

# The City Record

*Official Publication of the Council of the City of Cleveland*

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**May 10, 2024**

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## **Official Proceedings City Council**

Cleveland, Ohio  
Monday, May 6, 2024

The meeting of the Council was called to order at 7:00 p.m. with the President of Council, Blaine A. Griffin, in the Chair.

Council Members present: Kevin L. Bishop, Kevin Conwell, Deborah A. Gray, Blaine A. Griffin, Anthony T. Hairston, Kris Harsh, Stephanie D. Howse-Jones, Joseph T. Jones, Brian Kazy, Danny Kelly, Rebecca Maurer, Kerry McCormack, Michael D. Polensek, Jenny Spencer, Richard A. Starr.

Also present were: Mayor Bibb; Chiefs Abonamah, Davy, Griffin, Johnson, Pomerantz, Pryor-Jones, Puente, Teeuwen; Directors Cole, Crowe, DeRosa, Drummond, Francis, Hernandez, Keane, Margolius, Martin O'Toole, O'Keeffe, Shute-Woodson, Williams; Senior Strategist Davis.

Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection, and the Pledge of Allegiance.

### **MOTION**

On the motion of Council Member Kelly, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Polensek.

## Communications

**File No. 531-2024**

From Director Martin Keane, Director of Public Utilities Department, City of Cleveland  
Notice of grant acceptance of \$150,000 from the George Gund Foundation to support  
the position of a Climate and environmental Justice Fellow at Cleveland Public Power.  
Received.

**File No. 532-2024**

From Director Martin Keane, Director of Public Utilities Department, City of Cleveland  
Notice of grant acceptance of \$917,857 from the U.S. Environmental Protection Agency  
to support Nottingham intake structure project approved by Ordinance 611-2022.  
Received.

**File No. 533-2024**

From Director Martin Keane, Director of Public Utilities Department, City of Cleveland  
Notice of grant acceptance of \$75,000 from the Cleveland Foundation to support the  
position of a Climate and environmental Justice Fellow at Cleveland Public Power.  
Received.

### Plats

**File No. 536-2024**

Dedication Plat for Re-subdivision Plat of the Eastwood Subdivision, Southeast corner  
of Grovewood Avenue & East 164th Street (formerly Grovewood Park) (Ward 8).  
Approved by Committees on Municipal Services and Properties, and Development  
Planning and Sustainability. Without objection, Plat approved.

**File No. 537-2024**

Dedication Plat for proposed Herman Townhomes  
Subdivision Plat, south side of Herman Avenue, between West 49th Street and West  
54th Street (Ward 15). Approved by Committees on Municipal Services and Properties,  
and Development Planning and Sustainability. Without objection, Plat approved.

### From the Ohio Division of Liquor Control

**File No. 534-2024**

#8811490. Stock Application, D2 D2X D3 D3A D6. Tavern of Little Italy LLC, 12117  
Mayfield Road (Ward 6). Received.

## Ordinances and Resolutions

### Ceremonial Resolutions

Ceremonial resolutions are used by Council to recognize dignitaries and community members, and their accomplishments.

#### Resolutions of Condolence

The Rules were suspended, and the following Resolutions were adopted by a rising vote:

|           |                   |                     |
|-----------|-------------------|---------------------|
| Griffin   | Res. No. 510-2024 | Dorothy L. Fort     |
| Griffin   | Res. No. 511-2024 | LaMonte Lloyd       |
| Kazy      | Res. No. 512-2024 | Daniel J. Cavoli    |
| McCormack | Res. No. 513-2024 | Thomas Zaun         |
| Polensek  | Res. No. 514-2024 | Michael F. Cavotta  |
| Polensek  | Res. No. 538-2023 | Myrna Tubbs         |
| Bishop    | Res. No. 539-2023 | Jacqueline Chambers |

#### Resolutions of Congratulations

The Rules were suspended, and the following Resolutions were adopted by a rising vote:

|          |                   |                   |
|----------|-------------------|-------------------|
| Kazy     | Res. No. 515-2024 | George Pasalis    |
| Polensek | Res. No. 516-2024 | Caroline J. Peak  |
| Polensek | Res. No. 517-2024 | Susan Podboy Coan |

#### Resolutions of Recognition

The Rules were suspended, and the following Resolutions were adopted by a rising vote:

|             |                   |                                                     |
|-------------|-------------------|-----------------------------------------------------|
| Jones       | Res. No. 518-2024 | Bernnadette Stanis                                  |
| Howse-Jones | Res. No. 540-2023 | Asian American and Pacific<br>Islander Month        |
| Howse-Jones | Res. No. 541-2023 | National Provider Appreciation<br>Day- May 10, 2024 |

#### Resolutions of Welcome

The Rules were suspended, and the following Resolutions were adopted by a rising vote:

Griffin

Res. No. 519-2024

Alabama State University  
University Choir

**Resolutions of Commemoration**

The Rules were suspended, and the following Resolutions were adopted by a rising vote:

Jones

Res. No. 520-2024

Lois Swanson

## Ordinances and Resolutions

### First Reading Emergency Ordinances Referred

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

These ordinances were read for the first time on Monday, May 6, 2024, and referred to the appropriate City departments and Council Committees for review.

#### Click on an ordinance below to read it:

[Ord. No. 521-2024](#)

[Ord. No. 525-2024](#)

[Ord. No. 522-2024](#)

[Ord. No. 526-2024](#)

[Ord. No. 523-2024](#)

[Ord. No. 527-2024](#)

[Ord. No. 524-2024](#)

**Ordinance No. 521-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance to discontinue the Divisions of Recreation and Park Maintenance and Properties and the Office of Special Events and Marketing, by repealing various sections of Chapter 131, as amended and enacted by various ordinances; to amend Section 131.02 relating to the duties of the Director of Public Works; to create the Department of Parks and Recreation; to enact new Sections 133.01 to Sections 133.46; and to amend various other sections of the codified ordinances, as amended and enacted by various ordinances, relating to the foregoing changes.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the Divisions of Recreation and Park Maintenance and Properties, and the Office of Special Events and Marketing are discontinued and the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 131.05 as enacted by Ordinance No. 1331-A-10, passed December 6, 2010,

Section 131.06, as amended by Ordinance No. 523-2020, passed November 18, 2020, and

Sections 131.29, 131.30, 131.39, and 131.40, as enacted by Ordinance No. 1331-A-10, passed December 6, 2010,

are repealed.

**Section 2.** That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 131.07, as amended by Ordinance No. 523-2020, passed November 18, 2020,

Section 131.08, as amended by Ordinance No 135-11, passed January 31, 2011,

Section 131.081, as amended by Ordinance No. 1580-11, passed December 5, 2011,

Section 131.09, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010,

Section 131.10, as amended by Ordinance No. 1328-18, passed November 19, 2018,

Section 131.15, as amended by Ordinance No. 1516-11, passed December 5, 2011,

Sections 131.17 and 131.18, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010,

Section 131.19, as amended by Ordinance No. 1516-11, passed December 5, 2011,

Sections 131.20, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010,

Sections 131.21 and 131.22, as amended by Ordinance No. 1092-2023, passed November 13, 2023,

Section 131.24, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010,

Section 131.31, as amended by Ordinance No. 35-2024, passed January 22, 2024,

Sections 131.32 and 131.33, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010,

Section 131.34, as amended by Ordinance No. 674-2019, passed June 3, 2019,

Section 131.35, as amended by Ordinance No. 20-15, passed May 4, 2015,

Section 131.36, as amended by Ordinance No. 1650-12, passed May 13, 2013,

Section 131.37, as amended by Ordinance No. 20-15, passed May 4, 2015,

Section 131.381, as amended by Ordinance No. 1167-16, passed November 14, 2016,

Section 131.41, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010,

Section 131.42, as amended by Ordinance No. 1483-15, passed December 7, 2015,

Section 131.83, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010, and

Sections 131.85 and 131.86, as enacted by Ordinance No. 1330-A-10, passed December 6, 2010,

are repealed.

**Section 3.** That Section 131.02, amended by Ordinance No. 1516-11, passed December 5, 2011, is amended to read as follows:

Section 131.02 Duties of the Director of Public Works

The Director of Public Works either directly or through the appropriate divisions established in the Department of Public Works, ~~shall manage and supervise all public improvements, works and undertakings of the City except as otherwise provided by the Charter and ordinances of the City. He or she shall have charge of the planning, construction, improvement, repair and maintenance of streets, boulevards, sidewalks, alleys, lanes and other public highways; of the planning, construction, improvement, repair and maintenance and the operation of bridges and viaducts; of drains, ditches, culverts; the cleaning and sprinkling of streets, boulevards and public places; the collection and disposal of waste; the preservation of tools, equipment and other property belonging to the City and pertaining to the Department of Public Works; charge and management of City Hall buildings; charge and management of the Public Hall, the Music Hall, the Little Theater, the main arena, Mall Units 1 and 2 (Malls B and C), and all meeting rooms which shall comprise and be known as “The Public Auditorium Building”, and Cleveland Browns Stadium; all City parks, recreation facilities and markets; all City off-street parking facilities not under the jurisdiction of another department; all other real estate belonging to the City and not under the jurisdiction of another department; the installation and maintenance of parking meters in parking meter zones established by the Commissioner of Traffic Engineering; and the issuance of parking infraction tickets and the impoundment of vehicles to the extent that the Codified Ordinances specifically authorize employees of the Division of Parking Facilities to perform said tasks.~~

The Director of Public Works and his or her designees, which shall include only supervisory or higher ranking officials in the Department of Public Works, when commissioned by the Director of Public Safety as special police, may enforce minor misdemeanor offenses related to solid waste collection and disposal through the issuance of citations in accordance with Rule 4.1 of the Rules of Criminal Procedure. He or she shall further perform all other duties pertaining to the Department which may be required of him or her by ordinance or by the Mayor.

**Section 4.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 133.01 to 133.46 to read as follows:

**CHAPTER 133**  
**DEPARTMENT OF PARKS AND RECREATION**

Section 133.01 Establishment of the Department of Parks and Recreation

There is established a Department of Parks and Recreation to be controlled and administered by a Director of Parks and Recreation, subject to the provisions of the Charter and ordinances of the City, and to the direction of the Mayor. The Director may appoint and employ Assistant Directors, a secretary who may be in the unclassified service, and such other officers and employees as maybe necessary for the operation of his or her office and the several divisions and activities comprising the Department, except officers and employees appointed by commissioners of the several divisions in accordance with the provisions of Charter Section 79.

#### Section 133.02 Duties of the Director of Parks and Recreation

The Director of Parks and Recreation either directly or through the appropriate divisions established in the Department of Parks and Recreation, shall manage and supervise all public improvements, works and undertakings of the City except as otherwise provided by the Charter and ordinances of the City. He or she shall have charge of the preservation of tools, equipment and other property belonging to the City and pertaining to the Department of Parks and Recreation; charge and management of the Public Hall, the Music Hall, the Little Theater, the main arena, Mall Units 1 and 2 (Malls B and C), and all meeting rooms which shall comprise and be known as “The Public Auditorium Building”, and Cleveland Browns Stadium; all City parks, recreation facilities and markets. He or she shall further perform all other duties pertaining to the Department which may be required of him or her by ordinance or by the Mayor.

#### Section 133.03 Office of Administration

There is established in the Department of Parks and Recreation an Office of Administration to be administered and controlled by a Manager of Administration, subject to the provisions of the Charter and Codified Ordinances of Cleveland, Ohio 1976 and the supervision of the Director of Parks and Recreation.

#### Section 133.04 Duties of the Manager of Administration

The Manager of Administration shall control and supervise all activities and personnel of the Office of Administration; shall coordinate departmental support for the various divisions of the Department of Parks and Recreation in the areas of personnel, legislation, budgeting, purchasing, information technology and in such additional areas as are determined to be necessary by the Director of Parks and Recreation for the efficient operation of the Department; and shall perform such other duties as may from time to time be required by ordinance or by the Director of Parks and Recreation.

#### Section 133.05 Office of Special Events and Marketing

There is established in the Department of Parks and Recreation an Office of Special Events and Marketing to be administered and controlled by a Manager of Special Events and Marketing, subject to the provisions of the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, and to the supervision of the Director of Parks and Recreation.

Section 133.06 Duties of the Manager of Special Events and Marketing

The Manager of Special Events and Marketing shall:

- (a) Make recommendations to the Director regarding the issuance and conditions of issuance for all permits governing special events occurring within the corporate boundaries of the City;
- (b) Prior to and during every special event, coordinate the permitting process of all City departments providing services to the special event;
- (c) Provide technical assistance and information to special event applicants;
- (d) Recommend to the Director appropriate risk management measures to protect the City during each special event;
- (e) Administer all special event concession agreements and all special event permits under this chapter excepting only those concession agreements which apply to property under the control of the Directors of Port Control and Public Utilities;
- (f) Have the authority to determine and require events promoters to provide essential services, including but not limited to, adequate on-site safety and traffic control, fire protection, first-aid services, sanitation and cleanup, except that the hiring of police officers or private security personnel shall not be required for any block party or any small neighborhood-based community event when the anticipated attendees will not exceed 100 persons; and
- (g) Preside over such special events steering committees of City personnel from more than one (1) City department as may be appointed by the directors of the affected City departments and record all actions taken by the committees.

Section 133.07 Special Event Permits

For purposes of this chapter, "special event" means a preplanned event or series of events of less than a week's duration, including block parties or any small neighborhood-based community events, sponsored by a public or private person or entity, which is: (1) located wholly or partially on property which is owned or maintained by the City of Cleveland; or (2) located on any other property and requires for its successful execution, the provision and coordination of municipal services to a

degree significantly over and above that which the City of Cleveland routinely provides under ordinary everyday circumstances.

City buildings, parks and all other real estate under control of the Director which have been constructed or maintained for the benefit of the public shall be for the use of the public in general under the Charter and ordinances of the City of Cleveland. To that end, no person or entity shall be given any special or exclusive privilege to use any public property under the control of the Director without first obtaining a permit under this section. Additionally, the Director shall ensure that proper coordination occurs among necessary City departments to facilitate the use of City streets for special event activities including parades, marathons, foot races/bike-a-thons, and all other events requiring closure of a right-of-way.

All closures of City streets in conjunction with a special event shall be approved by the Police Traffic Commissioner, Commissioner of Streets, and Manager of Special Events and Marketing.

(a) The Director may establish rules and regulations for the use of public property under his or her control. Such rules and regulations shall become effective ten (10) days after publication in the City Record and shall be enforced as ordinances of the City. The Director of Parks and Recreation shall have the authority to make, amend, alter or rescind rules and regulations governing use of the facilities of the Public Auditorium Building and Cleveland Browns Stadium not in conflict with the ordinances or laws regulating such conduct. The Director may require in any rental agreement that the event be required to pay for or provide security personnel within and without the rental premises. The Director or designee shall not require any permit applicant to hire police officers or private security personnel for any block party or any small neighborhood-based community event when the anticipated attendees will not exceed one hundred (100) persons.

(b) The Director may place reasonable time restrictions on the issuance of special event permits, including without limitation a prior notice requirement, first-come, first-served scheduling, limitations on frequency of use, and limitation of permits to normal operating hours for City property. Use of the City Hall Rotunda for events other than City-sponsored events shall be limited to after normal business hours and weekends. The Director's prior notice requirement may not exceed five (5) days for special event permits not subject to the requirements of Section 133.08.

(c) The Director may place reasonable place restrictions on the issuance of special event permits, which restrictions may consider the historic use of the property, recreational use policies adopted in the Director's rules and regulations, the size of the property and the degree to which the special event would interfere with the historic use and adopted recreational use policies for the property.

(d) The Director may deny or revoke a special event permit whenever he or she finds:

- (1) The applicant person or entity has previously violated the provisions of a special event permit or has submitted materially false or incomplete information on any special event permit application; or
- (2) The special event would unreasonably interfere with the movement of or service capability of police vehicles, firefighting equipment or ambulance service; or
- (3) The special event would unreasonably interfere with the historic recreational use and the adopted recreational use policies for a neighborhood park; or
- (4) The special event would unreasonably interfere with another special event for which a permit has been issued; or
- (5) The special event would unreasonably interfere with the City activities that occur on or at the property.
- (6) The applicant person or entity has failed to keep detailed records of all vendors, as defined in Section 675.01(a)(3) of the Codified Ordinances, associated with a special event in accordance with divisions (e) and (f) of this section.

The Director may charge a permit application fee, subject to approval of Board of Control, in an amount not to exceed the Director's cost in administering such application.

(e) The applicant, person, or entity shall do the following:

- (1) maintain records of all vendors associated with the event, including the name, address, phone number, and description of all items to be sold; and
- (2) maintain records that demonstrate compliance with Section 675.09 (n) and (o) by vendors of prepackaged frozen desserts associated with the event.

(f) All special events and vendors associated with special events shall comply with applicable vendor regulations in Section 675.09 of the Codified Ordinances.

### Section 133.08 Special Event Concession Agreement and Charges

Every person or entity sponsoring a special event involving sale of items, admission for which a charge or ticket is required or limited to invitation only, or closure of more than one-half (1/2) linear mile of City streets shall comply with the following requirements:

- (a) Obtain a permit under Section 133.07, provided, however, that prior to the issuance of a permit to use City property managed by a City department other than the Department of Parks and Recreation, the director of the affected department must consent to the issuance of the permit;

- (b) Submit an application in a form approved by the director of the affected department or his or her designee within such time period prior to the special event as may be established by the Director;
- (c) If the special event is to be located wholly or partially on property which is owned, leased or maintained by the City of Cleveland, pay property rent in scheduled amounts determined from time to time by the Board of Control; in setting rents, the Board of Control may consider without limitation the following considerations entitling the applicant to a reduced or abated rent:
- (1) The economic impact of the special event on the Greater Cleveland economy as reflected in sales taxes, transient occupancy taxes, and admission taxes;
  - (2) The extent to which the special event will preserve the City's recreational use Immunity provided in RC 1533.181 on all property used for the special event;
  - (3) The percentage of the special event gross revenues which will accrue to a charity or charities qualifying under Section 501(c)(3) of the Internal Revenue Code.
- (d) Pay all costs, at scheduled rates as determined from time to time by the director of the affected department or designee and approved by the Board of Control, for services and equipment exceeding normal service levels incurred during a special event by the City's Department of Parks and Recreation;
- (e) Pay such additional costs for services exceeding normal service levels incurred during the special event by other City departments at scheduled rates determined by the director of the affected department or his or her designee and approved from time to time by the Board of Control;
- (f) Provide such services at the applicant's sole cost, including without limitation security and traffic control, crowd management, fire protection, food service control and inspection, waste and litter control, and any other services necessary to ensure that an event is conducted in a safe manner to protect the safety, health, property and general welfare of the City's citizens, as determined by the director of the affected department or his or her designee and approved by the Board of Control; and
- (g) Submit an independently audited statement of gross revenues derived from the special event within such time period after the special event as may be specified by the director of the affected department or his or her designee.
- (h) After January 1, 1992, each annual Board of Control resolution establishing special event rental rates and service cost recovery amounts shall only become effective sixty (60) days after publication in the City Record. Notwithstanding any provision of the Codified Ordinances to the contrary, the councilmember of each ward may designate one (1) special event per year to be exempt from either (a) the payment of any sums

described herein; and the submission of an audited statement under division (g) of this section, or division (b) if the special event is located in the ward of the councilmember requesting exemption, has gross revenues of under twenty-five thousand dollars (\$25,000.00), and at least ninety percent (90%) of its gross special event revenues accrue to a community-based organization or to a charity qualifying under Section 501(c)(3) of the Internal Revenue Code, the payment of any sums described herein, the submission of an audited statement under division (g) of this section, and the payment of any permit fees to the City. The Director of Parks and Recreation shall submit a report on the City costs and charges for special events to the Clerk of Council at the end of each calendar year.

#### Section 133.081 Rental Fees for City Hall Rotunda

(a) The Director of Parks and Recreation may allow private parties to rent the City Hall Rotunda after normal business hours and on weekends provided that said parties secure a permit from the Director under Section 133.07 and pay the fees specified in division (b) of this section.

