Cleveland City Council

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



Meeting Minutes

Monday, May 3, 2021

2:30 PM

This is the approximate start time; the meeting will start after the Finance Committee. This meeting will be conducted Virtual Meeting electronically; see meeting notice for public access.

City Council

<u>Item-280</u> Council Meeting Notice for May 3, 2021

Attachments: Council Meeting Notice for 5-3-2021

CALL TO ORDER; ROLL CALL

2:20 p.m.

Present 13 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael

Polensek, Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused 1 - Jasmin Santana

Absent 3 - Joseph T. Jones, Kenneth Johnson, and Charles Slife

MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

DISPENSE WITH THE JOURNAL

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian Mooney, and Jenny Spencer

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Kenneth Johnson, Charles Slife, and Delores L. Gray

REPORTS AND COMMUNICATIONS

•Resignation of Ward 5 Council Member

325-2021 From Phyllis E. Cleveland. Resignation for the office of Ward 5

Cleveland City Council Member.

<u>Attachments:</u> 325-2021-COMMUNICATIONS-Phyllis Cleveland Resignation

This Communication was received and filed.

Appointment and Swearing-In of New Ward 5 Council Member

<u>Item-283</u> Motion to Appoint Ward 5 Council Member

Attachments: Motion to fill Ward 5 Council Member vacancy

A motion was made by Council Member Griffin, seconded by Council Member McCormack, that this Item be presented. The motion carried by the following vote:

Yea: 12 - Anthony T. Hairston, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek,

Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Basheer S. Jones, Joseph T. Jones, Kenneth Johnson, and Charles Slife

326-2021 Oath of Office for Delores L. Gray, Ward 5 Cleveland City Council

Member.

Attachments: 326-2021-COMMUNICATIONS-Oath of Office for Delores Gray, Ward

5 Council Member

This Communication was received and filed.

Communications

292-2021 Oath of Office for Carla Ellis, Commander of Bureau of

Communication and Property of Division of Police, Department of

Public Safety, City of Cleveland.

Attachments: 292-2021-COMMUNICATIONS-Oath of Office-Carla Ellis

This Communication was received and filed.

293-2021 Oath of Office for Daniel M. Fay, Deputy Chief of Police for

Administration and Operations of Division of Police, Department of

Public Safety, City of Cleveland.

Attachments: 293-2021-COMMUNICATIONS-Oath of Office-Daniel Fay

This Communication was received and filed.

294-2021 Oath of Office for Mark T. Maguth, Commander of Bureau of Human

Resources of Division of Police, Department of Public Safety, City of

Cleveland.

Attachments: 294-2021-COMMUNICATIONS-Oath of Office-Mark Maguth

This Communication was received and filed.

295-2021 From Director Mary McNamara, Department of Aging, City of

Cleveland. Notification of grant acceptance of \$5,000 from Greater Cleveland Food Bank for the Economic Security Program to deliver

enhanced services.

Attachments: 295-2021-COMMUNICATIONS-Grant accept notification fr Dept Aging

for Econ Security Program

This Communication was received and filed.

296-2021 Oath of Office for Michael Butler, Commander of First District,

Division of Police, Department of Public Safety, City of Cleveland.

Attachments: 296-2021-COMMUNICATIONS-Oath of Office-Michael Butler

This Communication was received and filed.

297-2021 Oath of Office for Gordon L. Holmes, Commissioner of Bureau of

Traffic, Division of Police, Department of Public Safety, City of

Cleveland.

Attachments: 297-2021-COMMUNICATIONS-Oath of Office-Gordon Holmes

This Communication was received and filed.

SPECIAL RESOLUTIONS

Condolence; Moment of Silence

319-2021 Condolence Resolution for Elizabeth "Toot" Harris

Sponsors: Blaine Griffin

This Ceremonial Resolution was read into the record.

320-2021 Condolence Resolution for Harry Lee Winfield

Sponsors: Blaine Griffin

This Ceremonial Resolution was read into the record.

<u>321-2021</u> Condolence Resolution for Iylene Shirley Brooks

Sponsors: Basheer Jones

This Ceremonial Resolution was read into the record.

327-2021 Condolence Resolution for Bryson Gray

Sponsors: Kevin Kelley

This Ceremonial Resolution was read into the record.

328-2021 Condolence Resolution for Rosemary Williams

Sponsors: Blaine Griffin

This Ceremonial Resolution was read into the record.

Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome

322-2021 Congratulations Resolution for Police Officer Michael F. Veltre, #1194

Sponsors: Charles Slife

This Ceremonial Resolution was read into the record.

