Cleveland City Council

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



Meeting Minutes

Monday, May 10, 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-288</u> Cleveland City Council Meeting Notice for May 10, 2021

Attachments: Council Meeting Notice for 5-10-2021

CALL TO ORDER; ROLL CALL

3:34 p.m.

Present 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael

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

Excused 1 - Basheer S. Jones

Absent 2 - Joseph T. Jones, and Kenneth Johnson

MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

DISPENSE WITH THE JOURNAL

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

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and Delores L. Gray

Excused: 1 - Basheer S. Jones

Absent: 2 - Joseph T. Jones, and Kenneth Johnson

REPORTS AND COMMUNICATIONS

Communications

329-2021 From Leah Short, Government, Communications & International

Affairs Assistant, Office of the Mayor, City of Cleveland. Mayor's nominations for board and commission appointments to Cleveland City Planning Commission, Cleveland Landmarks Commission and Greater Cleveland Regional Transit Authority (RTA) Board of

Trustees.

<u>Attachments:</u> 329-2021-COMMUNICATIONS-Mayor's Appointments to Boards and

Commissions 5-5-2021

This Communication was received and filed.

•The Ohio Division of Liquor Control

332-2021 #3176023. New License Application, D3A. Giappone LLC, 2079 East

4th St. (Ward 3).

Attachments: 332-2021-COMMUNICATIONS-Liquor2079East4th

This Communication was received and filed.

<u>347-2021</u> #5043151. New License Application, D3. Fiyah Group LLC, 1253

East 55th St. (Ward 10).

Attachments: 347-2021-COMMUNICATIONS-Liquor1253East55th

This Communication was received and filed.

<u>348-2021</u> #4273200. Transfer of Ownership Application, C1 C2 D6.

Jeeyamanya, Inc., 3519 West 117th St. (Ward 11).

Attachments: 348-2021-COMMUNICATIONS-Liquor3519West117th

This Communication was received and filed.

<u>349-2021</u> #81775680005. Transfer of License Application, D1 D2 D3 D3A D6.

Simply Fresh Market LLC, 101 W. St. Clair Ave. (Ward 3).

Attachments: 349-2021-COMMUNICATIONS-Liquor101WStClair

This Communication was received and filed.

#5004305. Transfer of License Application, D1 D2 D3 D3A. Land

Mart, Inc., 13813 Lorain Ave. (Ward 16).

Attachments: 350-2021-COMMUNICATIONS-Liquor13813Lorain

This Communication was received and filed.

351-2021 #8735855. Transfer of License Application, D5 D6. Sweet Pork

Wilson LLC, 11634 Madison Ave. (Ward 15).

Attachments: 351-2021-COMMUNICATIONS-Liquor11634Madison

This Communication was received and filed.

352-2021 #0251460. Transfer of Ownership Application, C1 C2. Ascendance

Acquisitions LLC, 3691 West 105th St. (Ward 11).

Attachments: 352-2021-COMMUNICATIONS-Liquor3691West105th

This Communication was received and filed.

SPECIAL RESOLUTIONS

Condolence; Moment of Silence

353-2021 Condolence Resolution for Pearl May

Sponsors: Kevin Bishop

This Ceremonial Resolution was read into the record.

FIRST READING LEGISLATION

• Emergency Ordinances Referred

330-2021 AN EMERGENCY ORDINANCE Approving the addition of certain

property to the Northeast Ohio Advanced Energy District; accepting and approving a petition and plan from a property owner in the District identifying a special energy improvement project; declaring it necessary to conduct the special energy improvement project:

necessary to conduct the special energy improvement project; providing for the assessment of the cost of such special energy improvement project; and authorizing the Director of Economic Development to enter into an Energy Project 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

Attachments: 330-2021-Addition of property at 2831 Franklin into the NE Ohio

Advanced Energy District, Cleveland Rocks

330-2021-A-FILE - Addition of property at 2831 Franklin into the NE

Ohio Advanced Energy District, Cleveland Rocks

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

the City Council

331-2021 AN EMERGENCY ORDINANCE To amend Section 2 of Ordinance No

708-17, passed July 12, 2017, as amended, relating to a grant from the Ohio Office of Criminal Justice Services for the 2016 Ohio Drug

Law Enforcement Fund grant program.

Sponsors: Blaine Griffin, Kevin Kelley and By Departmental Request

<u>Attachments:</u> 331-2021-Amend 708-17 re FY 16 Ohio Department Law Enforcement

grant

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

the City Council

333-2021 AN EMERGENCY ORDINANCE Authorizing the Mayor to apply to

the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of South Moreland, Shaker Square and North Moreland; to apply for and accept gifts and grants 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; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements necessary to

Sponsors: Blaine Griffin, Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By Departmental

Request

Attachments: 333-2021-Ap Ac Issue 1 funding for North Moreland Shaker Square

South Moreland

make the improvements.

