

Cleveland City Council

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



Meeting Minutes

Monday, September 27, 2021

7:00 PM

**There will be limited seating due to COVID protocols; the meeting will be live broadcast. See meeting notice for details.
Council Chambers**

City Council

[Item-334](#) Cleveland City Council Meeting Notice for September 27, 2021

Attachments: [Council Meeting Notice for 9-27-2021](#)

CALL TO ORDER; ROLL CALL

7:05 p.m.

Present 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused 1 - Brian Kazy

MOMENT OF REFLECTION

PLEDGE OF ALLEGIANCE

DISPENSE WITH THE JOURNAL

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

REPORTS AND COMMUNICATIONS

•Communications

[830-2021](#) From Director Karrie D. Howard, Department of Public Safety, City of Cleveland. Notice of grant acceptance of \$9,999 from Ohio Department of Transportation for FY 21 LEA Grant #1.

Attachments: [830-2021-COMMUNICATIONS-Notice of grant accept to Pub Safety fr ODOT LEA #1](#)

This Communication was received and filed.

[831-2021](#) From Director Karrie D. Howard, Department of Public Safety, City of Cleveland. Notice of grant acceptance of \$9,999 from Ohio Department of Transportation for FY 21 LEA Grant #2.

Attachments: [831-2021-COMMUNICATIONS-Notice of grant accept to Pub Safety fr ODOT LEA #2](#)

This Communication was received and filed.

[837-2021](#) From Anya Kulcsar, Chief of Real Estate, Northwest Neighborhoods CDC. Notice of intent to apply to Ohio Housing Finance Agency for low income housing tax credit program for the development known as Karam Senior Living, 7918 Detroit Avenue (Ward 15), Cleveland, Ohio.

Attachments: [837-COMMUNICATIONS-Intent of NWNDCDC to apply to OHFA for low income credits for Karam Senior Living](#)

This Communication was received and filed.

•The Ohio Division of Liquor Control

[832-2021](#) #9078479. Transfer of Ownership Application, D1 D2 D3 D3A D6. 2058 East Fourth Street LLC, 2058 East 4th St. (Ward 3).

Attachments: [832-2021-COMMUNICATIONS-Liquor2058East4th](#)

This Communication was received and filed.

[833-2021](#) #0767071. New License Application, D3. Blueskybrews LLC, 2187 Murray Hill Rd. (Ward 6).

Attachments: [833-2021-COMMUNICATIONS-Liquor2187MurrayHill](#)

This Communication was received and filed.

[834-2021](#) #1585051. New License Application, C1. Cleveland in a Box LLC, 530 Euclid Ave. (Ward 3).

Attachments: [834-2021-COMMUNICATIONS-Liquor530Euclid](#)

This Communication was received and filed.

[835-2021](#) #4073888. Transfer of Ownership Application, D2 D2X D3 D3A. Hunt Enterprises LLC, 2317 Denison Ave. (Ward 12).

Attachments: [835-2021-COMMUNICATIONS-Liquor5611Woodland](#)

This Communication was received and filed.

[836-2021](#) #5357680. New License Application, C2. Lunababy LLC, 5611 Woodland Ave. (Ward 5).

Attachments: [836-2021-COMMUNICATIONS-Liquor2317Denison](#)

This Communication was received and filed.

SPECIAL RESOLUTIONS

•Condolence; Moment of Silence

[848-2021](#) Condolence Resolution for Wylene Lawrence

Sponsors: Blaine Griffin

This Ceremonial Resolution was read into the record.

[849-2021](#) Condolence Resolution for Joyce E. Jefferson

Sponsors: Anthony Hairston

This Ceremonial Resolution was read into the record.

[850-2021](#) Condolence Resolution for Cassandra R. Johnson

Sponsors: Basheer Jones

This Ceremonial Resolution was read into the record.

[851-2021](#) Condolence Resolution for Frank Sumpter, III

Sponsors: Basheer Jones

This Ceremonial Resolution was read into the record.