323-2021 Recognition Resolution for Thione Niang

Sponsors: Basheer Jones

This Ceremonial Resolution was read into the record.

324-2021 Recognition Resolution for John Heisman Historical Landmark

Sponsors: Kerry McCormack

This Ceremonial Resolution was forwarded without recommendation.

FIRST READING LEGISLATION

Emergency Ordinances Referred

298-2021 AN EMERGENCY ORDINANCE Giving consent of the City of

Cleveland to the Director of Transportation of the State of Ohio for improving West Franklin Boulevard from West 85th Street to West 25th Street; to apply for and accept any gifts or grants from any public or private entity; authorizing the Director of Capital Projects to enter into any relative agreements; and causing payment of the City's

share to the State for the cost of the improvement.

<u>Sponsors:</u> Jenny Spencer, Kerry McCormack, Kevin Bishop, Anthony Brancatelli, Kevin Kelley

and By Departmental Request

Attachments: 298-2021-Consent w ODOT for Franklin Boulevard

This Emergency Ordinance was read and referred to administrative review.to

the City Council

299-2021 AN EMERGENCY ORDINANCE Authorizing the issuance and sale of

one or more series of general obligation refunding bonds to refund currently outstanding general obligation bonds of the City to obtain debt service savings or restructure the City's outstanding debt and

authorizing and approving related matters.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: 299-2021-2021 GO bond refunding

This Emergency Ordinance was read and referred to administrative review.to

300-2021 AN EMERGENCY ORDINANCE Authorizing the issuance and sale of

one or more series of subordinate lien income tax refunding bonds to refund currently outstanding general obligation and subordinate lien income tax bonds of the City to obtain debt service savings or

restructure the City's outstanding debt and authorizing and

approving related matters.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: 300-2021-2021 SLIT bond refunding

This Emergency Ordinance was read and referred to administrative review.to

the City Council

301-2021 AN EMERGENCY ORDINANCE Authorizing the issuance and sale of

water revenue obligations to refund outstanding water revenue obligations; authorizing agreements related to the obligations; and

authorizing and approving related matters.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: 301-2021-2021 Water bond refunding

This Emergency Ordinance was read and referred to administrative review.to

the City Council

302-2021 AN EMERGENCY ORDINANCE To amend Sections 48 and 49 of

Ordinance No. 194-2021, passed March 29, 2021, as amended,

relating to compensation for various classifications.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: 302-2021-Amend Sections 48 and 49 of payband

This Emergency Ordinance was read and referred to administrative review.to

the City Council

303-2021 AN EMERGENCY ORDINANCE Authorizing the Director of Finance

to apply for and accept any eligible funding from the U.S. Department of the Treasury authorized under the American Rescue Plan Act, including but not limited to, reimbursing the City for any revenue losses in any given year from 2020-2024 and for any additional

expenses incurred related to the COVID-19 pandemic.

Sponsors: Frank Jackson

Attachments: 303-2021-American Rescue Plan funding, Covid

This Emergency Ordinance was read and referred to administrative review.to

304-2021 AN EMERGENCY ORDINANCE Authorizing the Director of Port

Control to consent to the assignment of Lease By Way of Concession No. 56693 from Specialty Restaurants Corporation to UCG KAGS TGDFaB, LLC; and authorizing the director to enter into an Amendment to the assigned contract regarding certain terms.

Sponsors: Charles Slife, Kevin Kelley and By Departmental Request

<u>Attachments:</u> 304-2021updated-Assign Lease w Specialty Restaurants for 100th

Bomber Group Restaurant

This Emergency Ordinance was read and referred to administrative review.to

the City Council

305-2021 AN EMERGENCY ORDINANCE Authorizing the Mayor and the

Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Mavrek Schiff Ventures LLC, or its designee, located at 2461 West 25th Street 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 for the TREO Development Project.

<u>Sponsors:</u> Kerry McCormack, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: 305-2021-Enter into chain of title TREO

This Emergency Ordinance was read and referred to administrative review.to

the City Council

306-2021 AN EMERGENCY ORDINANCE To supplement the Codified

Ordinances of Cleveland, Ohio, 1976, by amending Section 135.071, as amended by Ordinance No. 1188-12, passed September 7, 2012

related to maximum age for original appointment to the Divisions of

Police and Fire.