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

the City Council

334-2021 AN EMERGENCY ORDINANCE Authorizing the Mayor to apply to

the District One Public Works Integrating Committee for state funding for the rehabilitation of portions of East 79th Street; to apply

for and accept gifts and grants 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 improvement; and 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 improvement.

Sponsors: Blaine Griffin, Delores Gray, Basheer Jones, Kevin Bishop, Anthony Brancatelli,

Kevin Kelley and By Departmental Request

Attachments: 334-2021-Ap Ac Issue 1 funding for East 79th

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

the City Council

335-2021 AN EMERGENCY ORDINANCE Authorizing the Mayor to apply to

the District One Public Works Integrating Committee and accept funding for the rehabilitation of East 140th Street from St. Clair Avenue to Lakeshore Boulevard; authorizing the Director of Capital Projects (Director) to apply for and accept gifts, grants, and other funding and to enter into one or more professional service contracts; authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements; giving consent of the City of Cleveland to the Ohio Director of Transportation for the improvement and authorizing the Director to enter into Local Project Administration Agreements with the State of Ohio; and cause payment to the State of Ohio for the

City's share of the improvement.

Sponsors: Michael Polensek, Anthony Hairston, Kevin Bishop, Anthony Brancatelli, Kevin

Kelley and By Departmental Request

Attachments: 335-2021-Ap Ac Issue 1 funds for East 140th Street

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

the City Council

336-2021 AN EMERGENCY ORDINANCE Giving consent of the City of

Cleveland to the Director of Transportation of the State of Ohio for improving Brookpark Road from West 130th Street to the Brooklyn West Corporation Line half in the City of Cleveland and from Ridge Road to the East Corporation Line half in the City of Cleveland; authorizing relative agreements; authorizing cooperative agreements with affected communities; and causing payment of the City's share to

the State for the cost of the improvement.

Sponsors: Brian Kazy, Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By Departmental

Request

Attachments: 336-2021-Consent w ODOT to improve Brookpark Road inquiry

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

the City Council

337-2021 AN EMERGENCY ORDINANCE Authorizing the Director of City

Planning to enter into an amendment to Contract No. PS 2019-138, as amended, with Code Studio, Inc. to extend the term of the contract for six months to provide additional engagement activities for the Form-Based Zoning pilot initiative and for review of draft code

elements.

Sponsors: Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: 337-2021-Extend K w Code Studio and provide additional services

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

338-2021 AN EMERGENCY ORDINANCE Authorizing the Director of Public

Works to enter into a property adoption agreement with North Park Place Partners LLC, or its designee, to improve and maintain a portion of Ambler Park, adjacent to a new housing development located at the northwest corner of Stokes Boulevard and Martin

Luther King, Jr. Drive.

Sponsors: Blaine Griffin, Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By Departmental

Request

Attachments: 338-2021-Property adoption ag w North Place Partners for for Ambler

and Park Place

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

the City Council

339-2021 AN EMERGENCY ORDINANCE Authorizing the Director of Public

Utilities to enter into various written standard purchase and requirement contracts to provide infrastructure equipment to support redundant network connectivity and security enhancements, including labor and materials if necessary, for the Divisions of Water, Cleveland Public Power, and Waste Pollution Control, Department of

Public Utilities, for a period of one year.

Sponsors: Brian Kazy, Kevin Kelley and By Departmental Request

Attachments: 339-2021-Reg and Std K for infrastructure equipment to support

redundant network and security enhancements, PU

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

the City Council

340-2021 AN EMERGENCY ORDINANCE Authorizing the Director of the

Department of Community Development to enter into an agreement with the Famicos Foundation for the Senior Home Repair Program

through the use of Ward 1 Casino Revenue Funds.

<u>Sponsors:</u> Joseph Jones

<u>Attachments:</u> 340-2021-Ward 1 Senior Home Repair Program Ordinance

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

the City Council

341-2021 AN EMERGENCY ORDINANCE Authorizing the Director of the

Department of Community Development to enter into an agreement with Westown Community Development Corporation for the Fifty-Fifty Home Repair Program to provide home repair assistance

to Cleveland residents through the use of Ward 11 Neighborhood

Equity Funds.

Sponsors: Brian Mooney

Attachments: 341-2021-Ward 11 Fifty-Fifty Home Repair Ordinance

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

the City Council

• Emergency Ordinances Read in Full and Passed

342-2021 AN EMERGENCY ORDINANCE Amending the Title and Sections 1

and 2 of Ordinance No. 283-2021 passed April 26, 2021 as it pertains to authorizing the Director of the Department of Aging to enter into an agreement with Famicos Foundation for the Senior Lawn Care Program through the use of Wards 1, 7 and 10 Casino Revenue

Funds.