[852-2021](#) Condolence Resolution for Carolyn Malanij

Sponsors: Jenny Spencer

This Ceremonial Resolution was read into the record.

[856-2021](#) Condolence Resolution for Bishop Anthony M. Pilla

Sponsors: Kevin Bishop, Anthony Brancatelli, Kevin Conwell, Marion Anita Gardner, Delores Gray, Blaine Griffin, Anthony Hairston, Basheer Jones, Joseph Jones, Brian Kazy, Kevin Kelley, Kerry McCormack, Brian Mooney, Michael Polensek, Jasmin Santana, Charles Slife and Jenny Spencer

This Ceremonial Resolution was read into the record.

•Congratulations/Recognition/Appreciation/Commendation/Commemoration/Welcome

[853-2021](#) Congratulations Resolution for Pamela Marshall Holmes

Sponsors: Blaine Griffin

This Ceremonial Resolution was read into the record.

[854-2021](#) Congratulations Resolution for Reverend C. Nozomi Ikuta

Sponsors: Jenny Spencer

This Ceremonial Resolution was read into the record.

[855-2021](#) Recognition Resolution for Charles Oakley

Sponsors: Blaine Griffin

This Ceremonial Resolution was read into the record.

FIRST READING LEGISLATION

•Emergency Ordinances Referred

[838-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Health to accept a grant from the Ohio Environmental Protection Agency for financial assistance for the operation of the Division of Air Quality; authorizing the director to enter into one or more contracts for various services, equipment and supplies, and contracts with various agencies or entities necessary to operate the Division of Air Quality; determining the method of constructing, rehabilitating, renovating, replacing, or otherwise improving air monitoring sites and other similar structures on city-owned and city-leased property; and authorizing the director to enter into one or more contracts to construct the improvement and to design it.

Sponsors: Kerry McCormack, Kevin Kelley and By Departmental Request

Attachments: [838-2021-Ap & Ac Air Quality grant - all Ks, operational grant for air pollution control. OH EPA](#)
[838-2021-A-FILE - Ap & Ac Air Quality Grant](#)

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

[839-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Public Works to enter into a lease with Landmark At The Lake, LLC, or its approved designee, for development of apartment units and parking on a portion of PPN 105-02-002A for a term of ninety-three years; authorizing the Director to enter into a property adoption agreement with LL 55 Park, LLC, or its approved designee, to improve and maintain a public park located on a portion of 105-02-002A that is adjacent to the leased area for a term of ninety-three years; and authorizing the Director of Public Works to enter into a submerged lands lease with the State of Ohio for these portions of PPN 105-02-002A for a term of ninety-nine years.

Sponsors: Anthony Hairston, Kevin Bishop, Anthony Brancatelli, Kevin Kelley and By Departmental Request

Attachments: [839-2021-Lease w Landmark at the Lake property adoption w LL 55 Park submerged la.. 9.17.21](#)

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

[840-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Economic Development to enter into a loan agreement with Fairfax Renaissance Development Corporation, or its designee, to provide economic development assistance to partially finance the development of a residential building located on the west side of East 105th Street and Frank Avenue in connection with the Innovation Square Project, and other associated costs necessary to redevelop the property.

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

Attachments: [840-2021-Loan Ag w Fairfax for Innovation Square, ED](#)
[840-2021-A-FILE - Loan Ag w Fairfax for Innovation Square, ED](#)

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

[841-2021](#) AN EMERGENCY ORDINANCE Authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 10700 Churchill Avenue to the The NRP Group LLC, or its designee, for purposes of implementing the future Churchill Gateway project; and authorizing retaining an easement and entering into an easement agreement for the public purpose of vehicular and pedestrian access.

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

Attachments: [841-2021-Sell property to The NRP Group LLC for Churchill Gateway and easement to..](#)

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

[843-2021](#) AN EMERGENCY ORDINANCE Authorizing the appropriation of funds from The American Rescue Plan Act of 2021, and authorizing various contracts to be executed no later than December 31, 2024, and funds to be expended by December 31, 2026.