(b) Rental rates for the Rotunda shall be based on a four (4) hour period. The Director of Parks and Recreation shall assess and collect the following fees for the rental of the City Hall Rotunda:

(1) A five hundred dollar (\$500.00) non-refundable deposit; and

(2) One thousand three hundred seventy-five dollars (\$1,375.00) per four (4) hours of use.

(c) The City Hall Rotunda closes at 12:00 a.m. All events shall end by 11:30 p.m. at the latest.

(d) When a private party obtains banquet food and beverage service from a person or firm under contract with the City to provide concession services in the Rotunda, rental of the Rotunda shall be included in the price that the private party pays for such concession services, and no other charges for rental shall be imposed. When a private party obtains banquet food and beverage service from a person or firm other than one under contract with the City for those services, Rotunda rental shall be assessed and collected in accordance with division (b) of this Section.

(e) Net proceeds from fees collected from the rental shall be deposited into the fund or funds which are designated for use by the Office of Special Events and Marketing for Special Events and Marketing purposes.

#### Section 133.09 Exempted Special Events

Notwithstanding division (h) of Section 133.08 or any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, a member of Council may request an exemption for a special event for an event located outside of the members' ward if there is not a location in the members' ward suitable for the special event. This exemption shall not be considered as the exemption designated under division (h) of Section 133.08 of the Codified Ordinances.

Section 133.10 Purchase of Food and Beverages for the Public Who Are Attending Activities or Events Sponsored by the Division of Recreation

The Director of Parks and Recreation is authorized to purchase food and beverages for the public who are attending activities or events sponsored by the Division of Recreation. The total amount of funding expended annually shall not exceed fifty thousand dollars (\$50,000).

Sections 133.11 Reserved

Section 113.12 Reserved

Section 113.13 Reserved

Section 133.14 Division of Public Auditorium

There is established a Division of Public Auditorium in the Department of Parks and Recreation, to be controlled and administered by a Commissioner of Public Auditorium, subject to Charter and ordinances of the City, and to direction of the Director of Parks and Recreation. As provided in Section 133.02, the "Public Auditorium Building" is comprised of the Public Hall, the Music Hall, the Little Theater, the main arena, Mall Units 1 and 2 (Malls B & C) and all meeting rooms.

Section 133.141 Duties of the Commissioner of Public Auditorium

The Commissioner of Public Auditorium shall have control and supervise all activities and personnel of the Division of Public Auditorium; coordinate the scheduling, use and rental of any portion of the Public Auditorium Building; and perform such other and further duties as may from time to time be required of him or her by the Director of Parks and Recreation.

Section 133.15 Concession Agreements for Rental of the Public Auditorium Building

- (a) The Director of Parks and Recreation shall have the authority to enter into contracts to rent all or any portion of the Public Auditorium Building or Cleveland Browns Stadium. Every contract for renting all or any portion of the Public Auditorium Building shall be reduced to writing and shall contain all the terms and conditions of the agreement including without limitation, the exact amount and location of space to be granted, the amount of the rental therefor, and a separate charge or rate for any labor, materials, or equipment which is to be supplied by the City to the grantee.
- (b) Every grant or concession agreement for the use of the Public Auditorium Building shall be reduced to writing and shall be executed by the parties thereto at least thirty (30) days prior to the scheduled opening date of the event or show, except in emergencies; the Director of Parks and Recreation shall review and approve each concession agreement.
- (c) No grant or concession agreement for the use of the Public Auditorium Building shall be modified or changed in any manner, after it is signed by the parties, except if such modification or change is in writing and signed by the parties and is in all respects clear, complete and in conformity with all existing laws of the City of Cleveland including the rules and regulations of the Director of Parks and Recreation and applicable resolutions of the Board of Control.
- (d) Every such grant or concession agreement for the use of the Public Auditorium Building shall also be approved in writing by the Director of Law.
- (e) All deposits required of any person to secure the use of the Public Auditorium Building shall be nonreturnable.
- (f) Every person, firm, company or organization using or renting space at the Public Auditorium Building shall be required to pay for such use at the rates established by the Board of Control.
- (g) The Director of Parks and Recreation may offer to grantees the acceptance of Mastercard and Visa and other credit cards for ticket purchases.

The Director of Finance may contract for credit card services with any financial institution designated as a depository for active funds of the City of Cleveland. The Director of Finance is authorized to pay all credit card fees and enter into a contract for credit card services and purchase or lease of equipment. The Director of Parks and Recreation shall charge any grantee requesting credit card services all costs of such services including but not limited to bank handling fees to recover for the City the costs of the contracts executed by the Director of Finance.

The Director of Parks and Recreation is authorized to impose on ticket purchases a one dollar and fifty cent (\$1.50) service charge on all telephone and mail order charge purchases to cover Public Auditorium Building costs.

Section 133.16    ReservedSection 133.17    Moneys From Operation of Public Auditorium Building and Cleveland Browns Stadium

All money which may be advanced by parties holding concession agreements, contracts or leases in the nature of concessions, and all other miscellaneous deposits, made in connection with the operation of the Public Auditorium Building and Cleveland Browns Stadium, and all moneys received from tickets shall be collected by the Public Auditorium Building under the supervision of the Director of Finance. All such moneys shall be brought to the office of the City Treasurer in City Hall.

Section 133.18    Accounting for Cleveland Browns Stadium

Notwithstanding any Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, all revenues derived from Cleveland Browns Stadium received by the City of Cleveland shall be deposited into a separate fund created by the Department of Finance solely for the purpose of accounting for all expenses and revenues associated with Cleveland Browns Stadium and all expenses to be paid by the City of Cleveland for the operation or maintenance of Cleveland Browns Stadium shall be paid from that separate fund.

Section 133.19    Withdrawal of Funds by the Director of Parks and Recreation

All money deposited in a special trust fund account shall be withdrawn only on a warrant executed and approved by the Director of Parks and Recreation, under which warrant a check may be drawn on the depository in which the special trust fund account is placed, in the manner prescribed by ordinance for the withdrawal of City funds from City depositories.

Section 133.20    Accrued Interest from Public Auditorium Building and Stadium Funds

Interest accruing on all such deposits, if any, shall be paid to the City Treasurer by the depository in which the same may be deposited at the same rate and in accordance with the terms of the depository agreement.

Section 133.21    Rental of Market Stalls

(a) If the West Side Market is leased or managed by a third-party operator, then that operator shall assess and collect rent for the use of space at the West Side Market at the operator's discretion. If the West Side Market is operated exclusively by the City, then the Director of Parks and Recreation (the "Director") shall assess and collect rent for the use of space at the West Side Market as provided herein. The rent for leases renewed in

the year 2022 shall remain the same as the rent charged in 2020, and the rent for a new tenant lease shall be calculated by inserting the new tenant into the formula set forth below ("Fee Formula") that was calculated for 2022. Except as otherwise provided and beginning in 2023, the Director shall assess and collect rent on the lesser of a three percent (3%) increase from the rent assessed the previous year or the rent calculated by using the then current Fee Formula. New tenants' rent for the first year of their leases shall be calculated solely on the Fee Formula. The Director shall use the following Fee Formula for rent assessment and collection:

(1) By November 1st of each year, the Director shall prepare and submit for review to the Budget Committee of the Tenant's Association, a schedule of expenses for the ensuing year (the "Director's Schedule"). The Director shall have the discretion to increase the total amount of expenses in the Director's Schedule (the "Schedule Amount") so that the Schedule Amount is not greater than the previous year's Schedule Amount plus ten percent (10%) plus a percentage equal to the percentage increase in wages negotiated by the City with its union employees.

In the event that the Schedule Amount exceeds the amount referred to in the preceding sentence, the excess amount may serve as the basis for the calculations set forth herein only with the prior approval of the Budget Committee, which approval shall not be unreasonably withheld. The decision of the Budget Committee as to any such excess amount shall be made within twenty-five (25) days after submittal of the Director's Schedule to the Budget Committee. If the Budget Committee has failed to act at the expiration of this twenty-five (25) day period, the Schedule Amount shall be deemed approved as submitted.

In the event that the Schedule Amount for the ensuing year is less than the previous year's Schedule Amount, the Schedule Amount which shall serve as the basis for calculation of Rent for the ensuing year shall be the Schedule Amount as submitted for review to the Budget Committee plus thirty percent (30%) of the difference between the previous year's Schedule Amount and the Schedule Amount submitted for review to the Budget Committee for the ensuing year.

(2) By December 1st of each year, the Director shall make available to Tenant the calculation of Rent for the ensuing year, based on the formula set forth herein.

(3) Tenant shall be assigned an occupancy factor which shall be determined by multiplying the total amount of occupied square footage, as evidenced the market Plan, times a location factor times a use factor.

A. The location factor shall be:

1. One and eight-tenths (1.8) for stands located in the Market House; or

2. One and two-tenths (1.2) for stands located outside the Market House.

B. The use factor associated with the designated Use Category as defined in the Market Rates shall be:

1. Two (2.0) for any stand selling any amount of spirituous liquor, beer, wine, mixed beverages or other intoxicating beverages;
2. One (1.0) for "fast food", "specialty" and "traditional" stand;
3. Five-tenths (0.5) for "grocery" stands; or
4. Three-tenths (0.3) for "restaurant" stands.

(4) The occupancy factors for all stands upon the Market Grounds shall be added together. The result of that addition shall be "Total Occupancy Factor." The Total Occupancy Factor shall be multiplied by five percent (5%) to reflect average vacancy rates from year to year. This calculation shall result in the "Vacancy Factor."

(5) The aggregate of all revenue reasonably anticipated in the upcoming year from event rental, leases with terms for less than a year, and Storage Lockers shall be deducted from the Schedule Amount. The result of this calculation shall be the "Adjusted Schedule Amount."

(6) The Adjusted Schedule Amount shall be multiplied by a fraction, the numerator of which is Tenant's occupancy factor and the denominator of which is the Total Occupancy factor minus the Vacancy Factor. This calculation shall result in the "Annual Rent," which shall then be divided by twelve (12) to determine the Rent due on the first day of each month.

(7) A fee for energy consumption for the outdoor heating system will be assessed to each Tenant of the Arcade. A fee for maintenance and repair services for the refrigerated display cases will be assessed to each Tenant of the Market House. Such payments are deemed part of the rental obligation.

(b) The Director may rent such spaces or parts or grant the right to use the same for a period not to exceed three (3) years. Rent for a lease term of more than one (1) year shall be recalculated in accordance with division (a) of Section 131.21 each year regardless of the lease term. He or she may make such provision for renewal or extension of the rental right or grant as he or she may deem advisable from time to time for additional periods not exceeding three (3) years each, providing that the option or right of renewal shall be exercisable only by the Director and not by the grantee.

(c) The Director may rent such spaces for terms less than one (1) year for the amounts established from time to time by the Board of Control.

(d) The Director is authorized to provide in the renting or granting of rights to the use of such part or space that the rental right or grant shall not be transferred or assigned by the grantee thereof to any other person without the consent, in writing, of the Director. Such right or grant may be revoked by the Director upon conviction of the grantee of violation of law or ordinances relating to weights and measures. Provisions shall be made by the Director for the payment of such rental at such regular times and at such place as may be by him or her deemed most advisable.

#### Section 133.22 Manager of West Side Market

The Director of Parks and Recreation may appoint a Manager of the West Side Market, subject to the provisions of the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, and to the supervision of the Director of Parks and Recreation, who shall be responsible for the management and administration of the City's West Side Market.

#### Section 133.23 Property Adoption and Licensing

The Director may agree to allow, with the approval of the Board of Control, any business or other entity to maintain, improve, and adopt real estate belonging to the City and not in charge of another department; provided, however, that such real estate is no greater in area than two hundred (200) square feet and that the improvements are for solely for beautification of the real estate. Any business or entity adopting property shall be entitled to have such property designated in its name and the Director is authorized to evaluate and present awards to the best maintained property. The Director shall establish rules and regulations for property adoption. A copy of each proposed Property Adoption Agreement is to be provided to the Clerk of Council at least fourteen (14) days prior to approval by the Board of Control. Any such adoption shall not be construed as the conveyance of any right, title or interest in public property but merely as the grant of a privilege, revocable at will.

#### Section 133.24 Deposits for Use of Property

The issuance of a permit for the use of Municipal property under the supervision and control of the Department of Parks and Recreation or the use of such equipment or property, both real and personal, shall be secured by a deposit, in an amount equal to at least ten percent (10%) of the value of the equipment used and sufficient to guarantee performance or reimbursement for estimated costs of repair, replacement or return of secured property to its condition prior to use by the permittee, except where by reason of the nature of the project to be undertaken, the respective commissioner or manager of the division affected, with the approval of the Director of Parks and Recreation has determined that it is impractical or unnecessary to require a deposit.

Section 133.25 ReservedSection 133.26 ReservedSection 133.27 ReservedSection 133.28 ReservedSection 133.29 Division of Recreation

There is established a Division of Recreation in the Department of Parks and Recreation, to be administered and controlled by a Commissioner of Recreation, subject to the Charter and ordinances of the City, and to the direction of the Director of Parks and Recreation.

Section 133.30 Duties of the Commissioner of Recreation

The Commissioner of Recreation shall have charge and management of all recreational property and activities of the City, including without limitation, yoga, gaming tournaments, tennis, pickleball, volleyball, or any other sports played at City recreation centers or Cleveland Public Auditorium and playgrounds, ballfields, tennis courts, skating rinks, Camp George L. Forbes and the operation and maintenance of all City golf courses. The Commissioner shall administer permits under the same terms and conditions as those set forth in Section 133.07 for the use of any property under his or her charge and management which is not subject to the authority of the Manager of Special Events under Sections 133.07 and 133.08. The Commissioner may enter into agreements with the owners of premises in the vicinity of City playgrounds for the storage of playground equipment on such terms and conditions as may be approved by the Board of Control.

Section 133.31 Highland Park Golf Course and Banquet Room Rates

The Director of Parks and Recreation is authorized to collect, or cause to be collected, the following rates at Highland Park Golf Course, provided, however, that the fees regarding banquet room rental at Highland Park Golf Course may be amended from time to time by the Board of Control:

(a) In-Season Rates (May 1 through October 15 of each year):

(1) Weekdays

Rate

18 holes riding\*

up to \$36

|                  |            |
|------------------|------------|
| 18 holes walking | up to \$23 |
| 9 holes riding   | up to \$24 |
| 9 holes walking  | up to \$17 |

*\* As used in this ordinance, riding shall mean the player will use a power cart.*

(2) Weekends - Holidays

Rate

|                  |            |
|------------------|------------|
| 18 holes riding  | up to \$45 |
| 18 holes walking | up to \$32 |
| 9 holes riding   | up to \$26 |
| 9 holes walking  | up to \$19 |

(3) Senior – Junior\* (only available on weekdays before 3:00 p.m. and weekends after 2:00 p.m.)

Rate

|                  |            |
|------------------|------------|
| 18 holes riding  | up to \$33 |
| 18 holes walking | up to \$20 |
| 9 holes riding   | up to \$19 |
| 9 holes walking  | up to \$12 |

*\* Senior players must be at least sixty (60) years old and Junior players must be under the age of 18.*

(b) Off-Season Rates (October 16 through April 30 of each year):

|                  | Weekdays<br>Rate | Weekends – Holidays<br>Rate |
|------------------|------------------|-----------------------------|
| 18 holes riding  | up to \$29       | up to \$32                  |
| 18 holes walking | up to \$20       | up to \$23                  |
| 9 holes riding   | up to \$16       | up to \$18                  |
| 9 holes walking  | up to \$11       | up to \$13                  |

(c) Residential Discounts and Discount Card. A residential discount on rates is available to all Cleveland residents with non-expired photo identification demonstrating current Cleveland proof of residency. Cleveland residents qualify for and may obtain an annual discount card at no cost. Non-residents can obtain this annual discount card for a \$20.00 fee. The card provides a discount of up to \$2.00 off of 9 holes and up to \$6.00 off of 18 holes.

(d) Additional Rates/Charges:

Rate

League rate 9 holes walking/riding (a.m. hours) up to \$10 / \$16  
League rate 9 holes walking/riding (p.m. hours) up to \$14 / \$20  
In-Season Power Cart Fee (9 holes/18 holes) up to \$7 / \$13  
Pull Cart \$5  
Replay [after already playing 18 holes] (9 holes/18 holes) up to \$9 / \$18  
High School/College students (9 holes/18 holes) up to \$9 / \$15

(e) Banquet Room Rental at Highland Park Golf Course.

(1) All rental rates for the banquet room shall be set by the Board of Control, which shall include rental schedules for City residents and non-City residents.

(2) Rental rates shall be based on a four (4) hour period, which will include at no charge up to one (1) hour before the event for set-up and up to one (1) hour after the event for clean-up. Any events, not including the above-referenced set-up and clean-up times, exceeding the four (4) hour period, shall be charged for each additional hour, or portion of an hour, used. Rental rates for the room, including additional charges for exceeding the four (4) hour period, shall be set by the Board of Control. The banquet room closes at 12:00 a.m. on Friday through Sunday and Holidays and at times determined by the Commissioner of Recreation on Monday through Thursday. All events shall end one-half hour before the facility closes. The City's Concessionaire shall be used exclusively to provide food and beverages for all catered events, unless the Director approves the use of an independent caterer. All beverages, including alcoholic beverages, shall be purchased from the City or the City's Concessionaire. Security is to be provided through the Village of Highland Hills Police Department and it is the responsibility of the group renting the banquet room to arrange and pay for such security, as billed by the Village of Highland Hills Police Department.

(3) Rental of the banquet room for golf outings. The golf outing must conclude one-half hour before the golf course closing time. Events exceeding the four (4) hour rental period described above, are subject to additional charges. If the event is to be catered by the City's Concessionaire, the rental fee for the room for a maximum period of four (4) hours, shall be included in the caterer's per-person meal cost.

(4) Golf leagues established for the season at Highland Park Golf Course may use the banquet room at no charge once per golf season. Events shall be held Monday through Friday and shall conclude by 5:00 p.m.

(f) Net proceeds from fees collected at the Highland Park Golf Course shall be expended for facility improvements therein.

Section 133.32 Rental Fees for Camp George Forbes

(a) The Commissioner of Recreation may allow private parties to rent Camp George Forbes provided that said parties secure a permit from the Director under Section 133.07 and pay the fees specified in division (b) of this section.

