase by one or more requirement contracts of rock salt, for the Division of Streets, Department of Public Works, for a period of one year.

Sponsors:

Kenneth Johnson, Kevin Kelley and By Departmental Request

Indexes:

CONTRACTS; PUBLIC WORKS; STREETS DIVISION

Attachments:

[294-2019-EOrd-Req K rock salt \(5\) \(4\) \(2\)](#)

[294-2019 Exec Summary](#)

INTRODUCTIONS**ANNOUNCEMENTS****MISCELLANEOUS****MOTION TO EXCUSE THE ABSENCES****ADJOURN**