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

Attachments: [843-2021-Appropriate ARPA funds and authorizing Ks](#)

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

[844-2021](#) AN EMERGENCY ORDINANCE Authorizing execution of a cooperative agreement with the County of Cuyahoga, Gateway Economic Development Corporation of Greater Cleveland, and/or Cleveland Indians Baseball Company, LLC relating to the financing, operations, repair, upkeep, and construction of appropriate modernizations of Progressive Field, and authorizing contribution of City funding.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: [844-2021-Cooperative Agreement for Cleveland Indians](#)
[844-2021-A-FILE - Cooperative Agreement for Cleveland Indians](#)

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

•Ordinances Referred

[842-2021](#) AN ORDINANCE Changing the Use, Area and Height Districts of parcels of land northeast and southwest of Lakeview Road south of Beulah Avenue to the East Cleveland City line (Map Change 2626).

Sponsors: Kevin Conwell

Attachments: [842-2021-Zoning - Lakeview S of Beulah to the East Cleveland line. Hough Bakery](#)

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

•Emergency Resolutions Read in Full and Adopted

[845-2021](#) AN EMERGENCY RESOLUTION_Objecting to the transfer of stock of a B1 and B5 Liquor Permit to 12141 Bennington Avenue.

Sponsors: Brian Kazy

Attachments: [845-2021-FOR ADOPTION-OBJ-STOCK-12141 BENNINGTON](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[846-2021](#) AN EMERGENCY RESOLUTION Supporting Women's March Cleveland and Women's March National for reproductive and civil rights on October 2, 2021.

Sponsors: Jenny Spencer, Delores Gray, Michael Polensek, Kerry McCormack, Jasmin Santana, Anthony Hairston, Kevin Conwell and Joseph Jones

Attachments: [846-2021-FOR ADOPTION-supporting Women's March Cleveland](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[847-2021](#) AN EMERGENCY RESOLUTION Condemning the new state legislative maps as deeply flawed and unconstitutional gerrymanders of state legislative districts; and calling upon Ohio lawmakers to immediately enact a transparent and deliberative public process for bipartisan Congressional districts.

Sponsors: Jenny Spencer, Delores Gray, Michael Polensek, Kerry McCormack, Jasmin Santana, Anthony Hairston, Kevin Conwell and Joseph Jones

Attachments: [847-2021-FOR ADOPTION-condemn new maps by OH redistricting commission](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

SECOND READING LEGISLATION

•Emergency Ordinances Passed

[682-2021](#) AN EMERGENCY ORDINANCE To amend Section 2 of Ordinance No. 129-2021, passed April 5, 2021, relating to entering into one or more amendments to Lease by Way of Concession Agreements with various car rental companies that operate rental car concessions at Cleveland Hopkins International Airport to amend the Guaranteed Minimum Privilege Fee for certain companies.

Sponsors: Joseph Jones, Kevin Kelley and By Departmental Request

Attachments: [682-2021-Amend 129-2021, Rental Cars](#)
[682-2021 Exec. Summary - RAC Rental Car RL](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[683-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Capital Projects to apply for and accept funding from the Ohio Department of Transportation for the preliminary alternative study of the Lakefront Pedestrian Bridge; authorizing the Director to apply for and accept gifts, grants, and other funding from other entities; to enter into contract with Osborn Engineering Company for traffic modeling and engineering services; authorizing other agreements; and authorizing the Commissioner of Purchases and Supplies to acquire, accept, and record for right-of-way purposes real property and easements.

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

Attachments: [683-2021-Ap Ac grant from ODOT and K w Osborne for traffic modeling other ags for pe.. \(002\)](#)
[683-2021 Exec. Summary - Lakefront Pedestrian Bridge Connector correct version](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[686-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the first option to renew Lease Agreement No. NF 2018-021 with Federal Express Corporation for building and land used as office, warehouse, and various parking facilities for vehicles and aircraft for the operation of a retail shipping and air freight service facility located at 5701 Postal Road; and to amend the contract to change certain terms of the contract.