(b) The Director of Parks and Recreation shall assess and collect the following fees for the rental of Camp George Forbes:

|                                         | City Residents | Non-City Residents |
|-----------------------------------------|----------------|--------------------|
|                                         |                |                    |
| (1) Great Room Rental:                  |                |                    |
| Monday-Friday: 9:00 a.m. to 3:00 p.m.   | \$250.00       | \$275.00           |
| Monday-Friday: 5:00 p.m. to 12:00 a.m.  | \$400.00       | \$440.00           |
| Saturday-Sunday: All Day                | \$400.00       | \$440.00           |
|                                         |                |                    |
| (2) Great Room and Class Room A Rental: |                |                    |
| Monday-Friday: 9:00 a.m. to 3:00 p.m.   | \$300.00       | \$330.00           |
| Monday-Friday: 5:00 p.m. to 12:00 a.m.  | \$500.00       | \$550.00           |
| Saturday-Sunday: All Day                | \$500.00       | \$550.00           |
|                                         |                |                    |
| (3) Class Room A Rental:                |                |                    |
| Monday-Friday: 9:00 a.m. to 3:00 p.m.   | \$250.00       | \$275.00           |
| Monday-Friday: 5:00 p.m. to 12:00 a.m.  | \$400.00       | \$440.00           |
| Saturday-Sunday: All Day                | \$400.00       | \$440.00           |
|                                         |                |                    |
| (4) Class Room B or C Rental:           |                |                    |
| Monday-Friday: 9:00 a.m. to 3:00 p.m.   | \$250.00       | \$275.00           |
| Monday-Friday: 5:00 p.m. to 12:00 a.m.  | \$400.00       | \$440.00           |
| Saturday-Sunday: All Day                | \$400.00       | \$440.00           |

|                                                  |            |            |
|--------------------------------------------------|------------|------------|
|                                                  |            |            |
| (5)Dining Hall Room Rental:                      |            |            |
| Monday-Friday: 9:00 a.m. to 3:00 p.m.            | \$300.00   | \$330.00   |
| Monday-Friday: 5:00 p.m. to 12:00 a.m.           | \$550.00   | \$605.00   |
| Saturday-Sunday: All Day                         | \$550.00   | \$605.00   |
|                                                  |            |            |
| (6)Picnic Shelter Rental                         | \$220.00   | \$265.00   |
|                                                  |            |            |
| (7)Cabin Rental:                                 |            |            |
|                                                  |            |            |
| A. Friday 5:00 p.m. through Saturday 12:00 p.m.  |            |            |
|                                                  |            |            |
| Minimum of 6 cabins                              | \$730.00   | \$805.00   |
| Each additional cabin                            | \$100.00   | \$100.00   |
| 10 cabin package                                 | \$1,000.00 | \$1,100.00 |
|                                                  |            |            |
| B. Saturday 12:00 p.m. through Sunday 12:00 p.m. |            |            |
| Minimum of 6 cabins                              | \$880.00   | \$970.00   |
| Each additional cabin                            | \$125.00   | \$125.00   |
| 10 cabin package                                 | \$1,100.00 | \$1210.00  |
|                                                  |            |            |
| C. Friday 5:00 p.m. through Sunday 12:00 p.m.    |            |            |
| Minimum of 6 cabins                              | \$1,370.00 | \$1,510.00 |
| Each additional cabin                            | \$125.00   | \$125.00   |
| 10 cabin package                                 | \$1,700.00 | \$1,870.00 |

|                                           |            |            |
|-------------------------------------------|------------|------------|
|                                           |            |            |
| D. Weekend package:                       |            |            |
| Includes 10 cabins and use of Dining Hall | \$2,000.00 | \$2,200.00 |
| (8)Swimming Pool Rental:                  |            |            |
|                                           |            |            |
| A. Pool only                              | \$300.00   | \$300.00   |
|                                           |            |            |
| B. Pool with a room or cabin rental       | \$150.00   | \$150.00   |

(c) City of Cleveland certified lifeguards must be provided by the parties renting the pool with minimum of one (1) lifeguard per thirty-five (35) participants. Lifeguard rate is thirty-two dollars (\$32.00) per guard.

(d) Rental of any part of the facility is based on a four (4) hour period including two (2) hours prior to event for set up. There is a charge of fifty dollars (\$50.00) per hour for each additional hour.

(e) In instances where private security services are required, it is the responsibility of the party renting the facility to provide such service. Security guards may be a member of a police department as defined in RC 4117.01(M) or be a person engaged for hire as a watchman, guard, private policeman or other person whose primary duty is to protect persons or property or both and is a class A or C licensee under RC Chapter 4749 or a registered employee of the same and meets all requirements imposed by that chapter, and also meets all requirements that may be imposed by RC Chapter 109 and Chapter 709 of the Codified Ordinances of Highland Hills. It is the responsibility of the party renting the facility to ensure that such requirements are met.

### Section 133.33 Rental of Halloran Skating Rink

(a) The Commissioner of Recreation may allow private parties to rent Halloran Skating Rink during any period when Division of Recreation programs are not scheduled or in progress provided that said parties secure a permit from the Director under Section 133.07 and pay the fees specified in division (b) of this section.

(b) The Director of Parks and Recreation shall assess and collect the following fees and charges for the rental of Halloran Skating Rink:

|                                          |         |
|------------------------------------------|---------|
| Permit application, under Section 133.07 | \$10.00 |
|------------------------------------------|---------|

|                                  |                  |
|----------------------------------|------------------|
| Fee for rental of rink           | N/A              |
| Personnel and operating expenses | \$88.00 per hour |
| Utility charges                  | \$32.00 per hour |

(c) The Director of Parks and Recreation shall deposit the fees and charges collected for the rental of Halloran Skating Rink into the fund or funds designated to pay the costs of the general operation of the skating rink, the equipment and maintenance costs associated with maintaining the skating rink, and for skating rink facility improvements and that these funds collected may be used for and are appropriated for these purposes.

(d) During any period when Division of Recreation programs are not scheduled or in progress, the Commissioner of Recreation shall allow branches, departments, offices, and groups of the City of Cleveland to use Halloran Skating Rink provided that such groups pay one-half (1/2) of the permit application, personnel and operating expenses, and utility charge fees specified in division (b) of this section. The Director of Parks and Recreation shall not require more than five (5) days prior notice to obtain the permit required by Section 133.07.

#### Section 133.34 Rental Fees for Recreation Center Use

(a) The Commissioner of Recreation may allow private parties to rent recreation center community or meeting rooms or outdoor pools during regular operational hours provided that the parties pay the fees specified in division (c) of this section. The Commissioner of Recreation may allow the following private groups to rent at no cost recreation center community or meeting rooms or outdoor pools during regular operational hours provided that the room will not be used to raise money for political campaigns or political issues:

- (1) Branches, departments or offices of the City of Cleveland if the event furthers the functions or goals of that branch, department or office;
- (2) Non-profit organizations and neighborhood organizations, such as block clubs, street clubs and ward clubs, located within the City of Cleveland if the purpose of the event is to address providing or supporting direct health and welfare services to individuals or to address safety, building or housing issues; and
- (3) Schools located within the City of Cleveland if the event furthers an educational or recreational purpose.

(b) The Commissioner of Recreation may allow private parties to rent recreation center community or meeting rooms or outdoor pools before or after regular operational hours provided that the parties pay the fees specified in division (c) of this section.

(c) The Director of Parks and Recreation shall assess and collect the following fees for rental of recreation center community or meeting rooms or outdoor pools:

(1) During regular operational hours, sixty-eight dollars (\$68.00) per hour per staff person required.

(2) Before or after regular operational hours, eighty-four dollars (\$84.00) per hour per staff person required.

(d) The Commissioner of Recreation may allow private parties to rent portions of the recreation centers for recreation uses before or after regular operational hours provided that the parties pay the fees specified in division (f) of this section.

(e) The Commissioner of Recreation may allow the groups identified in division (a) of this section to rent portions of the recreation centers for recreation uses before or after regular operational hours provided that the parties pay one-half (1/2) of the fees specified in division (f) of this section.

(f) The Director of Parks and Recreation shall assess and collect a fee of eighty-four dollars (\$84.00) per hour per staff person required fees for the rental of portions of the recreation centers for recreation uses.

(g) The Commissioner of Recreation may allow the Cuyahoga County Board of Elections to rent at no cost recreation center community or meeting rooms or any portions of the recreation centers before, during or after regular operational hours for voting purposes.

(h) Any party renting a portion of a recreation center or outdoor pool under this section shall also secure a permit from the Director under Section 133.07 and shall pay any fee required for that permit.

(i) Net proceeds from fees collected under this section shall be deposited into a fund or funds which are designated for use by the Division of Recreation for its goods, services, activities, and programs.

#### Section 133.35 Rental of Athletic Complexes; Fee

(a) The Director of Parks and Recreation, or his or her designee, may rent the Collinwood Athletic Complex, the Morgana Athletic Complex, League Park Baseball Field; and any other City of Cleveland athletic complexes, when available, as long as a permit is secured under Section 133.07 and the fees specified in this section are paid. This section shall not apply to the rental of the League Park Complex which is subject to the provisions of Section 133.37.

(b) The Director, or his or her designee, shall assess and collect the following fees and charges for the rental of athletic complexes:

- (1) Athletic complex base rental: one thousand dollars (\$1,000.00);
  - A. Base rental of the complex is based on a six (6) hour period.
  - B. The six (6) hour base rental period includes set up, event, dismantle, and the exit of the organizers and their participants and guests, and general clean-up.
  - C. Each additional hour or fraction thereof exceeding the six (6) hour base rental will cost an additional two hundred dollars (\$200.00) per hour.
  - D. During the six (6) hour base rental, if lights are required during any portion of the sporting or athletic event, an additional one hundred dollars (\$100.00) per hour or fraction thereof will be charged at the time the permit is issued. The City will bill for any additional lighting costs at one hundred fifty dollars (\$150.00) per hour or fraction thereof.
  - E. Party renting the complex is responsible for general clean-up of the area.
- (2) All fees are due and payable prior to the issuance of a permit.
- (3) Rentals not requiring lights are to conclude thirty (30) minutes prior to dusk.
- (4) Rentals requiring lights must conclude no later than 11:00 p.m.
- (c) In cases where private security services are determined to be necessary by the Director, or his or her designee, it is the responsibility of the party renting the complex to provide the services, using a security service approved by the Director, or his or her designee.
- (d) Any party renting the complex is responsible for damages incurred during rental period and will be required to provide one million dollars (\$1,000,000.00) liability and property damage insurance which includes the City of Cleveland as an additional insured.
- (e) Any party renting the complex will be required to provide emergency medical personnel for any athletic competition.
- (f) All proceeds from gate collections will go to the party renting the facility.
- (g) All concessions will be operated by the City of Cleveland or its designated vendor.
- (h) The Director shall deposit the fees and charges collected for the rental of the complex into the fund or funds designated to pay the costs of the general operation of

the complex, the equipment and maintenance costs associated with maintaining the complex, and for improvements to the complex. The funds collected may be used for and are appropriated for these purposes. Any funds received through the renting of the League Park complex shall be used only for the operation and maintenance of, and equipment and improvements for, the League Park complex.

(i) After securing the necessary permit under Section 133.07 of these Codified Ordinances, the Director, or his or her designee, may allow the Cleveland Muny Football League and the Cleveland Metropolitan School District to rent athletic complexes for games, scrimmages, or practices, without being assessed the fees and charges specified in division (b) of this section.

Section 133.36 Reserved

Section 133.37 Rental of League Park Baseball Field and League Park Visitors Center; Fee

(a) The Director of Parks and Recreation, or his or her designee, may rent the League Park Baseball Field or the Visitors Center, collectively known as the League Park Complex, when available, as long as a permit is secured under Section 133.07 and the fees specified in this section are paid. Rentals secured under this section shall be for a minimum base rental period of four (4) hours and include set-up, event, dismantle, exit of the organizers and their participants and guests, and general clean-up of the rented area.

(b) The Director, or his or her designee, shall assess and collect the following fees and charges for the rental of the following:

(1) League Park Baseball Field rental:

A. Not-for-profit rental:

1. Three hundred dollars (\$300.00) for the base rental period of four (4) hours.
2. Thirty-seven dollars and fifty cents (\$37.50) for each half hour the event extends beyond the four (4) hour base rental period, and any remaining minutes past any half-hour increment shall be prorated using the rate of thirty-seven dollars and fifty cents (\$37.50) per half hour.

B. For-profit rental:

1. Six hundred dollars (\$600.00) for the base rental period of four (4) hours.

2. Seventy-five dollars (\$75.00) for each half hour the event extends beyond the four (4) hour base rental period, and any remaining minutes past any half-hour increment shall be prorated using the rate of seventy-five dollars (\$75.00) per half hour.

(2) League Park Visitors Center rental:

A. Not-for-profit rental:

1. Three hundred forty dollars (\$340.00) for the base rental period of four (4) hours.
2. Forty-two dollars and fifty cents (\$42.50) for each half hour the event extends beyond the base rental period of four (4) hours, and any remaining minutes past a half-hour increment shall be prorated at the rate of forty-two dollars and fifty cents (\$42.50) per half hour.

B. For-profit rental:

1. Four hundred dollars (\$400.00) for the base rental period of four (4) hours.
2. Fifty dollars (\$50.00) for each half hour the event extends beyond the base rental period of four (4) hours, and any remaining minutes past a half-hour increment shall be prorated at the rate of fifty dollars (\$50.00) per half hour.

(c) The party renting either portion of the League Park Complex is responsible for general clean-up of the area.

(d) Rentals are to conclude thirty (30) minutes before dusk.

(e) All fees are due and payable prior to the issuance of a permit.

(f) In cases where off-duty commissioned officers or private security services are determined to be necessary by the Director, or his or her designee, it is the responsibility of the party renting either portion of the League Park Complex to provide the services, using a security service approved by the Director, or his or her designee.

(g) Any party renting either portion of the League Park Complex is responsible for damages incurred during the rental period and will be required to provide one million dollars (\$1,000,000.00) liability and property damage insurance and include the City of Cleveland as an additional insured.

(h) Any party renting either portion of the League Park Complex will be required to provide emergency medical personnel for any athletic competition or other event as determined to be necessary by the Director, or his or her designee.

(i) All proceeds from gate collections will go to the party renting the facility.

(j) All concessions will be operated by the City of Cleveland or its designated vendor.

(k) The Director shall deposit the fees and charges collected for the rental of either portion of the League Park Complex into the fund or funds designated to pay the costs of the general operation of the Complex, the equipment and maintenance costs associated with maintaining the Complex, and for insert improvements to the Complex and for City events held at the Complex. The funds collected may be used for and are appropriated for these purposes.

(l) After securing the necessary permit under Section 133.07 of these Codified Ordinances, the Director, or his or her designee, may allow the Cleveland Metropolitan School District to rent the baseball field for games or practices, without being assessed the fees and charges specified in division (b) of this section.

Section 133.38 Purchase of City-related Merchandise, Souvenirs, Food, and Beverages for Resale at City Parks, Recreational Facilities, and the West Side Market

(a) The Director of Parks and Recreation is authorized to enter into one (1) or more standard purchase or requirement contracts duly let to the lowest and best bidder after competitive bidding for merchandise, souvenirs, food, and beverages for resale at a price set by the Director, at City parks, recreational facilities, and the West Side Market, for a period of time to be determined by the Director.

(b) Any purchase made under this section shall be made by the Commissioner of Purchases and Supplies and paid from the annual appropriations made for that purpose.

(c) That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Parks and Recreation may sign all documents that are necessary to make the purchases, and may enter into one (1) or more contracts with the vendors selected through that cooperative process.

(d) That the proceeds from the sale of the merchandise, souvenirs, food, and beverages shall be deposited into a fund or funds designated by the Director of Finance to provide support for programs and services to benefit the public in the use of parks, recreational facilities, and programs and services of the West Side Market, and are appropriated for that purpose.

Section 133.39 Division of Park Maintenance

There is established a Division of Park Maintenance in the Department of Parks and Recreation, which shall be administered and controlled by a Commissioner of Park Maintenance, subject to the provisions of the Charter and ordinances of the City, and to the direction of the Director of Parks and Recreation.

Section 133.40 Duties of the Commissioner of Park Maintenance

The Commissioner of Park Maintenance shall direct and assist managers and assistant managers in the Division of Park Maintenance in scheduling daily operations in all phases of ground maintenance for park and recreational areas and all other properties designated by the Director of Parks and Recreation. The Commissioner shall have charge and management of the City greenhouse, nurseries and cultural gardens, the operation and maintenance of all City cemeteries, and all aspects of the planting, maintenance, removal and disposal of trees, grass, shrubs, ground covers and other vegetation, except at the City golf courses.

Section 133.41 Greenhouse, Rockefeller Park and Cultural Gardens; Fees

(a) The Director of Parks and Recreation shall assess and collect fees for the use of the City Greenhouse, Rockefeller Park and Cultural Gardens under the following schedule for City Residents:

|                                                               |          |
|---------------------------------------------------------------|----------|
| Photo shoots (a maximum of 4 hours)                           | \$75.00  |
| Wedding ceremonies and photo shoots<br>(a maximum of 4 hours) | \$150.00 |

(b) The Director of Parks and Recreation shall assess and collect fees for the use of the City Greenhouse, Rockefeller Park and Cultural Gardens under the following schedule for non-City Residents:

|                                                               |          |
|---------------------------------------------------------------|----------|
| Photo shoots (a maximum of 4 hours)                           | \$100.00 |
| Wedding ceremonies and photo shoots<br>(a maximum of 4 hours) | \$175.00 |

Section 133.42 Cemetery Rates

The Commissioner of Park Maintenance shall collect the following charges for services, space, and supplies at City-owned cemeteries:

|  |  |
|--|--|
|  |  |
|--|--|

|                                       | Tues. - Fri. | Sat.       |
|---------------------------------------|--------------|------------|
| <i>(a) Single Grave Section</i>       |              |            |
| (1) Adult grave                       | \$501.00     | \$501.00   |
| Open & close                          | \$464.00     | \$647.00   |
| Total                                 | \$965.00     | \$1,148.00 |
| (2) Infant grave (4 feet or less)     | \$116.00     | \$116.00   |
| Open & close                          | \$102.00     | \$153.00   |
| Total                                 | \$218.00     | \$269.00   |
| (3) Oversized Grave                   | \$1,002.00   | \$1,002.00 |
| Open & close                          | \$464.00     | \$647.00   |
| Total                                 | \$1,466.00   | \$1,649.00 |
| <i>(b) Flush Marker Lot Sections</i>  |              |            |
| (1) One grave                         | \$743.00     | \$743.00   |
| Open & close                          | \$647.00     | \$921.00   |
| Total                                 | \$1,390.00   | \$1,664.00 |
| (2) Family lot (two graves)           | \$1,486.00   | \$1,486.00 |
| Open & close                          | \$647.00     | \$921.00   |
| Total                                 | \$2,133.00   | \$2,407.00 |
| (3) Oversized grave                   | \$1,486.00   | \$1,486.00 |
| Open & close                          | \$647.00     | \$921.00   |
| Total                                 | \$2,133.00   | \$2,407.00 |
| <i>(c) Raised Marker Lot Sections</i> |              |            |
| (1) One grave                         | \$873.00     | \$873.00   |
| Open & close                          | \$647.00     | \$921.00   |
| Total                                 | \$1,520.00   | \$1,794.00 |
| (2) Family lot (two graves)           | \$1,746.00   | \$1,746.00 |
| Open & close                          | \$647.00     | \$921.00   |
| Total                                 | \$2,393.00   | \$2,667.00 |
| (3) Oversized grave                   | \$1,746.00   | \$1,746.00 |
| Open & close                          | \$647.00     | \$921.00   |

|                                                  |            |            |
|--------------------------------------------------|------------|------------|
| Total                                            | \$2,393.00 | \$2,667.00 |
| <i>(d) Open &amp; Closing for Lot Sections</i>   |            |            |
| (1) Adult grave                                  | \$647.00   | \$921.00   |
| (2) Extra deep adult grave (depth of 8 feet)     | \$872.00   | \$1,207.00 |
| (3) On top of extra deep adult grave             | \$872.00   | \$1,207.00 |
| (4) Infant grave or still born on top            | \$102.00   | \$153.00   |
| (5) Cremated remains in urn                      | \$334.00   | \$450.00   |
| (6) Cremated remains in vault                    | \$392.00   | \$538.00   |
| <i>(e) Urn Garden Section</i>                    |            |            |
| Grave                                            | \$363.00   | \$363.00   |
| Open & close (includes marker setting and vault) | \$421.00   | \$589.00   |
| Total                                            | \$784.00   | \$952.00   |
| <i>(f) Veterans' Sections</i>                    |            |            |
| (1) Full body open & close                       | \$464.00   | \$647.00   |
| (2) Cremains in urn                              | \$334.00   | \$450.00   |
| (3) Cremains in vault                            | \$392.00   | \$538.00   |
| <i>(g) Memorial Park Indigent Burial</i>         |            |            |
| (1) Adult                                        | \$464.00   | NA         |
| (2) Infant                                       | \$102.00   | NA         |
| <i>(h) Additional Services Available.</i>        |            |            |
| <i>(1) Disinterments.</i>                        |            |            |
| A. Adult grave                                   | \$2,500.00 | NA         |
| B. Adult grave-extra deep                        | \$2,700.00 | NA         |
| C. Infant grave                                  | \$700.00   | NA         |
| D. Cremated remains - located in urn garden      | \$700.00   | NA         |

|                                                     |                                                                |           |
|-----------------------------------------------------|----------------------------------------------------------------|-----------|
| E. Cremated remains - located other than urn garden | \$600.00                                                       | NA        |
| (2) <i>Setting and Foundation Charges.</i>          |                                                                |           |
| A. Headstones                                       |                                                                |           |
| 1. 18" × 10" (Infant)                               | \$160.00                                                       | \$160.00  |
| 2. 2' × 1' (Single)                                 | \$260.00                                                       | \$260.00  |
| 3. 3' × 1' or 4' × 1' (Double)                      | \$350.00                                                       | \$350.00  |
| 4. Resetting                                        | 1/2 of price listed above for replacement of same size markers |           |
| 5. Foundation (per cubic ft)                        | \$28.00                                                        | \$28.00   |
| 6. Veteran stones                                   | \$260.00                                                       | \$260.00  |
| 7. <u>Veteran stones resetting</u>                  | <u>\$75.00</u>                                                 | <u>NA</u> |
| B. Flower container                                 |                                                                |           |
| 1. Purchase                                         | \$40.00                                                        | \$40.00   |
| 2. Installation                                     | \$30.00                                                        | \$30.00   |
| 3. Purchase & Installation                          | \$70.00                                                        | \$70.00   |
| (3) <i>Miscellaneous Services.</i>                  |                                                                |           |
| A. Opening and closing grave for inspection         |                                                                |           |
| 1. Identify without disturbing remains              | \$1,185.00                                                     | NA        |
| 2. Remove for autopsy; replace in open grave        | \$1,273.00                                                     | NA        |
| B. Private mausoleums: receipt and discharge        | \$667.00                                                       | NA        |
| C. Highland Chapel Park Mausoleum                   |                                                                |           |
| 1. Crypts: seal or unsealed                         | \$587.00                                                       | \$587.00  |
| 2. Niches: seal or unsealed                         | \$448.00                                                       | \$448.00  |
| D. Resale of repurchased niches and crypts          |                                                                |           |

|                                                                                                  |            |            |
|--------------------------------------------------------------------------------------------------|------------|------------|
| 1. Niches in Highland Park Mausoleum                                                             | \$1,415.00 | \$1,415.00 |
| 2. Crypts In Highland Park Mausoleum                                                             | \$3,575.00 | \$3,575.00 |
| E. Placement of additional remains in casket at time of burial (recording fee)                   | \$150.00   | \$150.00   |
| (i) <i>Administrative Charges.</i>                                                               |            |            |
| (1 )Bad Check Charge                                                                             | \$30.00    | \$30.00    |
| (2) Late Payments                                                                                |            |            |
| A. Payments received after interment including checks that cannot be processed because of errors | \$65.00    | \$65.00    |
| B. Late/same day interment orders                                                                | \$100.00   | \$100.00   |

#### Section 133.43 Licensing Advertising Space on Public Recreational Property

Upon the approval of the Board of Control, the Director of Parks and Recreation may license space on recreational or real or personal property under the control of said Director to businesses for advertising purposes for fees determined by the Board of Control. Any such license shall not be construed as the conveyance of any right, title or interest in public property but merely as the grant of a privilege, revocable at will.