Sponsors: Basheer Jones and Jenny Spencer

Attachments: 306-2021-fire fighter age change

This Emergency Ordinance was read and referred to administrative review.to

307-2021 AN EMERGENCY ORDINANCE Authorizing the purchase by one or

more contracts for Cisco SMARTnet services which provide support and maintenance of the Division of Water's call center network hardware and equipment and other Cisco equipment, for the Division of Water, Department of Public Utilities, for a period of two years.

Sponsors: Brian Kazy, Kevin Kelley and By Departmental Request

<u>Attachments:</u> 307-2021-K for support and maintenance of Cisco SmartNet

equipment, PU

This Emergency Ordinance was read and referred to administrative review.to

the City Council

308-2021 AN EMERGENCY ORDINANCE Authorizing the Director of Public

Utilities to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the City of Cleveland Youth Summer Employment Program and authorizing one or more contracts with public entities, individuals, or communities for purposes of implementing the program, for a period of one year, with a one-year option to renew, exercisable by the

Director of Public Utilities.

Sponsors: Brian Kazy, Kevin Kelley and By Departmental Request

Attachments: 308-2021-K w Youth Opportunites Unlimited YOU - youth summer

employment - PU (GJB comments)

This Emergency Ordinance was read and referred to administrative review.to

the City Council

309-2021 AN EMERGENCY ORDINANCE Authorizing the Director of Public

Works to enter into a license agreement with the Board of Trustees of the Cleveland Public Library, to use and occupy City-owned property, for the installation of prebuilt StoryWalk station stands, and for ongoing use and maintenance of StoryWalk station stands at Frank Novak Park, adjacent to the Carnegie West Branch Library, for an initial term of three years and automatically renewing year to year

unless terminated by either party.

Sponsors: Kerry McCormack, Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By

Departmental Request

Attachments: 309-2021-License Ag w CPL to install storywalks in Frank Novak Park

near Woodland Library Branch perpetual jdd

This Emergency Ordinance was read and referred to administrative review.to

310-2021 AN EMERGENCY ORDINANCE Authorizing the Director of Port

Control to employ one or more professional consultants to enter into one or more management agreements to provide maintenance, operation and management services for City-owned parking lots located in North Coast Harbor, for a period of five years, with one option to renew for an additional five-year period, which shall require

additional legislative authority.

Sponsors: Charles Slife, Kevin Kelley and By Departmental Request

Attachments: 310-2021updated-Prof Serv for management of parking at North Coast

Harbor facilities

This Emergency Ordinance was read and referred to administrative review.to

the City Council

• Emergency Ordinances Read in Full and Passed

311-2021 AN EMERGENCY ORDINANCE Authorizing the Director of

Community Development to enter into agreement with Metro West Community Development Organization for the Brooklyn Centre and Jones Home Historic Districts Marketing and Signage Program

through the use of Ward 14 Casino Revenue Funds.

Sponsors: Jasmin Santana

<u>Attachments:</u> 311-2021-FOR PASSAGE-Ordinance Ward 14 Marketing and Signage

Program Metro West

A motion was made by Council Member Griffin, seconded by Council Member Brancatelli, that this Emergency Ordinance be approved. The motion carried

by the following vote:

Yea: 13 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 3 - Joseph T. Jones, Kenneth Johnson, and Charles Slife

Emergency Resolutions Referred

312-2021 AN EMERGENCY RESOLUTION Strongly supporting the request by

four Ohio lawmakers to Attorney General Merrick Garland to

re-open the investigation into the police shooting and killing of Tamir Rice in 2014, and likewise calling upon Attorney General Garland to

re-open the investigation.

Sponsors: Kevin Conwell and Jenny Spencer

Attachments: 312-2021-reopen Tamir Rice investigation

This Emergency Resolution was read and referred to administrative review.to

Emergency Resolutions Read in Full and Adopted

313-2021 AN EMERGENCY RESOLUTION Objecting to a New D₃A Liquor

Permit at 6625 Denison Avenue and patio.

Sponsors: Jasmin Santana

Attachments: 313-2021-FOR ADOPTION-OBJ-6625 DENISON-NEW

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian

Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Anthony Brancatelli, Kenneth Johnson, and Charles Slife

314-2021 AN EMERGENCY RESOLUTION Objecting to the transfer of

ownership of a D1, D2 and D3 Liquor Permit to 6625 Denison Avenue

and patio.

Sponsors: Jasmin Santana

Attachments: 314-2021-FOR ADOPTION-OBJ-6625 DENISON-TRFO

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian

Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian

Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Anthony Brancatelli, Kenneth Johnson, and Charles Slife

315-2021 AN EMERGENCY RESOLUTION Objecting to a New C1 Liquor

Permit at 7527 Union Avenue.