Sponsors: Anthony Hairston

Attachments: 342-2021-FOR PASSAGE-Amendment 2021 Famicos Senior Lawn

Care Ordinance 2020 Ward 1 and 7

A motion was made by Council Member McCormack, seconded by Council Member Bishop, that this Emergency Ordinance be approved. The motion

carried by the following vote:

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

343-2021 AN EMERGENCY ORDINANCE Amending Section 2 of Ordinance

No. 594-2020 passed July 29, 2020 as it pertains to authorizing the Director of the Department of Public Works to enter into an agreement with the Cleveland Metroparks for the Villa Angela Park Swimming Beach Project through the use of Ward 8 Casino Revenue

Funds.

Sponsors: Michael Polensek

Attachments: 343-2021-FOR PASSAGE-Amendment Cleveland Metroparks Villia

Angela Park Swimming Beach Ordinance Casino Ward 8

A motion was made by Council Member McCormack, seconded by Council Member Bishop, that this Emergency Ordinance be approved. The motion

carried by the following vote:

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

Absent: 2 - Joseph T. Jones, and Kenneth Johnson

Emergency Resolutions Referred

344-2021 AN EMERGENCY RESOLUTION Urging the State of Ohio legislature

to amend the Ohio Public Records Act to provide that police body camera and dashboard camera footage be released within 48 hours

after review.

Sponsors: Michael Polensek

Attachments: 344-2021-body cam footage

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

the City Council

345-2021 AN EMERGENCY RESOLUTION Supporting the Northeast Ohio

Areawide Coordinating Agency's new method of cost-benefit analysis to make recommendations on funding new interstate interchanges, which method includes review of racial and economic equity and

environmental sustainability.

Sponsors: Michael Polensek

Attachments: 345-2021-NOACA analysis

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

the City Council

Emergency Resolutions Read in Full and Adopted

346-2021 AN EMERGENCY RESOLUTION Objecting to a New D₃ Liquor

Permit at 1253 East 55th Street.

Sponsors: Anthony Hairston

Attachments: 346-2021-FOR ADOPTION-OBJ-NEW-1253 E. 55TH

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

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

Absent: 2 - Joseph T. Jones, and Kenneth Johnson

SECOND READING LEGISLATION

• Emergency Ordinances Passed

AN EMERGENCY ORDINANCE Authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Inspirion Group, LTD, or its designee, located at Chester Avenue and East 90th 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 Addis View Apartments Project.

Sponsors: Basheer Jones, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: Ord. No. 215-2021

215-2021 - Legislative Summary Chain of Title AddisView

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

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

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

299-2021 Executive Summary - GO REF LEGIS SUMMARY 2021

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

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin

Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

Absent: 2 - Joseph T. Jones, and Kenneth Johnson

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

approving related matters.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: 300-2021-2021 SLIT bond refunding

300-2021 Executive Summary- Sub Lien Ref. Bonds Legis Summary

restructure the City's outstanding debt and authorizing and

2021

A motion was made by Council Member McCormack, seconded by Council Member Bishop, that this Emergency Ordinance be approved. The motion

carried by the following vote:

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

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

301-2021 Executive Summary - Water Rev Ref Summary 2021

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

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

Absent: 2 - Joseph T. Jones, and Kenneth Johnson

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

302-2021 Executive Summary - CBCT-MCEO

A motion was made by Council Member McCormack, seconded by Council Member Bishop, that this Emergency Ordinance be approved. The motion

carried by the following vote:

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

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

303-202 Executive Summary - American Rescue Plan Act

A motion was made by Council Member McCormack, seconded by Council Member Bishop, that this Emergency Ordinance be approved. The motion

carried by the following vote:

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

Absent: 2 - Joseph T. Jones, and Kenneth Johnson

Emergency Resolutions Adopted

265-2021 AN EMERGENCY RESOLUTION Appointing an assessment

equalization board to hear objections to estimated assessments with

respect to the continuation of The Cleveland Superior Arts

Improvement District and the comprehensive services plan for the

District, and declaring an emergency.

Sponsors: Basheer Jones, Phyllis E. Cleveland, Kerry McCormack, Anthony Brancatelli, Kevin

Kelley and By Departmental Request

Attachments: Res. No. 265-2021

Res. No. 265-2021 Executive Summary

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

carried by the following vote.

Yea: 13 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

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

Nay: 1 - Michael Polensek

Excused: 1 - Basheer S. Jones

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, Anthony Hairston, Jenny Spencer, Kevin Bishop and Joseph Jones

Attachments: 312-2021-reopen Tamir Rice investigation

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

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin,

Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, and

Delores L. Gray

Excused: 1 - Basheer S. Jones

Absent: 2 - Joseph T. Jones, and Kenneth Johnson

MOTION TO EXCUSE THE ABSENCES

The absence of Council Member B. Jones was excused.

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

Yea: 14 - Anthony T. Hairston, Jasmin Santana, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Brian Kazy, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael

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

Excused: 1 - Basheer S. Jones

Absent: 2 - Joseph T. Jones, and Kenneth Johnson

ADJOURN

3:44 p.m.