#### Section 133.44 Acceptance of Gifts

(a) The Director of Parks and Recreation is authorized to accept gifts of money, material, or services, for the various divisions of the department unconditionally given or limited by conditions as the donor may impose. The Director shall report the acceptance of each gift to the Clerk of the City Council.

(b) All moneys accepted under this section shall be placed to the credit of the Department of Parks and Recreation in a special revenue fund. The moneys deposited in the special revenue fund shall be expended for the benefit of the Department of Parks and Recreation, or in the manner and for the specific purpose named in the gift. If the donor has imposed limitations to their gift, then separate subfunds may be created in the special revenue fund to deposit the gifts.

(c) Expenditures from the fund or subfunds created by this section shall be made on vouchers signed by the Director of Parks and Recreation, or the director's designee,

when the amount is less than ten thousand dollars (\$10,000.00); otherwise such expenditure shall first be authorized by ordinance of Council in the manner provided in Charter Section 108.

(d) No part of any funds credited to the accounts shall be paid to or for the benefit of any officer or employee, either as additional compensation or as reimbursement for expenses incurred, or paid for purposes other than those directly benefiting the Department of Parks and Recreation. The funds received under this section shall be expended in the same manner as other public funds, unless specifically provided for in the terms of the gift, or authorized by resolution or ordinance of Council.

Section 133.45 Agreements for the Loan of Statues, Busts, or other Personal Property for Public Display

(a) The Director of Parks and Recreation may enter into one (1) or more agreements to loan statues, busts or other personal property under the control of the Department of Public Works to a person or entity for public display for a period not to exceed five (5) years, with one (1) option to renew for an additional five (5) year term, exercisable by the Director of Parks and Recreation

(b) The agreements shall, among other things, itemize the personal property, specify all conditions of the display, require restoration of any damaged City property, require insurance coverage acceptable to the Director of Parks and Recreation and the Director of Law, and contain additional terms and conditions as required to protect the interests of the City.

Section 133.46 Tree Commission Grants and Contributions

The Director of Parks and Recreation is authorized to apply for and accept from various entities, both public and private, such grants and contributions as the Tree Commission solicits under division (e) of Section 163.03; provided that such contributions may be in the form of money, material or services. The Director is further authorized to file all papers and execute all documents necessary to receive the funds under any grant or contribution, and upon acceptance of any grant or contribution by the Director, the funds shall be appropriated in the case of grants, for the purposes set forth in the grant agreement, and in the case of contributions, for the purposes designated by the donors. The Director shall report the acceptance of any grant or contribution to the Clerk of Council. Funds accepted under this section shall be deposited to Fund No. 20 SF 038 and used solely for the purpose of furthering the case, preservation and enhancement of the urban forest and education of the public with respect thereto.

**Section 5.** That the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 163.04, as amended by Ordinance No. 702-2020, passed June 6, 2020,

Section 411.05, as amended by Ordinance No. 928-2015, passed July 22, 2015,

Section 447.02, as amended by Ordinance No. 1474-13, passed November 25, 2013,

Sections 557.07, 557.13, 557.25, 557.27 and 557.36, as amended by Ordinance No. 957-2011, passed October 24, 2011, and

Section 559.53, as amended by Ordinance No. 1233-15, passed November 9, 2015,

Sections 559.54 and 559.541, as amended by Ordinance No. 479-2016, passed May 9, 2016,

Section 675.02, as amended by Ordinance No. 164-2018, passed March 5, 2018, and

Section 697A.02, as amended by Ordinance No. 1028-18, passed January 14, 2019,

are amended to read as follows:

Section 163.04 Duties of Commission

The Commission shall:

- (a) Assist with the adoption of an urban forest management plan and assist with updating a comprehensive inventory of trees and tree benefits analysis at regular intervals for the City;
- (b) Provide recommendations on policy, plans, programs, or legislation concerning urban forestry management, sustainability and protection of associated trees on public or private property;
- (c) Review and comment on any program or work undertaken by any City Department, technical or advisory bodies related to the protection or enhancement of the urban forest when so requested by the Mayor or Council;
- (d) Work with the necessary departments to implement recommendations to reduce tree loss and damage;
- (e) Monitor implementation of City plans and policies related to the urban forest and provide review and comment to the Mayor and Council;

(f) Assist the Director of ~~Public Works~~, Parks and Recreation or his or her designee, in preparing educational programming for residents, businesses, and organizations in the community to encourage proper maintenance of trees within the City;

(g) Solicit grants or contributions to the Tree Preservation Fund set forth in Section 509.21 of the codified ordinances, for the purpose of supporting the preservation, protection, maintenance, purchase and planting and establishment of trees in the City, and educating the public with respect thereto;

(h) Review and report on whether the penalties collected for unauthorized damage or removal of trees are being paid to the Tree Preservation Fund as set forth in Section 509.99 of the codified ordinances and make recommendations regarding the disbursement of funds from the Tree Preservation Fund;

(i) Assist the Director of ~~Public Works~~, Parks and Recreation, or his or her designee, in preparing an annual report to Council, the Mayor, and the public regarding the activities of the Commission; and

(j) Any other duty requested by the Mayor or Council.

#### Section 411.05 Parade Permits and Fee

(a) Definitions. As used in this section:

(1) "Chief" means the Chief of Police or the Chief's designee.

(2) "Crosswalk" shall have the same meaning as defined in Section 401.14.

(3) "Impromptu Demonstration" means a spontaneously-announced parade, whether proposed by a person or group, with little or no advanced planning and usually with the help of social media in response to events of great community or public interest occurring within two (2) days of the parade.

(4) "Parade" means any formation, march, procession of any kind, or motorcade consisting of persons, animals, or vehicles, or combination thereof traveling in unison for a common purpose upon the streets and public grounds within the City with an intent of attracting public attention that interferes with the normal flow or regulation of vehicular or pedestrian traffic upon the streets, sidewalks, and public grounds within the City.

(5) "Pedestrian" shall have the same meaning as defined in Section 401.37.

(6) "Person" shall have the same meaning as defined in Section 401.38.

(7) "Public Grounds" means property under the control of the City to which the general public has access, including all parks, malls, public lands and any paved areas on such property, but excluding streets, public buildings, and sidewalks.

(8) "Sidewalk" means the portion of a street adjacent to the curb lines or the lateral lines of a roadway and the adjacent property lines, intended for use of pedestrians.

(9) "Social Media" means online or electronic communication created by individuals using publicly-accessible technologies through the internet.

(10) "Special Event" shall have the same meaning as defined in Section ~~131.07~~ 133.07 and a permit as provided in Section ~~131.07~~ 133.07.

(11) "Street" means any place or way set aside or open to the general public for purposes of vehicular traffic, including any berm or shoulder parkway, right-of-way, or median strip thereof, excluding sidewalks.

(12) "Vehicle" shall have the same meaning as defined in Section 401.73.

(b) Permit Required. Except as provided in division (f)(2) of this section, no person shall engage in or conduct a parade without first obtaining a permit issued as provided in this section.

(c) Application Filing. A person seeking a parade permit shall file an application with the Office of Special Events and Marketing on the forms and in the manner provided and the application form shall be signed by the applicant.

(1) A permit application for a parade to be held with a special event shall be filed at least fourteen (14) days before the special event is proposed to commence.

(2) A permit application for a parade that will not be held with a special event shall be filed at least four (4) business days before the parade is proposed to commence.

(3) An application for a parade permit shall be considered filed upon receipt of the fully completed application by the Office of Special Events and Marketing.

(d) Application Contents. The application for a parade permit shall set forth the following information:

(1) The name, address, day-time telephone number, and email, if available, of the applicant;

(2) The name, address, and telephone number of the headquarters of the organization for which the parade is to be conducted;

- (3) The name and telephone number of the on-site coordinator or person in charge of the parade if different from the applicant;
  - (4) The date, time and estimated duration of the parade including time to organize before and disperse after the parade, and any possible alternative dates and times;
  - (5) A description of the route to be traveled, if applicable, including the starting point, the identification of and the directions to be followed on all streets, the termination point, and any areas to be used to set up before and disperse after the parade;
  - (6) An aerial street map of the route to be traveled clearly delineating all of the affected streets, compass coordinates and any proposed street closures;
  - (7) A statement of whether the proposed parade is a new or a recurring event;
  - (8) The approximate number of persons who, and animals and vehicles which, will constitute the parade and the types of animals and vehicles participating in the parade;
  - (9) The contact information for any private security services to be provided by the organizer for the parade, if applicable; and
  - (10) A description of any sound amplification equipment to be used in connection with the parade, if applicable.
- (e) Application Review. Applications for parade permits shall be reviewed by the Office of Special Events and Marketing and the Division of Police, and approved by the Chief and the Directors of Public Safety and Public Works, or the Director's designees, before a permit is issued. In determining whether to issue a permit, the following factors shall be considered:
- (1) Whether the information contained in the permit application is found to be false, misleading, or incomplete in any material detail;
  - (2) Whether the time, place, or size of the parade including the assembly areas and route of march, will unreasonably interfere with the safe and expeditious movement of pedestrian and vehicular traffic, ingress or egress to or use of adjoining private property, or unreasonably disrupt the use of a street when it is usually subject to significant traffic congestion;
  - (3) Whether the parade will present an unreasonable danger to the health or safety of the parade participants or other members of the public, or cause damage to public or private property;

(4) Whether the conduct of the parade will require the diversion of so great a number of City police officers to properly police the line of movement and contiguous areas as to prevent normal police protection within the City, including previously permitted parades and special events;

(5) Whether the parade would unreasonably interfere with the movement of police vehicles, fire-fighting equipment, or ambulance service to other areas of the City;

(6) Whether a permit for a parade or special event has been granted or has previously been filed and will be granted, for the same time and approximate location, or would unreasonably interfere with another parade or special event for which a permit has been issued;

(7) Whether the parade will substantially interfere with any construction or maintenance work schedule to take place along the planned route or location; and

(8) Whether the applicant, the organization, or persons represented by the applicant or organization have previously violated the provisions of a similar permit or have violated any City ordinances or state or federal laws in connection with a previous parade in the City.

(f) Policy; Exceptions. It is the policy of the City of Cleveland that persons and groups have the right to organize and participate in peaceful parades and impromptu demonstrations on the streets and public grounds of the City, subject to reasonable restrictions designed to protect public safety, persons and property, and to accommodate the interest of persons not participating in the assemblies to use the streets and sidewalks to travel to their intended destinations, and use public grounds for their intended purposes. For this reason:

(1) Except as provided in division (f)(2) of this section, all parades shall obtain a parade permit under this section and all reasonable efforts shall be taken to expedite the review of any application for a permit for a parade;

(2) A person or group is not required to obtain a permit for a parade before conducting the parade where:

A. The parade is not associated with a special event, will take place on sidewalks and crosswalks and will not prevent pedestrian traffic from using the sidewalks or crosswalks or interfere with vehicular traffic on the streets at the crosswalks, and will not occur on streets; or

B. The event is an impromptu demonstration, provided that a person involved in organizing the event notifies the Chief, by telephone, in writing, or in person, at least eight (8) hours prior to the parade of: 1) the date and time of the parade; 2) the name and telephone number of an on-

site coordinator or a person in charge of the parade; and 3) a description of the proposed route to be traveled, including the starting point, the identification of and the directions to be followed on all streets, the termination point, and any areas to be used to set up before and disperse after a parade.

(3) The Chief may impose reasonable time, place, and manner restrictions on parades that have not obtained a permit under division (f)(2) of this section based on the Chief's determination that the parade will substantially interfere with:

A. The safe and expeditious movement of pedestrian and vehicular traffic, ingress or egress to or use of adjoining private property, or unreasonably disrupt the use of a street when it is usually subject to significant traffic congestion;

B. The health or safety of the parade participants or other members of the public, or cause damage to public or private property;

C. The movement of police vehicles, fire-fighting equipment, or ambulance service to other areas of the City;

D. Another parade, special event, or impromptu demonstration; or

E. Any construction or maintenance work schedule to take place along a route or location to be used by the parade.

(g) **Permit Fee.** A fee of twenty-five dollars (\$25.00) to cover the administrative cost of processing the permit shall be paid to the City when the approved permit is obtained from the Division of Assessments and Licenses. This fee is separate from and in addition to any fees or charges paid for special events under Section ~~131.08~~ 133.08.

(h) **Permit Revocation.** Based on the recommendation of the Director of Public Safety or the Director's designee, the Commissioner of Assessments and Licenses may revoke or suspend any permit granted under this section because of any false statement made in the application for the permit.

(i) **Appeals.** If an application for a parade permit is denied or revoked, the applicant or permittee shall be notified in writing by email, if available, or by telephone and regular mail to the address on the application with the reason for the denial or revocation. An applicant or permittee shall have the right to appeal the denial or revocation of a parade permit within three (3) business days of receipt of the notice of denial to the Director of Public Safety. The Director of Public Safety, or his designee, shall hold a hearing on the denial or revocation within three (3) business days of receipt of the notice of appeal. If the Director determines that the permit should be granted, the applicant shall be notified in writing and obtain the permit from the Division of Assessments and Licenses upon payment of the fee. If the Director determines that a revoked permit should be

reinstated, the permittee shall be notified in writing and proceed as if the permit was not revoked. If the Director affirms the denial or revocation of the permit, the applicant shall be immediately notified of the decision and shall have the right to appeal the denial within the same time and in the same manner provided in Section 403.09.

#### Section 447.02 Licenses Required

(a) No person shall operate any carriage upon the public rights of way of the City without a carriage license and a carriage operator's license, each issued pursuant to Section 447.07.

(b) No person shall operate a carriage business in the City without a carriage business license issued pursuant to Section 447.07.

(c) A carriage operator or business that operates, without charging the public a fee, as part of a special event permitted under Section ~~131.07~~ 133.07 that lasts less than three (3) consecutive days shall be exempt from the license requirements of divisions (a) and (b) of this section but shall comply with all other provisions in this chapter unless specifically exempted.

#### Section 557.07 Lot Prices

Prices at which cemetery lots, or parts thereof, may be sold shall be fixed by the Commissioner of Park Maintenance ~~and Properties~~, at the time of platting any cemetery or part of any cemetery hereinafter acquired by the City, or not previously platted. The prices so fixed for all the lots shown on any plat shall be included in a single schedule, which shall clearly identify each lot shown on the plat, and the price. No schedule or amendment thereto shall be valid until the approval of the Director of ~~Public Works~~ Parks and Recreation and the Director of Finance are endorsed thereon, and until it is filed as a public record in the office of the Commissioner. Whenever any prices so fixed are to be changed, it shall be done only by amending the schedule, or by adopting a new schedule, which shall supersede all prior schedules applicable to the plat.

#### Section 557.13 Purchase of Lots on Deferred Payments

The Commissioner of Park Maintenance ~~and Properties~~ may at his or her discretion accept an initial payment on the price of the lot in an amount not less than half the total price, nor in any case less than the land cost apportioned to the lot. Payment of the remainder of the price shall be secured by agreement as the Commissioner, with the approval of the Director of ~~Public Works~~ Parks and Recreation, deems reasonable. The agreement shall be in form prescribed and approved by the Director of Law, and shall require the payment to the City for the benefit of the Cemetery Operating Fund of interest at the rate of six percent (6%) per annum on the deferred portion of the price, and for the reduction from time to time of the deferred portion by payments not less

frequent than semi-annually, nor shall the payment of any portion be deferred longer than five (5) years. The entire amount unpaid shall become due and payable before any interment is permitted in the lot, but the payment may be waived, and the agreement continued upon terms approved by the Directors named in this section.

#### Section 557.25 Plan of Mausoleums

The Commissioner of Park Maintenance ~~and Properties~~ shall at all times keep in his or her office as a public record a plan of every City mausoleum, which plan shall show and clearly identify every crypt and niche intended for use as a repository of human remains. The plan shall not be of any force or effect for the purposes of this chapter until and unless it is approved by the Director of ~~Public Works~~ Parks and Recreation. The plan may be altered, amended, supplemented or superseded by only a like plan similarly approved, which shall specifically state the plan or particular items of the plan intended to be altered, amended, supplemented or superseded.

#### Section 557.27 Schedule of Mausoleum Prices

Prices at which crypts and niches of City mausoleums shall be sold shall be fixed by the Commissioner of Park Maintenance ~~and Properties~~ not later than the first offering of any crypt or niche for sale, in the case of mausoleums hereafter erected. The prices so fixed for all of the crypts and niches shown on any plan shall be included in a single schedule, which shall clearly identify each crypt or niche and the price. No schedule or amendment thereto shall be valid until the approval of the Director of ~~Public Works~~ Parks and Recreation and the Director of Finance are endorsed thereon, and until it is filed as a public record in the office of the Commissioner. Whenever any prices so fixed are to be changed, it shall be done only by amending the schedule, or by adopting a new schedule which shall supersede all prior schedules applicable to the plan.