Sponsors: Blaine Griffin

Attachments: 315-2021-FOR ADOPTION-OBJ-NEW-7527 UNION

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian

Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Anthony Brancatelli, Kenneth Johnson, and Charles Slife

316-2021 AN EMERGENCY RESOLUTION Objecting to a New D3A Liquor

Permit at 7934 Lorain Avenue.

Sponsors: Jenny Spencer

Attachments: 316-2021-FOR ADOPTION-OBJ-NEW-7934 LORAIN AVENUE

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian

Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Anthony Brancatelli, Kenneth Johnson, and Charles Slife

317-2021 AN EMERGENCY RESOLUTION Objecting to the transfer of

ownership of a C1 and C2 Liquor Permit to 6405 Fleet Avenue, 1st

floor.

Sponsors: Anthony Brancatelli

Attachments: 317-2021-FOR ADOPTION-OBJ-TRFO-6405 FLEET

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Anthony Brancatelli, Kenneth Johnson, and Charles Slife

318-2021 AN EMERGENCY RESOLUTION Withdrawing objection to a New D3

Liquor Permit at 6241 Broadway Avenue and repealing Resolution

No. 253-2021 objecting to said permit.

Sponsors: Kevin Kelley

Attachments: 318-2021updated-FOR ADOPTION-WITHDRAWAL-NEW-6241

BROADWAY

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian

Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Anthony Brancatelli, Kenneth Johnson, and Charles Slife

SECOND READING LEGISLATION

Emergency Ordinances Passed

279-2021 AN EMERGENCY ORDINANCE Authorizing the Director of Finance

to enter into an agreement with the Doerrer Group LLC for federal lobbying services for the City of Cleveland, for a period of one year, with one option to renew for an additional one-year period.

with one option to renew for an additional one-year period,

exercisable by the Director of Finance.

Sponsors: Kevin Kelley and By Departmental Request

<u>Attachments:</u> 279-2021-K w Doerrer Group for federal lobbying - citywideying

services- citywide

279-2021 Exec. Summary - 2021 Federal lobbying svc The Doerrer

Group LLC

A motion was made by Council Member Griffin, seconded by Council Member Kazy, that this Emergency Ordinance be approved. The motion carried by the

following vote:

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Brian

Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian

Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Anthony Brancatelli, Kenneth Johnson, and Charles Slife

Ordinances Passed

217-2021 AN ORDINANCE Establishing an Urban Form Overlay on the

Chester Avenue frontage of Permanent Parcel Number 118-10-042

(Map Change 2629).

Sponsors: Basheer Jones

Attachments: 217-2021-Zoning establish Urban Form Overlay on Chester

A motion was made by Council Member Griffin, seconded by Council Member Brancatelli, that this Ordinance be approved. The motion carried by the

following vote:

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Blaine A. Griffin, Anthony Brancatelli,

Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek,

Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Kevin L. Bishop, Kenneth Johnson, and Charles Slife

220-2021 AN ORDINANCE Changing the Use, Area and Height Districts of

parcels of land north and south of Harvard Avenue between slightly west of East 71st Street to Ottawa Road and east and west of East 71st Street between Indiana Avenue and Clement Avenue (Map

Change 2624).

Sponsors: Anthony Brancatelli

Attachments: 220-2021-Zoning - E 71st

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek,

Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Kevin L. Bishop, Kenneth Johnson, and Charles Slife

221-2021 AN ORDINANCE Changing the Use, Area and Height Districts of

parcels of land west of the Pennsylvania Railroad and north and south of Harvard Avenue between East 76th Street and the Pennsylvania

Railroad (Map Change 2625).

Sponsors: Anthony Brancatelli

<u>Attachments:</u> 221-2021-Zoning - W of Pennsylvania Railroad

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

Yea: 12 - Anthony T. Hairston, Basheer S. Jones, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 4 - Joseph T. Jones, Kevin L. Bishop, Kenneth Johnson, and Charles Slife

MISCELLANEOUS

Council Members Brancatelli, B. Jones, Kazy, Polensek, Conwell, Hairston and Spencer made remarks.

MOTION TO EXCUSE THE ABSENCES

The absence of Council Member Santana was excused. [Council Member Johnson has been suspended from Council Member duties.]

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

Yea: 13 - Anthony T. Hairston, Basheer S. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Jasmin Santana

Absent: 3 - Joseph T. Jones, Kenneth Johnson, and Charles Slife

ADJOURN

3:03 p.m.