Sponsors: Joseph Jones, Kevin Kelley and By Departmental Request

Attachments: [686-2021-Exercise option to renew and amend K LS 2018-021 w Federal Express for at CHIA, Fed Ex](#)
[686-2021 Exec. Summary - FedEx option](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[687-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the first option to renew Lease Agreement No. LS 2019-006 with AvAir Pros Services for the purpose of operating and maintaining the inline baggage handling system at Cleveland Hopkins International Airport; and to amend the contract to change certain terms of the contract.

Sponsors: Joseph Jones, Kevin Kelley and By Departmental Request

Attachments: [687-2021-Exercise option to renew and amend K LS 2019-6 w AvAirPros for inline baggage system at CHIA](#)
[687-2021 Exec. Summary - AvAirPros Services](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[688-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the first option to renew Lease Agreement No. LS 2019-016 with RAS Aviation, LLC dba Zone Aviation for the purpose of operating a flight training school and providing aircraft management and pilot support services at Burke Lakefront Airport.

Sponsors: Joseph Jones, Kevin Kelley and By Departmental Request

Attachments: [688-2021-Exercise option to renew K w RAS Aviation for flight training school at Burke](#)
[688-2021 Exec. Summary - RAS Aviation LLC dba Zone Aviation option](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[689-2021](#) AN EMERGENCY ORDINANCE Authorizing the Director of Port Control to exercise the first option to renew Contract No. RCD 2019-11 with Wadsworth & Associates, Inc. for labor and materials needed to maintain, repair, and expand the integrated access control security and CCTV systems, for the various divisions of the Department of Port Control.

Sponsors: Joseph Jones, Kevin Kelley and By Departmental Request

Attachments: [689-2021-Exercise option to renew K w Wadsworth Solutions for integrated access controls and CCTV](#)
[689-2021 Exec. Summary - Wadsworth RL](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[783-2021](#) AN EMERGENCY ORDINANCE Authorizing the purchase by one or more contracts of one aircraft rescue and firefighting vehicle, for the Division of Airports, Department of Port Control.

Sponsors: Joseph Jones, Kevin Kelley and By Departmental Request

Attachments: [783-2021-Std K ARFF vehicle, PC](#)

[783-2021 Exec. Summary - BKL Class 4 ARFF Vehicle](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

•**Emergency Resolutions Adopted**

[784-2021](#) AN EMERGENCY RESOLUTION Requesting the County Fiscal Officer to make advances during the year 2022, pursuant to Section 321.34, Ohio Revised Code.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: [784-2021-Tax Advance Resolution - done in 21 for 2022](#)

[784-2021 Executive Summary](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

[785-2021](#) AN EMERGENCY RESOLUTION Accepting the amounts and rates as determined by the Cuyahoga County Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer.

Sponsors: Kevin Kelley and By Departmental Request

Attachments: [785-2021-Tax Rate Resolution](#)
[785-2021 Executive Summary](#)

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

INTRODUCTIONS

ANNOUNCEMENTS

MISCELLANEOUS

Council Members B. Jones, Griffin, J. Jones, Conwell and Mooney made remarks.

MOTION TO EXCUSE THE ABSENCES

The absence of Council Member Kazy was excused.

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

Yea: 16 - Anthony T. Hairston, Basheer S. Jones, Jasmin Santana, Joseph T. Jones, Kevin L. Bishop, Blaine A. Griffin, Anthony Brancatelli, Kerry McCormack, Kevin Conwell, Kevin Kelley, Michael Polensek, Charles Slife, Brian Mooney, Jenny Spencer, Delores L. Gray, and Marion Anita Gardner

Excused: 1 - Brian Kazy

ADJOURN

7:44 p.m.