#### Section 557.36 Power to Decrease Prices

Wherever the Commissioner of Park Maintenance ~~and Properties~~ determines that cemetery lots, mausoleum crypts or niches cannot be sold at prices determined as provided in the foregoing sections of this chapter, he or she shall have power, with the approval of the Director of ~~Public Works~~ Parks and Recreation, to fix such less price as shall represent the highest price reasonably obtainable, not less than the endowment cost fixed as determined in this chapter, and to diminish the land cost or the land and capital cost in proportion as may be required. No sale shall be made for less than the determined endowment cost, and the full amount of the endowment cost shall in every case be paid into the respective endowment funds as in cases where the price is the full sum required by this chapter.

#### Section 559.53 Trespass on City Facilities

(a) No person shall trespass, loiter, or remain in or upon the grounds of any park or recreational facility under the supervision and control of the Director of ~~Public Works~~ Parks and Recreation during any hour when the public is not permitted in such park or recreational facility as determined by the Director pursuant to Section 559.52, unless such person has been authorized to be present in the park or recreational facility by the Director of Public Works.

(b) No person shall trespass, loiter, enter or remain in or upon the grounds of any park or recreational facility under the supervision and control of the Director of ~~Public Works~~ Parks and Recreation after being lawfully ordered to leave such park or recreational facility by an authorized official or agent of the City.

(c) Whoever violates this section shall be guilty of a minor misdemeanor for a first offense. In addition to any other method of enforcement provided for on this chapter, this minor misdemeanor may be enforced by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure. For each subsequent offense, whoever violates this section shall be guilty of a misdemeanor of the fourth degree.

#### Section 559.54 Prohibited Hours in the Mall Area

No unauthorized person shall be or remain on or in any portion of the area known as the Mall area between the hours of 12:00 a.m. to 5:00 a.m. Persons may be authorized to remain on the Mall by obtaining a permit from the Director of ~~Public Works~~ Parks and Recreation.

Such permits shall be issued when the Director finds:

- (a) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare and safety;
- (b) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
- (c) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the City;
- (d) That the facilities desired have not been reserved for other use at the day and hour required in the application.

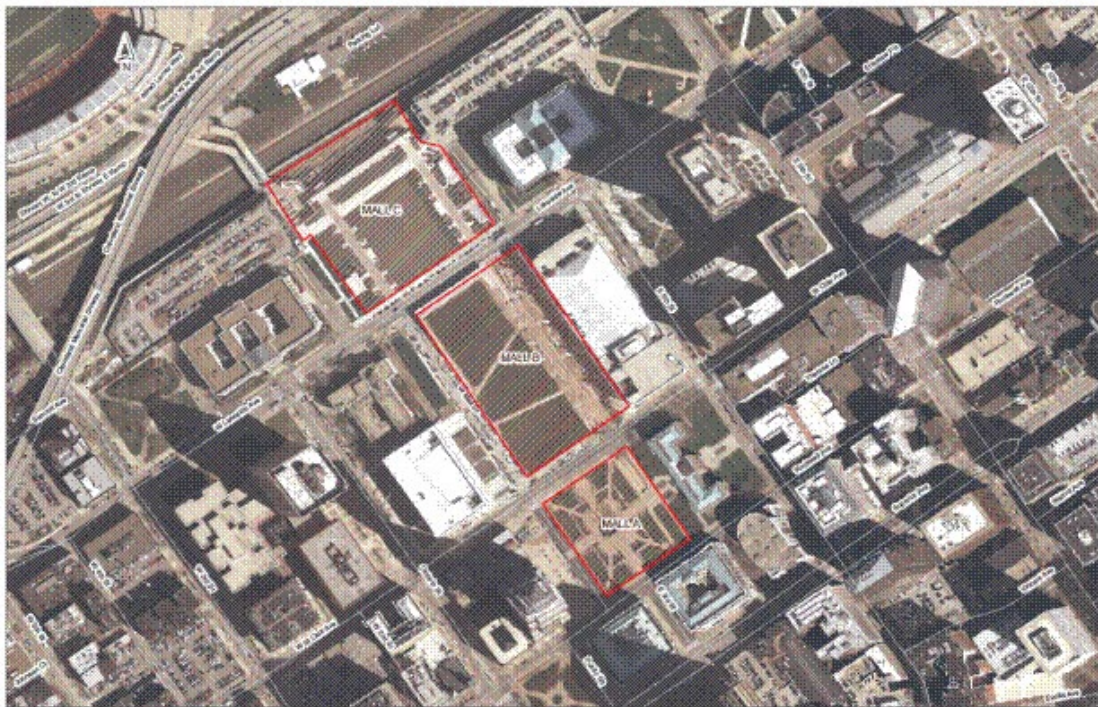
For the purpose of this section, the Mall area includes these areas specifically designated as Memorial Plaza (Mall A), Mall B, including the Leonard C. Hanna, Jr. Plaza and Mall C. It excludes therefrom all dedicated streets.

Memorial Plaza is that portion of the Mall A bounded by Rockwell Avenue on the south, St. Clair Avenue on the north, the east curb line, and its southeasterly prolongation, of

the Memorial Plaza parking garage ramp extending southeasterly to Rockwell Avenue on the east, and by West Mall Drive on the west.

Mall B is that portion of the Mall bounded by the Convention Center on the east, St. Clair Avenue on the south, Lakeside Avenue on the north, and West Mall Drive on the west.

Mall C is that portion of the Mall bounded by Lakeside Avenue on the south, City Hall on the east, and property lines on the north and west of parcel B2 in the Survey, Partition and Consolidation Plat as shown volume 365, page 0 of the Cuyahoga County Map Records, including all City Hall and City Garage property.



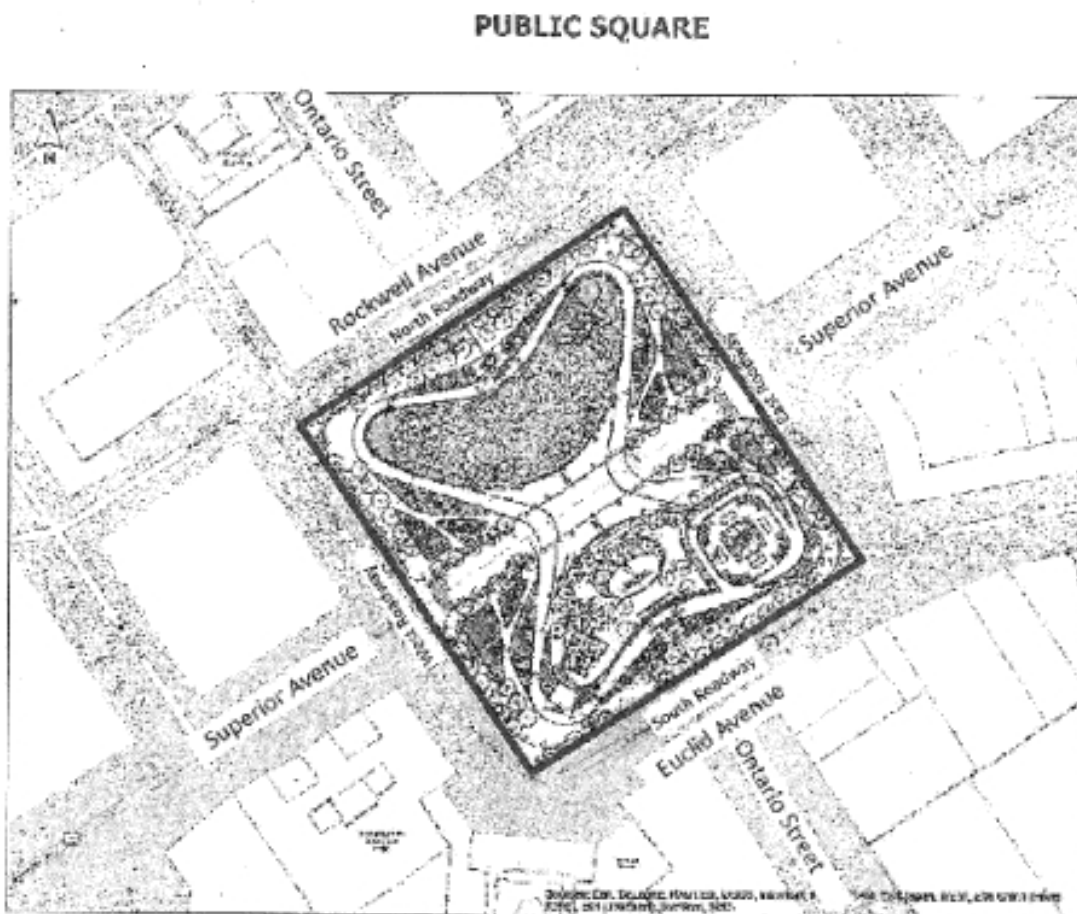
#### Section 559.541 Prohibited Hours in Public Square

No unauthorized person shall remain on or in any portion of the area known as the Public Square area between the hours of 12:00 a.m. to 5:00 a.m. Persons may be authorized to remain in Public Square by obtaining a permit from the Director of ~~Public~~ Works Parks and Recreation.

Such permits shall be issued when the Director finds:

- (a) That the proposed activity and use will not unreasonably interfere with or detract from the promotion of public health, welfare and safety;
- (b) That the proposed activity or use is not reasonably anticipated to incite violence, crime or disorderly conduct;
- (c) That the proposed activity will not entail unusual, extraordinary or burdensome expense or police operation by the City;
- (d) That the facilities desired have not been reserved for other use at the day and hour required in the application.

For purposes of this section, the "Public Square area" includes all structures (including but not limited to walls, fountains, and flower planters) located within Public Square and shown on the map below, but excludes all dedicated streets, public sidewalks adjacent to dedicated streets and RTA bus shelters within this area.



**Section 675.02 Street Vendor's License Required; Application; Fee**

(a) No person shall engage in vending anywhere in the City without a vendor's license issued under Section 675.03. The issuance of a vendor's license to a person shall not be deemed to authorize agents or employees of the person to vend without a license.

(b) The application for the license required by division (a) of this section shall be made to the Commissioner on forms prescribed by the Commissioner. The application shall include the following information:

(1) The name and address of the applicant;

(2) A detailed description of the goods, wares, commercially prepackaged food or beverages, or merchandise that the applicant intends to sell; and

(3) Such other information as the Commissioner deems necessary to ensure compliance with this chapter.

(c) In addition to the application required by division (a) of this section, each applicant for a vendor's license shall furnish two (2) photographs of the applicant taken within thirty (30) days before the date of application and of a size designated by the Commissioner.

(d) The annual license fee shall be sixty dollars (\$60.00) which shall cover the period beginning August 1 and ending July 31 of the following year.

(e) This section shall not apply to any special event as defined under and governed by Section ~~131.07~~ 133.07 of the Codified Ordinances, or to any vendor associated with that special event.

#### Section 697A.02 Major Qualifying Event Permits

(a) Notwithstanding any Code provision or ordinance to the contrary, the Directors of Public Works, Parks and Recreation, Public Safety, Building and Housing, Capital Projects, and the Commissioner of Assessments and Licenses, as applicable to the duties of their respective departments or divisions, are authorized to issue appropriate permits and authorizations related to activities associated with Major Qualifying Event.

(b) Notwithstanding any Code provisions or ordinances to the contrary, the various City directors are authorized to develop and implement policies and practices for consolidating applications for and expediting review and issuance of City licenses, permits, approvals, reviews and inspections as required by the laws of the City as needed for the Major Qualifying Event and related activities and to issue a comprehensive permit that incorporates various City permits for the Major Qualifying Event, including review and approval of a comprehensive signage plan in the Central Business District and the major routes into the City as proposed by the Local Organizing Committee or Sponsor, in a form acceptable to the Director of Law. The consolidated application

process and issuance of a comprehensive City permit as described in this section shall be coordinated by the Director of Public Works or the Director's designee.

**Section 6.** That the following Sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 163.04, as amended by Ordinance No. 702-2020, passed June 6, 2020,

Section 411.05, as amended by Ordinance No. 928-2015, passed July 22, 2015,

Section 447.02, as amended by Ordinance No. 1474-13, passed November 25, 2013,

Sections 557.07, 557.13, 557.25, 557.27 and 557.36, as amended by Ordinance No. 957-2011, passed October 24, 2011, and

Section 559.53, as amended by Ordinance No. 1233-15, passed November 9, 2015,

Sections 559.54 and 559.541, as amended by Ordinance No. 479-2016, passed May 9, 2016,

Section 675.02, as amended by Ordinance No. 164-2018, passed March 5, 2018, and

Section 697A.02, as amended by Ordinance No. 1028-18, passed January 14, 2019,

are repealed.

**Section 7.** That, upon the concurrence of the Board of Control, as required by Sections 77 and 79 of the Charter of the City of Cleveland, the Department of Parks and Recreation, Office of Administration, Office of Special Events and the Divisions of Public Auditorium, Recreation, and Park Maintenance are established.

**Section 8.** That concurrence of the Board of Control shall be evidenced by a certified copy of the resolution of the Board of Control duly filed with the Clerk of Council by the Secretary of the Board of Control immediately upon the adoption of the concurring resolution, which resolution shall be attached by the Clerk of Council to this ordinance.

**Section 9.** That any references contained in the Codified Ordinances of Cleveland, Ohio, 1976, to the "Division of Park Maintenance and Properties" and the "Commissioner of Park Maintenance and Properties" shall be amended to read "Division of Park Maintenance" and "Commissioner of Park Maintenance" consistent with this ordinance.

**Section 10.** That the Clerk of Council is authorized when publishing the Codified Ordinances of Cleveland, Ohio, 1976, and amendments thereto, to change all references from the “Division of Park Maintenance and Properties” and “Commissioner of Park Maintenance and Properties” to the “Division of Park Maintenance” and “Commissioner of Park Maintenance” consistent with this ordinance.

**Section 11.** That the Director of Parks and Recreation is authorized to enter into contracts or perform any acts under an ordinance passed by this Council that gives such authority to the Director of Public Works, when appropriate.

**Section 12.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 522-2024**

**By Council Members:** Conwell, Bishop and Griffin (by departmental request)

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 559.248 relating to the creation of the Colombian Cultural Garden at 1325 Martin Luther King, Jr. Boulevard.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 559.248 to read as follows:

Section 559.248    Colombian Cultural Garden

Commencing for Reference at a Stone with Drill Hole in a Monument Box found at the centerline intersection of Wade Park Avenue (70 feet wide) and East 105<sup>th</sup> Street (60 feet wide), (a Stone with a Drill Hole in a Monument Box was found South 89°-07'-14" West along the centerline of Wade Park Avenue, a distance of 1,763.30 feet); Thence South 89°-07'-14" West along the centerline of Wade Park Avenue, a distance of 947.14 feet to a point; Thence North 00°-52'-46" West, a distance of 1,587.51 feet to an iron pin set, and being the TRUE PLACE OF BEGINNING of the area herein to be described;

Course No. 1: thence, Northwest following the arc of a curve to the left, having a delta of 23°-50'-36", a radius of 569.00 feet, a tangent of 120.13 feet, a chord of 235.08 feet, a chord bearing of North 60°-52'-37" West, and a arc distance of 236.79 feet to an iron pin set;

Course No. 2: thence, North 12°-47'-57" East, a distance of 125.00 feet to an iron pin set;

Course No. 3: thence, Southeast following the arc of a curve to the right, having a delta of 93°-24'-45", a radius of 212.00 feet, a tangent of 225.02 feet, a chord of 308.61 feet, a chord bearing of South 60°-12'-20" East, and a arc distance of 345.64 feet to a iron pin set;

Course No. 4: thence, South 47°-21'-50" West, a distance of 122.51 feet to the place of beginning, and containing *1.019 acres* of land, more or less, as prepared in October 2020 by *McSteen & Associates, Inc.* under Project No. 20-135, and being subject to all legal highways and easements of record.

**Section 2.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Public Works; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 523-2024**

**By Council Members:** McCormack and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Lease Agreement No. CT3001 LS 2022-0011 with MarKenCami, LLC for the lease of office space at Burke Lakefront Airport for the operation of a software company.**

**WHEREAS**, under the authority of Ordinance No. 917-18, passed October 8, 2018, the Director of Port Control entered into Lease Agreement No. CT3001 LS 2022-0011 with MarKenCami, LLC for the lease of office space at Burke Lakefront Airport for the operation of a software company; and

**WHEREAS**, Ordinance No. 917-18 requires additional legislation to exercise the first option to renew; and

**WHEREAS**, for the use of the leased premises, MarKenCami, LLC shall pay the City an annual fee as specified in the agreement; and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Port Control is authorized to exercise the first option to renew Lease Agreement No. CT 3001 LS 2022-0011 with MarKenCami, LLC for the lease of office space at Burke Lakefront Airport for the operation of a software company. This ordinance constitutes the additional legislative authority required by Ordinance No. 917-18 to exercise this option.

**Section 2.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 524-2024**

**By Council Members:** McCormack and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Port Control to enter into an amendment to Lease Agreement No. CT 3001 LS 2024-06 with MarKenCami, LLC to increase the leased premises located at Burke Lakefront Airport.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Port Control is authorized to enter into an amendment to Lease Agreement No. CT 3001 LS 2024-06 (“Lease Agreement”) with MarKenCami, LLC, to increase the leased premises in the terminal of Burke Lakefront Airport by adding approximately 178 square feet of certain space to the lease for a total of 1,947 square feet. The rent for the additional square footage shall be the same as the per square foot rate in the Lease Agreement. All other terms and conditions of the Lease Agreement shall remain the same.

**Section 2.** That the amendment to the Lease Agreement authorized shall be prepared by the Director of Law and shall contain such terms and conditions as said Director deems necessary to protect and benefit the public interest.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 525-2024**

**By Council Members:** Polensek and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of the Community Relations Board to enter into a contract with The Presidents' Council Business Chambers, fiscal agent for The Mt. Pleasant Ministerial Alliance, ICONS, and Children at Play Edutainment for professional services necessary to develop and implement young adult violence intervention and prevention programs and strategies to reduce violent activity on streets in high "hot spot" areas, and for other community violence intervention work, for one year with three one-year options to renew, exercisable by the Director of the Community Relations Board.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of the Community Relations Board is authorized to enter into a contract with The Presidents' Council Business Chambers, fiscal agent for The Mt. Pleasant Ministerial Alliance, ICONS, and Children at Play Edutainment for professional services necessary to develop and implement young adult violence intervention and prevention programs and strategies to reduce violent activity on streets in high "hot spot" areas, and for other community violence intervention work, for one year with three one-year options to renew, exercisable by the Director of the Community Relations Board. The compensation to be paid each agency shall not exceed \$100,000 for each of the initial year and each optional renewal year, and compensation shall not exceed an aggregate amount of \$300,000 for all three contracts in any year, payable from Fund No. 01-0109-6320. (RQS 0109, RL 2024-54)

**Section 2.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Community Relations Board; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 526-2024**

**By Council Members:** Kazy and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide general training and development of employees; and to enter into a contract with the Operator Training Committee of Ohio, each for a period of two years, with two one-year options to renew, exercisable by the Director of Public Utilities.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for the general training and development of employees, for a period of two years, with two one-year options to renew, exercisable by the Director of Public Utilities.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

**Section 2.** That the Director of Public Utilities is authorized to enter into one or more contracts with the Operator Training Committee of Ohio for professional services necessary to train Water, Wastewater Collections, and Water Distribution employees, on the basis of its proposal dated January 24, 2024, for the Department of Public Utilities, for a period of two years, with two one-year options to renew, exercisable by the Director of Public Utilities.

**Section 3.** That the Director of Public Utilities is authorized to apply for and accept one or more grants or gifts from any public or private entity to implement this ordinance; that the Director is authorized to file all papers and execute all documents necessary to receive the funds and that the funds are appropriated for the purposes described in this ordinance.

**Section 4.** That the cost of the contract or contracts authorized shall be paid from Fund Nos. 50 SF 001, 50 SF 003, 52 SF 001, 54 SF 001, 58 SF 001 and from the fund or

funds to which are credited the proceeds from any grant or gift accepted under this ordinance. (RQS 2002, RL 2024-36)

**Section 5.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Public Utilities; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.**

**Ordinance No. 527-2024**

**By Council Members:** McCormack and Griffin (by departmental request)

**An emergency ordinance authorizing the purchase by one or more contracts of blast resistant trash receptacles for Cleveland Hopkins International Airport, for the Department of Port Control.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Port Control is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: blast resistant trash receptacles to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Department of Port Control.

**Section 2.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Port Control may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 3.** That the cost of the contract or contracts shall not exceed \$217,000 and shall be paid from Fund Nos. 60 SF 001 and 60 SF 141. (RQS 3001, RL 2024-53)

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.**

## **Ordinances and Resolutions**

### **First Reading Emergency Ordinances Read in Full and Passed**

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

These ordinances were read for the first time on Monday, May 6, 2024, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

**Click on an ordinance below to read it:**

Ord. No. 528-2024

**Ordinance No. 528-2024****By Council Members:** Conwell

**An emergency ordinance amending Section 1 of Ordinance No. 271-2024, passed March 4, 2024, authorizing the Director of the Department of Public Works to enter into an agreement with the Cleveland Cultural Gardens Federation for the 2023 One World Day Expo.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Section 1 of Ordinance No. 271-2024, passed March 4, 2024, is amended to read as follows:

Section 1. That the Director of Public Works is authorized to enter into agreement effective as of August 1, 2023, for the One World Day Expo for the public purpose of providing educational programming, ~~and activities, and other supportive services~~ including security and transportation, on the diverse ethnic population and various cultures that are present in the City of Cleveland.

**Section 2.** That the existing Section 1 of Ordinance No. 271-2024, passed March 4, 2024, is repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read second time.**

**Read third time in full. Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

## **Ordinances and Resolutions**

### **First Reading Ordinances Referred**

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

These ordinances were read for the first time on Monday, May 6, 2024, and referred to the appropriate City departments and Council Committees for review.

**Click on an ordinance below to read it:**

Ord. No. 529-2024

**Ordinance No. 529-2024**

**By Council Members:** Hairston and Griffin (by departmental request)

**An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 347.191; and to amend Sections 343.01, 343.11 and 345.02, as amended by various ordinances, relating to adult use marijuana.**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 347.191, to read as follows:

Section 347.191 State-licensed Adult Use Marijuana Cultivators, Processors, Retail Dispensaries and Testing Laboratories

(a) *Purpose.* This section regulates the location and separation of state-licensed adult use marijuana cultivators, processors, retail dispensaries, and testing laboratories in order to protect the public health and safety and to protect the character of residential areas. This section complies with RC 3780.07 and RC 3780.25 and does not intend to impair the use of state-licensed adult use cannabis operators.

(b) *Definitions.*

(1) As used in this section and in this Zoning Code, the following terms shall have the same meaning as in RC 3780.01: “adult use cannabis operator,” “adult use cultivator,” “adult use dispensary,” “adult use processor,” “adult use testing laboratory,” and “level III adult use cultivator.”

(2) As used in this section,

A. “Division” shall mean the Division of Cannabis Control of Ohio’s Department of Commerce.

B. “State university” and “academic medical center” shall have the same meanings as in RC 3796.01.

(c) *Location.* Where permitted in a particular use district, no state licensed adult cannabis operator or adult use testing laboratory shall be located or relocated within five hundred (500) feet of the end boundaries of a parcel of real estate having situated on it a church, public library, public playground, public park, or school. This requirement does not apply to (i) research related to adult use cannabis conducted at a state university, academic medical center, or a private or public research and development organization as part of a research protocol approved by an institutional review board or equivalent

entity, or any other entity as approved by the Division, or (ii) the other exceptions provided in divisions (B) through (D) of RC 3780.07. (ORC Section 3780.07)

**Section 2.** That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 343.01, as amended by Ordinance No. 729-09, passed July 1, 2009, and

Sections 343.11 and 345.02, as amended by Ordinance No. 1009-17, passed October 31, 2017,

are amended to read as follows:

**Section 343.01 Local Retail Business District**

(a) “Local Retail District” means a business district in which such uses are permitted as are normally required for the daily local retail business needs of the residents of the locality only.

(b) Permitted Buildings and Uses. The following buildings and uses are permitted in a Local Retail Business District; and no buildings or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one (1) or more of the following specified uses:

(1) Except as otherwise provided in this Zoning Code, all uses permitted in the Multi-Family District and as regulated in that district, except that “kindergartens, day nurseries and children’s boarding homes” shall be permitted without the requirement for a specified setback from an adjoining premises in a Residence District not used for a similar purpose;

(2) Retail business for local or neighborhood needs to the following limited extent:

A. The sale of baked goods, confectionery, dairy products, delicatessen, fruits, vegetables, groceries, meats;

B. The sale of dry goods and variety merchandise, excluding department stores;

C. The sale of men’s and boy’s furnishings, shoes, hats, women’s ready-to-wear, furs, millinery, apparel, accessories;

D. The sale of china, floor covering, hardware, household appliances, radios, paint, wallpaper, materials and objects for interior decorating;

E. The sale of books, magazines and newspapers, including adult book stores subject to Section 347.07, cigars, drugs, flowers, gifts, music, photographic goods, sporting goods, stationery;

F. Eating places, lunch rooms, restaurants, cafeterias and places for the sale and consumption of soft drinks, juices, ice cream and beverages, but excluding buildings which provide entertainment or dancing and buildings in which beer and intoxicating liquor are sold for consumption on the premises, provided such building for the sale of beer or intoxicating liquor is within five hundred (500) feet of the boundary of a parcel of real estate having situated thereon a school, church, library, nonprofit recreational or community center building or public playground;

G. Service establishments: barber or beauty shops, custom tailors, laundry agencies, self- service laundries, hand laundries, shoe repair, ice stations and dry cleaning, pressing or tailoring shops in which not more than five (5) persons are engaged in such work or business at any one time, and in which only nonexplosive and nonflammable solvents are used and no work is done on the premises for retail outlets elsewhere and pet shops, provided noise and odors are effectively confined to the premises. As used in this division (b)(2)G., “pet shops” does not include businesses which board dogs and cats overnight or any pet hospital.

(3) Business offices: banks, real estate, insurance and other similar offices, and the offices of the architectural, clerical, engineering, legal, dental, medical or other established recognized professional, but excluding morticians, undertakers and funeral directors, in which only such personnel are employed as are customarily required for the practice of such business or profession;

(4) Automotive services: public parking garages and parking lots;

(5) Charitable institutions not for correctional purposes;

(6) Signs: permitted in accordance with the requirements of Chapter 350;

(7) Other main uses: any other neighborhood store, shop or service similar to the uses listed in this division in type of goods or services sold, in business hours, in the number of persons or cars to be attracted to the premises and in effect upon the adjoining Residence Districts;

(8) Accessory uses, only to the extent necessary normally accessory to the limited types of neighborhood service use permitted under this division.

(9) State-licensed medical marijuana retail dispensary or adult use dispensary, as defined in and subject to Section 347.19 or Section 347.191 of this Code.

Section 343.11 General Retail Business Districts

(a) “General retail business” means an enterprise for profit for the convenience and service of, and dealing directly with, and accessible to, the ultimate consumer; neither injurious to adjacent premises or to the occupants thereof by reason of the emission of cinders, dust, fumes, noise, odors, refuse matter, smoke, vapor or vibrations; nor dangerous to life or property. It includes buildings or spaces necessary to a permitted use for making or storing articles to be sold at retail on the premises. Except as provided in division (b) of this section, it does not include any establishment which supplies a retail outlet other than that on the premises, or any building or use specifically mentioned as permitted only in a Semi-Industry or Industry District.

(b) Permitted Buildings and Uses. The following buildings and uses are permitted in a General Retail Business District; and no buildings or premises shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than one (1) or more of the following specified uses:

(1) Except as otherwise provided in this Zoning Code, all uses permitted and as regulated in any Local Retail Business District;

(2) All retail business uses and buildings specified in division (b) of Section 343.01, and uses and buildings to provide for:

A. The sale of food and beverages of all kinds, including sale for consumption on the premises;

B. The sale of general merchandise, including sale in department stores;

C. The sale of apparel of all kinds;

D. The sale of furniture and household goods, including furniture and accessory furniture storage;

E. The sale of other goods or merchandise;

F. Eating places of all types;

G. Service establishments: service establishments permitted in a Local Retail Business District without limitation on the number of persons engaged in such work or business; mortuary or undertaking establishment; printing shop, provided not more than five (5) persons are engaged in such work or business; research laboratory, radio or television station, telephone exchange or transformer station, provided all buildings and structures except fences and barriers are located not less than fifteen (15) feet from a Residence District; hospital, sanitarium, convalescent home, rest home, nursing home, orphanage or home for the infirm or aged, provided that all main buildings are not less than fifteen (15) feet

from any adjoining premises in a Residence District not used for a similar purpose; cat and dog hospital or pet shop, provided noise and odors are effectively confined to the premises;

H. Business offices and services: in addition to the uses permitted in Local Retail Districts, office buildings, banks, business colleges, private trade schools;

I. Automotive services: in addition to the uses permitted in Local Retail Districts:

1. Motor vehicle service station, as defined in Section 325.486, and meeting the provisions of Section 343.14;
2. Car wash, as defined in Section 325.111, and meeting the provisions of Section 343.14;
3. Motor vehicle service garage, as defined in Section 325.487, and meeting the provisions of Section 343.14;
4. Motor vehicle sales facility, as defined in Section 325.485, except for vehicles exceeding six thousand (6,000) pounds of gross vehicle weight.

J. House trailer or travel trailer park, as defined in RC 3733.01, when approved by the Board of Zoning Appeals after public hearing, and when used and maintained in conformity with any conditions specified in such approval;

K. Signs: signs permitted in accordance with the requirements of Chapter 350;

L. Amusement and recreation: armory, assembly hall, bowling alley, dance hall, video and pinball arcade, pool and billiards theater, skating rink or other social, sport or recreational center operated as a business, all such uses subject to the regulations of Section 347.12 and adult entertainment uses, subject to Section 347.07, provided that the place or building in which any such amusement or recreation use is operated is sufficiently sound-insulated to confine the noise to the premises;

M. Transportation services: railroad station; public service station; bus passenger station; bus terminal, provided the roadway of the street upon which the bus entrance or exit is located is at least forty-four (44) feet wide between curbs;

N. Office, display or sales space of a wholesale, jobbing or distributing establishment and specifically mentioned as permitted only in a less

restricted district, in connection with which not more than twenty-five percent (25%) of the floor area of the building or part of the building occupied by the establishment is used for making, assembling, remodeling, repairing, altering, finishing or refinishing its products or merchandise and provided that:

1. Any resulting cinders, dust, fumes, noise, odors, refuse matter, smoke, vapor or vibration is effectively confined to the premises;
2. The ground floor premises facing upon and visible from a major street upon which the premises abut shall be used only for entrances, offices or display;
3. Adequate off-street loading and unloading facilities are provided and so designed that any standing vehicles using them shall be within the property lines and be either not visible from streets within Retail Business, Local Retail Business or Residence District, or not nearer than fifty (50) feet to such streets.

O. Retail poultry business: either as a main use or as an accessory use, including the storing and killing of poultry or game to be sold entirely at retail upon the premises and directly to the ultimate consumer, provided that the enterprise is conducted in strict compliance with all applicable statutes, laws, rules and regulations, including those requiring rat-proofing, and that adjacent premises or the occupants thereof are not injured by reason of the emission of dust, odor, smoke or noise or the accumulation of refuse or offal, and provided further that the buildings in which the killing, storing and selling are done are either detached masonry structures or part of a masonry building used entirely for the handling of poultry and/or game.

1. A detached masonry structure used for slaughtering or for storing of live poultry shall have not less than one hundred (100) square feet of floor area and shall be located at least ten (10) feet from any other building or part thereof on the same lot which is used for human habitation, or as a place where other food is prepared, placed, kept or sold.
2. Where the slaughtering room is part of a masonry building used entirely for the handling of poultry and/or game, such slaughtering room shall be separated from the sales or storage room by a solid masonry wall in which there may be only one (1) opening not greater than four (4) square feet in size, located not less than four (4) feet above the floors of both rooms, equipped with either a self-closing window or self-closing door. Such slaughtering room shall be entered only from outside the building.

3. In either case, such slaughtering room shall be used only for killing, flicking and dressing and shall be not less than twenty- five (25) feet from the boundary of the premises upon which it is located. All offal and refuse must be kept in covered containers within such slaughtering room until removed from the premises.

Such slaughtering room and every building, room or space used for storage or sale of poultry or game in connection therewith shall be not less than three hundred (300) feet from any Residence District, church, school, playground, library or building of Institutional H Occupancy classification.

P. Tattooing and body piercing. As used in this division:

1. “Body Piercing” means the piercing of any part of the body by someone other than a physician licensed under RC Chapter 4731, who utilizes a needle or other instrument for the purpose of inserting an object into the body for non-medical purposes; body piercing includes ear piercing except when the ear piercing procedure is performed on the ear with an ear piercing gun.
2. “Tattoo” means any method utilizing needles or other instruments by someone other than a physician licensed under RC Chapter 4731, to permanently place designs, letters, scrolls, figures, symbols or any other marks upon or under the skin of a person with ink or any other substance resulting in an alteration of the appearance of the skin.

Q. Kennels, either as a main use or an accessory use, provided that all odors, fumes, and noise be confined to the premises and the lot upon which the kennel is located is greater than one hundred (100) feet from a residence district.

1. Notwithstanding division (d)(3) of Section 329.03, the Board, on application for a use variance, may permit a Kennel in any use district.
2. The limitations stated in divisions (b) and (c) of Section 329.03 shall not apply when deciding whether to issue a use variance for a Kennel, the Board shall evaluate the applicant Kennel’s probable impact on the overall tranquility of the surrounding properties by considering all odors, noises, and fumes that will emanate from the lot on which the applicant Kennel is located.

R. Any other building, use or service similar to the uses herein listed in the type of services or goods sold, in the number of persons or cars to be attracted to the premises or in the effect upon adjacent areas in more restricted use districts.

S. Any accessory use customarily incident to a use authorized by this section, except that no use specified in divisions (b) and (c) of Section 345.04 as prohibited or permitted only by special permit in a General Industry District shall be permitted as an accessory use.

T. Hookah lounge: any facility, establishment or location with patron seating or that is classified or seeks classification as an assembly use as defined in the Ohio Building Code whose business operation includes the smoking of tobacco or any organic or synthetic material, including but not limited to plants, herbs or tobacco, through one or more hookah pipes (also commonly referred to as a hookah, waterpipe, shisha or narghile), including but not limited to establishments known variously as hookah bars, hookah lounges, or hookah cafes that are exempt from the Smoke Free Workplace Act under RC 3794.03.

U. Vapor lounge: any facility, establishment or location, whether fixed or mobile, with patron seating or that is classified or seeks classification as an assembly use as defined in the Ohio Building Code whose business operation includes the utilization of a heating element that vaporizes a substance that releases nicotine, tobacco, flavored vapor, or vapor or fumes from any other organic or synthetic material including but not limited to plants, herbs or tobacco, through one or more electronic or battery operated delivery device, including any device known as an electronic cigarette (also commonly referred to as e-cig, e-cigarette, e-pipe, electronic cigarillo, hookah pen, vape pen, vape pipe or any other electronic cigarette product), including but not limited to establishments known variously as vape bars, vape lounges, e-cigarette bars or vape cafes.

~~V. State-licensed medical-marijuana retail dispensary, as defined in and subject to Section 347.19.—~~

(3) Hotels;

(4) Motels;

(5) Charitable institutions, including correctional halfway houses, as regulated in Section 347.15; and notwithstanding any Section of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Cuyahoga County Youth Intervention Center, providing temporary detention and shelter for juveniles, to be located at East 93rd Street, and Quincy Avenue.

#### Section 345.02 Permitted Buildings and Uses in Residence-Industry District

Within any Residence-Industry District no building or premises shall be erected, altered, used, arranged or designated to be used, in whole or in part for other than one (1) or more of the following specified uses, provided that:

- (a) All resulting cinders, dust, flashing, fumes, gases, noises, odors, refuse matter, smoke, vapors and vibrations are effectively confined to the premises;
- (b) All materials are stored inside buildings;
- (c) Setback building lines to the same extent as required in this Zoning Code for Residence Districts are observed on any street on which the Residence- Industry District adjoins a Residence District, and suitable planting is maintained in the setback area. Side yards and rear yards not less than twenty-five (25) feet are provided at lot lines which are also boundary lines of Residence Districts or of lots used for residences in a Local Retail Business District or Shopping Center district. A chain link fence not less than six (6) feet high is constructed on lot lines which are also boundary lines of Residence districts or of lots used for residences in a Local Retail Business District or Shopping Center District;
- (d) There are adequate off-street loading and unloading facilities so designed that any standing vehicle using them is within the property lines and is either not visible from streets or not nearer than fifty (50) feet to streets;
- (e) There is adequate off-street car parking for the employees, owners and others coming to the premises on matters incidental to the uses thereof, and adequate off-street parking of trucks in space so located as not to be visible from the streets or not nearer than fifty (50) feet to streets;
- (f) Entrance and exit to any building or premises are from a street designated as a major thoroughfare on the general plan adopted by the City Planning Commission or, if the premises in question does not abut such street, then from any street approved by the Board of Zoning Appeals if it finds the probable volume and type of traffic to such premises will not change materially the existing character of such streets nor be detrimental to the adjoining or adjacent residential area;
- (g) In the case of nonresidential use, trucking operations are not conducted evenings, nights, Sundays nor on holidays generally observed by business and single-shift industry:

(1) Any use permitted in a Multi-Family District;

(2) Office buildings, loft buildings, telephone exchanges, transformer stations, research laboratories;

(3) Retail tin shops and furnace shops, retail plumbing shops, and plumbing supply shops, signs, display or decorating shops, printing shops;

- (4) The following uses if located not less than one hundred (100) feet from a Residence district: repair garage for repair or painting of motor vehicles, creamery, milk bottling or milk distributing stations;
- (5) Operation of any internal combustion engines in connection with any use permitted in the District, provided such engines are equipped and operated only with an effective muffling device;
- (6) Carpet cleaning, dry cleaning or dyeing, laundries, cold storage plants, bottling works, ice plants, ice cream plants, cigar factories;
- (7) Wholesale, jobbing, distributing or warehouse establishments for such materials as cotton, wool, clothing, fabrics, furniture, hardware, ice, leather, metals other than scrap or junk metals, rubber, shop and store supplies, including the making, assembling, remodeling, repairing, altering, finishing or refinishing of these products or merchandise, provided the processes used comply with the limitations specified in this section;
- (8) Machine shops in which only lathes, drill presses, hydraulic presses, shavers, milling machines, planers, grinders and similar tools are used, and no hammering, rolling, spinning, heat treating by other than induction processes or riveting is done and no forges, metal saws other than automatic hack saws, heavy shears, multiple spindle automatic screw machines or other noise or vibration-producing tools or machines are operated;
- (9) Charitable institutions, including correctional halfway houses, as regulated in Section 347.15;
- (10) Hospitals, sanitariums, nursing, rest or convalescent homes;
- (11) State-licensed medical marijuana cultivator, adult use cultivator, or level III adult use cultivator as defined in and subject to Section 347.19 or Section 347.191 of this Code;
- (12) State-licensed medical or adult use marijuana processor, as defined in and subject to Section 347.19 or Section 347.191 of this Code;
- (13) Any other building or use similar in character and operation and in effect on conforming uses in adjoining more restricted use districts as the buildings or uses herein permitted.

**Section 3.** That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 343.01, as amended by Ordinance No. 729-09, passed July 1, 2009, and

Sections 343.11 and 345.02, as amended by Ordinance No. 1009-17, passed October 31, 2017,

are repealed.

**Section 4.** That this ordinance shall take effect and be in force from and after the earlier period allowed by law.

**Referred to Directors of City Planning Commission; Finance; and Law;  
Committees on Development Planning and Sustainability; and Finance,  
Diversity, Equity and Inclusion.**

## Ordinances and Resolutions

### First Reading Emergency Resolutions Referred

A resolution is an informal enactment stating a decision or expressing the opinion of Council regarding a particular item of business, an event, issue or person.

Resolutions are effective 30 days after adoption. Emergency resolutions take effect immediately upon the Mayor's signature or 10 days after adoption.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

If not adopted under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

These resolutions were read for the first time on Monday, May 6, 2024, and referred to the appropriate City departments and Council Committees for review.

**Click on a resolution below to read it:**

Res. No. 530-2024

**Resolution No. 530-2024****By Council Members:** Slife

**An emergency resolution urging the Administration's Department of Public Works, Division of Recreation to improve pool policies for the benefit of resident patrons this summer.**

**WHEREAS**, Cleveland residents want to swim at neighborhood pools this summer with the benefits of user-friendly policies; and

**WHEREAS**, a few improvements to the Division of Recreation's pool policies would make swimming at neighborhood pools more enjoyable this summer; and

**WHEREAS**, first, while pool hours are posted, due to staffing issues the hours pools are actually open changes from day to day; Council suggests that the Division of Recreation devise a method to proactively disseminate information to residents about changes to individual pool hours; and

**WHEREAS**, second, pool patrons are required to sign in at the beginning of an hour session, but whether they are required to sign out is unclear, so when patrons leave the pool is not at capacity, but the hour session slots are full; Council suggests that the Division of Recreation implement a one in, one out policy instead; and

**WHEREAS**, finally, wearing floatation devices is prohibited in our pools, making it challenging to swim with small children; Council suggests that the Division of Recreation allow patrons to wear Coast Guard – approved flotation devices that increase safety of swimmers. Non-approved floatation devices and recreational toys that are not proven safe should still be prohibited; and

**WHEREAS**, this Council urges the Division of Recreation to make these suggested improvements to pool policies for the benefit of resident patrons this summer; and

**WHEREAS**, this resolution constitutes an emergency measure for the immediate preservation of public peace, property, health or safety, now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That this Council urges the Administration's Department of Public Works, Division of Recreation to improve pool policies for the benefit of resident patrons this summer.

**Section 2.** That the Clerk of Council is directed to transmit copies of this resolution to Mayor Bibb, Bonnie Teeuwen, Chief Operation Officer, Frank Williams, Director of Public Works, and Sam Gissentaner, Commissioner, Division of Recreation.

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Referred to Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.**

## **Ordinances and Resolutions**

### **First Reading Emergency Resolutions Read in Full and Adopted**

A resolution is an informal enactment stating a decision or expressing the opinion of Council regarding a particular item of business, an event, issue or person.

Resolutions are effective 30 days after adoption. Emergency resolutions take effect immediately upon the Mayor's signature or 10 days after adoption.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

These resolutions were read for the first time on Monday, May 6, 2024, the rules were suspended, and the legislation was adopted by an affirmative two-thirds vote of all members elected to Council.

**Click on a resolution below to read it:**

Res. No. 535-2024

**Resolution No. 535-2024****By Council Members:** Santana**An emergency resolution objecting to the transfer of ownership and location of C2 Liquor Permit to 3228 West 65th Street.**

**WHEREAS**, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership and location of a C2 Liquor Permit from Gobrandts, Inc., DBA Gopuff, 3420 Prospect Avenue, East Unit, Cleveland, Ohio 44115, Permit No. 32935200005 to GB License, LLC, 3228 West 65th Street, Cleveland, Ohio 44102, Permit No. 30612130125; and

**WHEREAS**, the granting of this application for a liquor permit to this high crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

**WHEREAS**, the applicant does not qualify to be a permit holder and/or has demonstrated that he has operated his liquor business in disregard of the laws, regulations or local ordinances of this state or any other state; and

**WHEREAS**, the place for which the permit is sought has not conformed to the building, safety or health requirements of the governing body of this County or City; and

**WHEREAS**, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Division of Liquor Control are prevented reasonable access to the establishment; and

**WHEREAS**, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

**WHEREAS**, this objection is based on other legal grounds as set forth in Revised Code Section 4303.292; and

**WHEREAS**, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Council does hereby record its objection to the transfer of ownership and location of a C2 Liquor Permit from Gobrandts, Inc., DBA Gopuff, 3420 Prospect Avenue, East Unit, Cleveland, Ohio 44115, Permit No. 32935200005 to GB License,

LLC, 3228 West 65th Street, Cleveland, Ohio 44102, Permit No. 30612130125; and requests the Superintendent of the Division of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council has returned to the Ohio Division of Liquor Control the Notice to Legislative Authority with respect to this transfer of ownership and location permit and has requested that a hearing on the advisability of issuing the permit be held in Cleveland, Cuyahoga County.

**Section 3.** That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read second time.**

**Read third time in full. Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

## Ordinances and Resolutions

### Second Reading Emergency Ordinances Passed

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading. If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

After departmental review, the ordinance is returned to Council for consideration in a public hearing before the appropriate Council Committee(s). Council Members and City departments can recommend changes, or amendments, to the legislation during the hearing process. After the review is complete and any amendments have been made, the legislation is read a second time at a Council meeting. A second reading allows Council Members and the public to hear what changes have been made to the law. Amendments cannot be made after the second reading of the legislation.

These ordinances were read for the second time on Monday, May 6, 2024, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

#### Click on an ordinance below to read it:

[Ord. No. 105-2024](#)

[Ord. No. 328-2024](#)

[Ord. No. 167-2024](#)

[Ord. No. 329-2024](#)

[Ord. No. 261-2024](#)

[Ord. No. 332-2024](#)

[Ord. No. 306-2024](#)

[Ord. No. 373-2024](#)

[Ord. No. 308-2024](#)

[Ord. No. 386-2024](#)

[Ord. No. 309-2024](#)

[Ord. No. 391-2024](#)

Ord. No. 398-2024

Ord. No. 401-2024

Ord. No. 406-2024

Ord. No. 414-2024

Ord. No. 442-2024

**Ordinance No. 105-2024****By Council Members:** Griffin

**An emergency ordinance authorizing the Director of Public Safety to enter into a grant agreement with Crime Stoppers of Cuyahoga County, Inc. to carry out the public purpose of providing community outreach to educate people about the Crime Stoppers process in order to increase reporting of crimes and improve public safety in the City and surrounding region.**

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 2, at the end, add “(RQS 6001, RLA 2024-41)”.

Approved by the Director of Law; Committee on Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 167-2024**

**By Council Members:** Kazy and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Utilities to extend the lease with City Rose, Ltd., for the public purpose of operating the Division of Cleveland Public Power's Eastside Service Center at 14100 Darley Avenue, for a term of five years, with one option to renew for an additional five- year period, exercisable by the Director of Public Utilities.**

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, lines 8 and 9 and in Section 2, line 3, strike "by the Director of Public Utilities" and insert "with additional legislative authority" in both places.

Approved by the Director of Public Utilities; City Planning Commission; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 261-2024****By Council Members:** Griffin**An emergency ordinance designating the Jesse Owens House as a Cleveland Landmark.**

Approved by the Director of City Planning Commission; and Law; Committees on Development Planning and Sustainability.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.****The rules were suspended. Yeas 15. Nays 0.****Read third time in full.****Passed. Yeas 15. Nays 0.****Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.****Voting Nay: None.****Absent: Santana, Slife.**

**Ordinance No. 306-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to exercise the first option to renew Contract No. RC 2022-25 with Rumpke of Ohio Inc. for the transfer, disposal and processing of recyclable materials.**

Approved by the Director of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 308-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with Case Western Reserve University to provide a youth summer sports, nutrition, health, and life skills development program for 2024 under the National Youth Sports Program supported by Case Western Reserve University.**

Approved by the Director of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 309-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to enter into a contract with the Northeast Ohio Muni Football League aka Cleveland Municipal Football Association dba Cleveland Muni Football League to conduct a city-wide youth football program.**

Approved by the Director of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 328-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to enter into an agreement with the Neighborhood Leadership Institute to implement educational, recreational, and cultural programs in various school buildings and other facilities during evening hours, provide leadership training, and supervise the summer tennis program.**

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 1, line 5 strike “\$430,488.75” and insert “\$289,500.00”.

Approved by the Director of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance Diversity Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 329-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to provide security services at various indoor and outdoor recreation facilities, including but not limited to, recreation centers, outdoor pools, and various surrounding play areas, for a period not to exceed one year.**

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In Section 2, line 1 after “shall” insert “not exceed \$2,400,000.00 and shall”.

Approved by the Director of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance Diversity Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 332-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Capital Projects, on behalf of the Office of Sustainability, to apply for and accept a grant from the United States Department of Energy for the Energy Efficiency Conservation Block Grant Program; determining the method of making the public improvement of designing and constructing various types of energy efficiency improvements on up to six neighborhood resource and recreation centers; and authorizing the Director to enter into one or more contracts for the making of the improvement.**

Approved by the Director of Capital Projects; Finance; and Law; Committees on Municipal Services and Properties; and Finance Diversity Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 373-2024**

**By Council Members:** Kazy and Griffin (by departmental request)

**An emergency ordinance authorizing the purchase by one or more contracts of not to exceed two LED video display boards for 5251 North Marginal Road, including labor and materials needed to remove and dispose of the existing video boards and labor, installation, and training of the new equipment, and maintenance for the Division of Cleveland Public Power, Department of Utilities, for a period of two years.**

Approved by the Director of Public Utilities; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 386-2024**

**By Council Members:** Kazy and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Finance and/or Public Utilities to either exercise the first one-year option to renew under the Sustainable Ohio Public Energy Council (SOPEC) Contract entered into under Ordinance No. 631-2023; or to enter into an amendment to the SOPEC Contract to change the options to renew from two one-year options to renew to one two-year option to renew exercisable by the appropriate Director and to further authorize exercising such option.**

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, strike lines 3 through 10 in their entirety and insert “Public Utilities to renew the SOPEC Contract entered into under Ordinance No. 631-2023 for an additional fixed pricing for twelve or twenty-four months; and to”; and in line 11, strike “option” and insert “renewal”.
2. In the first whereas clause, line 2, after “contract” insert “, also known as the Membership Agreement,”.
3. Strike the third, fourth, and fifth whereas clause in their entirety and insert “WHEREAS, it is the desire of the City to obtain best fixed pricing for its certain electric customers under the SOPEC opt-out program and to do that, the City desires to renew the SOPEC Contract for either twelve (12) or twenty-four (24) additional months; and”.
4. In Section 1, line 2, after “(1)”, strike “exercise the first one-year option to”; and strike lines 3, 4, 5, and 6 in their entirety and insert “under Ordinance No. 631-2023 for fixed pricing for an additional twelve (12) months; or (2) renew the SOPEC Contract entered into under Ordinance No. 631-2023 for fixed pricing for an additional twenty-four (24) months; and is further authorized to exercise such renewal at the discretion of the appropriate Director.”
5. In Section 2, line 3, after “renew” insert “for an additional twelve (12) months as authorized in Ordinance No. 631-2023”.

Approved by the Director of Public Utilities; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 391-2024****By Council Members:** Kazy

**An emergency ordinance Authorizing and directing the Director of Law to fully enforce the provisions of Ohio Revised Code Section 9.67, that imposes restrictions on the owner of a professional sports team that uses a tax-supported facility, and that receives financial assistance from the state or the city.**

Approved by the Director of Finance; and Law; Committee on Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 398-2024**

**By Council Members:** Hairston and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Economic Development to enter into an agreement with the Urban League of Greater Cleveland, or its designee, to assist with costs related to outreach, assistance, and administration of the UBIZ Micro loan fund and assistance, training and planning for small businesses through the Entrepreneurship Center.**

Approved by the Directors of Economic Development; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 401-2024**

**By Council Members:** Hairston and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with JumpStart Inc., or its designee, to assist with costs related to providing technical and financial assistance to Cleveland businesses.**

Approved by the Directors of Economic Development; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 406-2024**

**By Council Members:** Howse-Jones, Hairston and Griffin (by departmental request)

**An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to sell certain City-owned properties no longer needed for the City's public use located at 1848 East 101st Street and 9910 Woodward Avenue to Gordon Crossing Land Co., LLC for purposes of future development.**

Approved by the Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 414-2024**

**By Council Members:** Polensek and Griffin (by departmental request)

**An emergency ordinance authorizing the purchase by one or more requirement contracts of ballistic vests, for the Division of Police, Department of Public Safety, for a one-year period, with two one-year options to renew, exercisable by the Director of Public Safety.**

Approved by the Directors of Public Safety; Finance; and Law; Committees on Public Safety; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

**Ordinance No. 442-2024**

**By Council Members:** Bishop and Griffin (by departmental request)

**An emergency ordinance authorizing the Directors of Public Works and Finance to enter into one or more contracts with the Cleveland Metropolitan School District to conduct recreational, cultural and extracurricular programs for the benefit of school children during the 2023-24 school year.**

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties.; and Finance, Diversity, Equity and Inclusion.

**Motion by Council Member Kelly to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Polensek.**

**The rules were suspended. Yeas 15. Nays 0.**

**Read third time in full.**

**Passed. Yeas 15. Nays 0.**

**Voting Yea: Bishop, Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.**

**Voting Nay: None.**

**Absent: Santana, Slife.**

# **Official Proceedings Adjournment City Council**

Cleveland, Ohio  
Monday, May 6, 2024

## **MOTION**

On the motion of Council Member Kelly, the absences of Council Members Jasmin Santana and Charles Slife are hereby authorized. Seconded by Council Member Polensek.

The Council Meeting adjourned at 8:24 p.m. to meet on Monday, May 13, 2024, at 7:00 p.m. in the Council Chamber.



*Patricia J. Britt*  
*City Clerk, Clerk of Council*

## Council Committee Meetings

**Monday, May 6, 2024**

**9:00 a.m.**

**Municipal Services and Properties Committee**

Present: Bishop, Chair; Starr, Vice Chair, Hairston, Kazy, Kelly

*Authorized Absence: Jones, Maurer*

*Also Present: Gray*

**2:00 p.m.**

**Finance, Diversity, Equity and Inclusion Committee**

Present: Griffin, Chair; McCormack, Vice Chair, Bishop, Conwell, Hairston, Kazy, Polensek, Spencer

*Authorized Absence: Santana*

**Tuesday, May 7, 2024**

**9:30 a.m.**

**Development, Planning and Sustainability Committee**

Present: Hairston, Chair; Harsh, Howse-Jones, Jones, McCormack, Spencer

*Authorized Absence: Santana*

**1:30 p.m.**

**Workforce, Education, Training and Youth Development Committee**

Present: Howse-Jones, Chair; Gray, Jones, Slife, Spencer, Starr

*Authorized Absence: Santana*

**Wednesday, May 8, 2024**

**10:00 a.m.**

**Transportation and Mobility Committee**

Present: McCormack, Chair; Bishop, Gray, Kazy, Maurer

*Authorized Absence: Santana, Slife*

## Board of Control

**Wednesday, May 1, 2024**

The meeting of the Board of Control convened in the Mayor's office on Wednesday, May 1, 2024, at 3:02 p.m. with Acting Director Stephanie Melnyk presiding.

Members Present: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

Others Present: Keisha Chambers, Assistant Director  
Mayor's Office of Capital Project

Michael Curry, Assistant Director  
Office of Equal Opportunity

Tiffany White Johnson, Commissioner  
Division of Purchases & Supplies

Larry Jones, II, Assistant Commissioner  
Division of ITS

Egdilio Morales, Labor Relations Manager  
Department of Human Resources

Tomasz Kacki, Paralegal  
Department of Law

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:13 p.m.

Jeffrey B. Marks  
Secretary – Board of Control

**Resolution No. 208-24**

Adopted 5/01/24

By Director Abonamah

**WHEREAS**, under the authority of Ordinance No. 664-2019, passed by the Council of the City of Cleveland on June 3, 2019, and Board of Control Resolution No. 557-19 adopted November 20, 2019, the City of Cleveland, through the Director of Finance, entered into City Contract No. CT 6001 PS 2020-065 with B4 Health Management, LLC to perform IT technical consulting and support services related to the development, enhancement, and support of data collection system interfaces, integration of new databases, updates to database schemas, SQL server application upgrades and replication reporting services; and

**WHEREAS**, division (d) of Section 181.102 C.O., authorizes a director to enter into an agreement with the software developer for professional services necessary to implement or maintain the software, including but not limited to, maintenance, repair, upgrade, enhancements and technical support; and

**WHEREAS**, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with B4 Health Management, LLC to obtain professional services as-needed for support, maintenance and enhancement of data collection systems related to the Department of Justice Settlement Agreement, for the Division of Police, Division of Fire, Division of EMS and Division of Information Technology & Services, for a period of 12 months beginning April 1, 2024; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND**, that under division (e) of Section 181.102 C.O., the compensation to be paid for the maintenance, professional and technical support services to be performed under the above-mentioned prospective agreement with B4 Health Management, LLC is fixed at an amount not to exceed \$75,000.00.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 209-24**

Adopted 5/01/24

By Director Abonamah

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the bid of

Lakeside Supply Co.,

for an estimated quantity of 2024-2027 Citywide Plumbing Materials, Equipment and Supplies, all items, for the various divisions of the City government, Department of Finance, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract, with two, one-year options to renew, received on February 21, 2024, under the authority of Ordinance No. 196-2024, passed by Cleveland City Council on March 4, 2024, which on the basis of the estimated quantity would amount to \$632,574.00 is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a **REQUIREMENT** contract for the goods and/or services specified.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 210-24**

Adopted 5/01/24

By Director Keane

**BE IT RESOLVED, by the BOARD of CONTROL of the CITY OF CLEVELAND**  
that the bid of

ESK Landscaping LLC

for an estimated quantity of landscape maintenance at various Public Utilities facilities, for Bid Items 1, 2, 4, 5, 6 and 7, for the various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on March 14, 2024, under the authority of Ordinance No. 473-2023, passed May 15, 2023, which on the basis of the estimated quantity would amount to \$625,821.46 (0%/30 days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a **REQUIREMENT** contract for the goods and/or services necessary for the specified items.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

**BE IT FURTHER RESOLVED** by the Board of Control of the City of Cleveland that the employment of the following subcontractors by ESK Landscaping LLC for the above-mentioned contract is approved:

| <b><u>Subcontractors</u></b>             | <b><u>Work</u></b>                                                                                                                                                            | <b><u>Percentage</u></b> |
|------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
| Top Designer Landscaping, LLC (CSB, MBE) | \$62,582.19                                                                                                                                                                   | 10.00%                   |
| L & L Management, LLC (CSB, FBE)         | \$62,582.19                                                                                                                                                                   | 10.00%                   |
| Yeas:                                    | Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski |                          |
| Nays:                                    | None                                                                                                                                                                          |                          |
| Absent:                                  | Mayor Bibb, Directors Abonamah, Williams, Cole                                                                                                                                |                          |

**Resolution No. 211-24**

Adopted 5/01/24

By Director Keane

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND** that all bids received on March 14, 2024, for Landscape Maintenance at Various Public Utilities Facilities, for Bid Item 8, for the Department of Public Utilities, under authority of Ordinance No. 473-2023 passed May 15, 2023, be rejected.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 212-24**

Adopted 5/01/24

By Director Keane

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the conditional bid of

FCX Performance, Inc. dba Cleveland Valve & Gauge Company

except for such terms and conditions as are unacceptable to the Director of Law, for an estimated quantity of labor and materials necessary to repair, replace and maintain various types of valves, actuators and appurtenances, all items, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services received on March 21, 2024, under the authority Ordinance No. 475-2023, passed May 15, 2023, upon a unit basis of an approximate quantity would amount to \$ 395,320.00 (1.5% 10 Days, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a **REQUIREMENT** contract for the goods and/or services necessary for the specified items.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 213-24**

Adopted 5/01/24

By Director Francis

**WHEREAS**, under the authority of Ordinance No. 1850-06, passed by the Council of the City of Cleveland on April 2, 2007, and Board of Control Resolution No. 72-08, adopted February 6, 2008, the City through its Director of Port Control, entered into City Contract No. 67743 (herein also referred to as the "Lease by Way of Concession" or the "Agreement") with BAA USA, Inc. to manage all retail merchandise and food and beverage concessions at Cleveland Hopkins International Airport, including the remote rental car facility and installation of one automated teller machine at Burke Lakefront Airport and set a concession fee for each year of the initial and option terms; and

**WHEREAS**, by and under the authority of Board of Control Resolution No. 386-08, adopted August 6, 2008, Resolution No. 116-09, adopted April 8, 2009, Resolution No. 47-10, adopted February 10, 2010, Resolution No. 256-10, adopted June 23, 2010, Resolution No. 432-10, adopted October 20, 2010, Resolution No. 235-12, adopted May 25, 2012, Resolution No. 318-14, adopted July 9, 2014, Resolution No. 349-14, adopted July 30, 2014, Resolution No. 558-17, adopted November 1, 2017, as amended by Resolution No. 573-17, adopted November 15, 2017, Resolution No. 244-18, adopted June 20, 2018, Resolution No. 350-20, adopted September 23, 2020, Resolution No. 341-21 adopted August 25, 2021, Resolution No. 431-21, adopted October 27, 2021, Resolution No. 496-23, adopted October 4, 2023, and Resolution No. 682-23, adopted December 27, 2023, this Board consented to various assignments of the Agreement and acquisition and name changes of a then-current lessee and the City entered into First, Second, Third, Fourth, Fifth, Sixth, Seventh, and Eighth Amendments to the Agreement including amendments of concession fees and addition of an option term and certain protections and resulting in Fraport Cleveland, Inc. ("Fraport") as the current lessee under the Agreement; and

**WHEREAS**, the City has been allocated funds from the American Rescue Plan Act of 2021 through the Federal Aviation Administration's Concessions Rent Relief Airport Rescue Grant program (the "Grant Funds"); and

**WHEREAS**, the City has determined the need to amend the concession fees for the period of January 1, 2024, through December 31, 2024 (the "Period"), in order to utilize the Grant Funds; now, therefore,

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that the City, through the Director of Port Control, is authorized to enter into a Ninth Amendment to the Lease by Way of Concession with Fraport Cleveland, Inc., City Contract No. 67743, which amendment, among other things, shall credit any concession fees paid or to be paid by Fraport to City for the period January 1, 2024, through December 31, 2024, an amount up to \$1,913,638.00, provided that Fraport shall reduce any amount paid or to be paid to Fraport by its subtenants in the amounts listed in Exhibit A. Such reductions shall apply to any amounts paid or to be paid by such Subtenants to Fraport in respect of the Period irrespective of the nature of such amounts. Such reductions shall be provided by Fraport promptly, either by forgiveness of any such amount or, if paid, by the return

of overpayments. If the City's credit to Fraport exceeds the amounts paid to the City during the Period, the City shall return the overpayment to Fraport. If the Federal Aviation Administration authorizes an amount less than \$1,913,638.00 through its Concessions Rent Relief Airport Rescue Grant program, Fraport shall reduce the amounts for each subtenant listed in Exhibit A by a proportional amount.

**BE IT FURTHER RESOLVED** that the Director is authorized to execute all documents and do all things necessary to implement the concession fees as amended by this resolution.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 214-24**

Adopted 5/01/24

By Director Abonamah

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 692-2021, as amended by Ordinance No. 327-2024, passed by the Council of the City of Cleveland on October 11, 2021, and April 15, 2024, respectively, the firm of EnviroScience, Inc. ("Consultant") is selected upon the nomination of the Director of Port Control from a list of qualified firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional mandatory environmental analytical and regulatory services, for a period of five years, for the Department of Port Control.

**BE IT FURTHER RESOLVED** that the Director of Port Control is authorized to enter into a written contract with Consultant for the above-mentioned services, based upon its February 2, 2024 proposal, which contract shall be prepared by the Director of Law, shall provide that the compensation to Consultant for the services authorized shall not exceed \$5,437,971.52 per year, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

**BE IT FURTHER RESOLVED** by the Board of Control of the City of Cleveland that the employment of the following sub-consultants by Consultant is approved:

| <b><u>Subconsultants</u></b>             | <b><u>Percentage</u></b> | <b><u>Amount</u></b> |
|------------------------------------------|--------------------------|----------------------|
| Somat Engineering of Ohio                | 8.03% DBE                | \$436,000.00         |
| Integrity Environmental Development, LLC | 3.09% SBE                | \$168,000.00         |
| Emerald Built Environments, LLC          | 19.49% SBE               | \$1,060,000.00       |
| CWM Environmental Cleveland              | 3.09% Non-certified      | \$168,000.00         |
| Partners Environmental Consulting, Inc.  | 2.06% Non-certified      | \$112,000.00         |
| RS&H Ohio, Inc.                          | 23.68% Non-certified     | \$1,288,000.00       |

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 215-24**

Adopted 5/01/24

By Director Francis

**REQUIREMENT CONTRACT**

**BE IT RESOLVED, by the BOARD OF CONTROL of the CITY OF CLEVELAND** that all bids received March 14, 2024, for ARFF Bunker Gear, all items, for the various divisions of the Department of Port Control, under the authority of Ordinance No. 497-08, passed June 2, 2018, are rejected.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 216-24**

Adopted 5/01/24

By Director DeRosa

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND**, that the bid of Ronyak Paving Company, Inc. for the public improvement by requirement contract for the City Wards Year 2024 Construction, base bid items 1-156, for the Office of Capital Projects, received on April 3, 2024, under the authority of Ordinance No. 1025-2023, passed by Cleveland City Council on October 27, 2023, upon a unit price basis for the improvements to be performed as ordered during the period of twenty-four months starting upon execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$48,430,007.00, is affirmed and approved as the lowest responsible bid, and the Director of the Mayor's Office of Capital Projects is authorized to enter into a public improvement by requirement contract for the improvement.

**BE IT FURTHER RESOLVED** that the employment of the following subcontractors by Ronyak Paving Company, Inc. for the above-mentioned public improvement is approved:

Perk Company, Inc ..... (CSB/LPE) .....\$17,793,240.00 (36.7%)

Traffech, Inc ..... (CSB/FBE/LPE) .....\$1,598,250.00 (3.3%)

Specialized Construction, Inc ..... (CSB/MBE/LPE) .....\$868,500.00 (1.8%)

Angelo Benedetti, Inc .....\$637,500.00 (1.3%)

Pavement Technologies, Inc .....\$357,000.00 (0.7%)

Montgomery Tree Service, Inc .....\$62,950.00 (0.1%)

Vancuren Tree Service, Inc .....\$18,750.00 (0.04%)

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 217-24**

Adopted 5/01/24

By Director Drummond

**WHEREAS**, Board of Control Resolution No. 542-23, adopted October 18, 2023, authorized the Director of Public Safety to enter into contract with Affinity Empowering, Inc., to provide professional services related to the implementation of a Software as a Service Cloud hosted Wellness Site and App; and

**WHEREAS**, Resolution No. 542-23 had a previous proposal date of March 9, 2023; now therefore,

**BE IT RESOLVED**, by the Board of Control of the City of Cleveland that Resolution No. 542-23, adopted by this Board October 18, 2023, authorizing the Director of Public Safety to enter into contract with Affinity Empowering, Inc., for a Public Safety Wellness Site and App is amended by deleting the proposal date of March 9, 2023, where appearing in the resolution and substituting the date "March 18, 2024".

**BE IT FURTHER RESOLVED** that all other provisions of Resolution No. 542-23 not expressly amended as stated above shall remain unchanged and in full force and effect.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 218-24**

Adopted 5/01/24

By Director Hernandez

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 135-2023, passed by the Council of the City of Cleveland on March 20, 2023, as amended by Ordinance No. 397-2023, passed by the Council of the City of Cleveland on May 8, 2023, Nortridge Software LLC, through its CyberRidge division, is selected from a list of qualified vendors after a full and complete canvass by the Director of Community Development, to provide the professional services necessary for a comprehensive software system to support a loan portfolio of approximately \$150,000,000, consisting of loan tracking, billing, collections and reporting functions, for the CDBG and HOME loan programs listed in Council File No. 135-2023-A, for a period of two years with three one-year options to renew.

**BE IT FURTHER RESOLVED** that the Director of Community Development is authorized to enter into a contract with Nortridge Software LLC through its CyberRidge division based upon its proposal dated January 16, 2024 ("Proposal"), which contract shall be prepared by the Director of Law, shall provide for furnishing the above-mentioned professional services as described in the Proposal, for an amount not to exceed \$30,741 for the first year of the contract, and not to exceed \$29,241 per year for the second year, and for each of the three one-year renewal options, if exercised, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 219-24**

Adopted 5/01/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel Nos., 127-13-012, 127-13-013, 127-13-014, 127-13-016, 127-13-017, 127-13-026, 127-13-027, 127-13-031, 127-13-032, 127-13-037, 127-13-039, 127-13-040, 127-13-041, 127-13-042, 127-13-043, 127-13-044, 127-13-045 located at St. Catherine Avenue, 9017 St. Catherine Avenue, 9013 St. Catherine Avenue, 9005 St. Catherine Avenue, 8919 St. Catherine Avenue, St. Catherine Avenue, 8813 St. Catherine Avenue, 8920 Laisy Avenue, 8926 Laisy Avenue, 9018 Laisy Avenue, 9100 Laisy Avenue, Laisy Avenue, Laisy Avenue, 9108 Laisy Avenue, 9112 Laisy Avenue, 9116 Laisy Avenue and 9120 Laisy Avenue, respectively; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, the Cuyahoga County Land Reutilization Corporation (CCLRC) has proposed to the City to purchase the parcels for the Site Readiness for Good Jobs Fund; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Cuyahoga County Land Reutilization Corporation (CCLRC), for the sale and development of Permanent Parcel Nos., 127-13-012, 127-13-013, 127-13-014, 127-13-016, 127-13-017, 127-13-026, 127-13-027, 127-13-031, 127-13-032, 127-13-037, 127-13-039, 127-13-040, 127-13-041, 127-13-042, 127-13-043, 127-13-044, 127-13-045 located at St. Catherine Avenue, 9017 St. Catherine Avenue, 9013 St. Catherine Avenue, 9005 St. Catherine Avenue, 8919 St. Catherine Avenue, St. Catherine Avenue, 8813 St. Catherine Avenue, 8920 Laisy Avenue, 8926 Laisy Avenue, 9018 Laisy Avenue, 9100 Laisy Avenue, Laisy Avenue,

Laisy Avenue, 9108 Laisy Avenue, 9112 Laisy Avenue, 9116 Laisy Avenue and 9120 Laisy Avenue, respectively, according to the City of Cleveland Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$17.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 220-24**

Adopted 5/01/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 016-24-003 located at 3543 West 47th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, Nayda Lopez Feliciano and Jose Daniel Santos have proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 14 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Nayda Lopez Feliciano and Jose Daniel Santos, for the sale and development of Permanent Parcel No. 016-24-003 located at 3543 West 47th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 221-24**

Adopted 5/01/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 001-09-098 located on West 87th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, Carrie Geiss has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 15 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Carrie Geiss, for the sale and development of Permanent Parcel No. 001-09-098 located on West 87th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 222-24**

Adopted 5/01/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel Nos. 119-12-058, 119-12-059, 119-12-060, 119-12-061, 119-12-082, 119-12-083 located on East 101st Street, and Woodward Avenue; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, Gordon Crossing Land Co., LLC has proposed to the City to purchase and develop the parcels for a multi-family housing project; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Gordon Crossing Land Co., LLC, for the sale and development of Permanent Parcel Nos. 119-12-058, 119-12-059, 119-12-060, 119-12-061, 119-12-082, 119-12-083 located on East 101st Street, and Woodward Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcels shall be \$1,200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 223-24**

Adopted 5/01/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 105-26-106 located 1022 East 70th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, Rodgers Family Properties, LLC has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 7 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Rodgers Family Properties, LLC, for the sale and development of Permanent Parcel No. 105-26-106 located 1022 East 70th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$1,736.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 224-24**

Adopted 5/01/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 117-13-047 located at 1855 Lampson Road; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, Morris Russell and Frances Russell proposed to the City to purchase and develop the parcels for Side Yard Expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 10 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Morris Russell and Frances Russell, for the sale and development of Permanent Parcel No. 117-13-047 located at 1855 Lampson Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

**Resolution No. 225-24**

Adopted 5/01/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 139-09-006 located at 3643 East 144th Street; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, Robert Lee Weaver, Jr. has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 2 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Robert Lee Weaver, Jr., for the sale and development of Permanent Parcel No. 139-09-006 located at 3643 East 144th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Acting Director Melnyk, Director Keane, Acting Director Kramer, Director Margolius, Interim Director Drummond, Directors Hernandez, McNair, McNamara, Acting Director Majeski

Nays: None

Absent: Mayor Bibb, Directors Abonamah, Williams, Cole

# Board of Control

**Wednesday, May 8, 2024**

The meeting of the Board of Control convened in the Mayor's office on Wednesday, May 8, 2024, at 3:00 p.m. with Director Mark Griffin presiding.

**Members Present:** Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

**Absent:** Mayor Bibb, Director Francis

**Others Present:** James DeRosa, Director  
Mayor's Office of Capital Projects

Michael Curry, Assistant Director  
Office of Equal Opportunity

Steven Decker, Deputy Commissioner  
Division of Purchases & Supplies

Sherry Ulery, Project Manager  
Department of Finance

Sierra Lipscomb, Assistant Director of Law  
Department of Law

Tomasz Kacki, Paralegal  
Department of Law

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:11 p.m.

Jeffrey B. Marks  
Secretary – Board of Control

**Resolution No. 226-24**

Adopted 5/08/24

By Director Abonamah

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024 passed by the Cleveland City Council on April 22, 2024, Advantage Cleveland Tennis and Education, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct tennis instruction and games, for a term of one year, with one, one-year option to renew, exercisable by the Director of Finance.

**BE IT FURTHER RESOLVED** that the Director of Finance is authorized to enter into contract with Advantage Cleveland Tennis and Education, Inc., based on its proposal dated November 30, 2023, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$54,151 for each of the initial one-year term and the optional one-year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 227-24**

Adopted 5/08/24

By Director Abonamah

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024 passed by the Cleveland City Council on April 22, 2024, America SCORES Cleveland is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct soccer instruction and games, academic activities and community services projects, for a term of one year, with one, one-year option to renew, exercisable by the Director of Finance.

**BE IT FURTHER RESOLVED** that the Director of Finance is authorized to enter into contract with America SCORES Cleveland, based on its proposal dated December 1, 2023, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$49,341 for each of the initial one-year term and the optional one-year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 228-24**

Adopted 5/08/24

By Director Abonamah

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024, passed by the Cleveland City Council on April 22, 2024, Exquisite Touch Culinary Services is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct the Healthy Cooking program, for a term of one year, with one, one-year option to renew, exercisable by the Director of Finance.

**BE IT FURTHER RESOLVED** that the Director of Finance is authorized to enter into contract with Exquisite Touch Culinary Services, based on its proposal dated December 1, 2023, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$43,190 for each of the initial one-year term and the optional one (1) year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 229-24**

Adopted 5/08/24

By Director Abonamah

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024 passed by the Cleveland City Council on April 22, 2024, Cleveland Public Theatre is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct the STEP and CAN theatre programs, for a term of one year, with one, one-year option to renew, exercisable by the Director of Finance.

**BE IT FURTHER RESOLVED** that the Director of Finance is authorized to enter into contract with Cleveland Public Theatre, based on its proposal dated November 30, 2023, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$40,000 for each of the initial one-year term and the optional one-year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 230-24**

Adopted 5/08/24

By Director Abonamah

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 313-2024, passed by the Cleveland City Council on April 22, 2024, The Little Leagues is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to conduct rugby instruction and games, for a term of one year, with one, one-year option to renew, exercisable by the Director of Finance.

**BE IT FURTHER RESOLVED** that the Director of Finance is authorized to enter into contract with the Little Leagues, based on its proposal dated November 30, 2023, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$45,600 for each of the initial one-year term and the optional one-year renewal term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 231-24**

Adopted 5/08/24

By Director Keane

**REQUIREMENT CONTRACT**

**BE IT RESOLVED by the BOARD of CONTROL of the CITY of CLEVELAND**  
that the bid of

Pro-Tech Systems Group, Inc.

for an estimated quantity to maintain and replace components of various control systems, items 1-3 for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on April 10, 2024, under the authority of Ordinance No. 1066-2022, passed by the Council of the City of Cleveland on November 28, 2022, and Ordinance No. 426-2023, passed by the Council of the City of Cleveland on May 15, 2023, which on the basis of the estimated quantity would amount to \$420,000.00 (2% - Net 30 days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a **REQUIREMENT** contract for the goods and/or services necessary for the specified items.

The **REQUIREMENT** contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 232-24**

Adopted 5/08/24

By Director DeRosa

**WHEREAS**, Ordinance No. 111-2024, passed April 15, 2024, by the Council of the City of Cleveland authorizes the Commissioner of Purchases and Supplies and the Mayor, by and at the direction of the Board of Control, to sell City-owned real property located on the east side of West 130th Street between Interstate 71 and Brooklawn Avenue (PPN: 019-10-006) for purposes of redevelopment, found and determined to be not needed for City public use and more fully described in the ordinance, to 3945 West 130th Properties LLC, or its designee, at a price not less than the appraised value of \$8,400, which has been determined to be fair market value; now, therefore,

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that under Ordinance No. 111-2024, passed April 15, 2024, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies and the Mayor are directed to sell City-owned real property located on the east side of West 130th Street between Interstate 71 and Brooklawn Avenue (PPN: 019-10-006) for purposes of redevelopment, as more fully described in the ordinance, to 3945 West 130th Properties LLC, or its designee, at a price not less than the appraised value of \$8,400, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deeds of conveyance.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 233-24**

Adopted 5/08/24

By Director DeRosa

**WHEREAS**, under the authority of Ordinance No. 638-2019, passed by the Cleveland City Council on July 24, 2019, and Board of Control Resolution No. 350-23, adopted August 2, 2023, the City through the Director of Capital Projects entered into Contract No. Pl2023-035 with R.W. Clark Company., LLC for the public improvement of the Sterling Recreation Center Alteration & Addition; and

**WHEREAS**, R.W. Clark Company., LLC has proposed by its April 4, 2024 memo, to employ additional sub-contractors under Contract No. Pl2023-035 to assist in completion of the remaining services under the contract; now, therefore,

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that the employment of the following additional subcontractors by R.W. Clark Company, LLC under Contract No. Pl2023- 035 for the Improvement of the Sterling Recreation Center Alteration & Addition, is approved:

| <b><u>Subcontractor</u></b> | <b><u>CSB/MBE/FBE</u></b> | <b><u>Amount</u></b> |
|-----------------------------|---------------------------|----------------------|
| EM Painting LLC             | MBE                       | \$43,000.00          |
| North Electric, Inc.        | MBE/CSB/LPE               | \$579,200.00         |

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 234-24**

Adopted 5/08/24

By Director Williams

**REQUIREMENT CONTRACT**

**BE IT RESOLVED, by the BOARD OF CONTROL of the CITY OF CLEVELAND** that all bids received on March 7, 2024, for the purchase of various dump bodies, spreaders and plow equipment parts and labor all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 235-24**

Adopted 5/08/24

By Director Hernadez

**WHEREAS**, Ordinance No. 1123-2021, passed December 6, 2021, by the Council of the City of Cleveland authorizes the Mayor and the Commissioner of Purchases and Supplies ("Commissioner"), by and at the direction of the City Board of Control, to sell certain City-owned properties known as Permanent Parcel Nos. 119-13-011, 119-13-013 and 119-13-098 and respectively located at 9302 Hough Avenue, 9310 Hough Avenue, and Amesbury Avenue (vacant land), found and determined to be no longer needed for the City's public use, to 9410 Hough GP, LLC, or its designee for the purpose of redeveloping a 116-unit affordable housing development; now, therefore,

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that the Mayor and the Commissioner are directed to convey a fee simple interest in those certain City-owned properties known as Permanent Parcel Nos. 119-13-011, 119-13-013 and 119-13-098, to 9410 Hough GP, LLC, or its designee.

**BE IT FURTHER RESOLVED** that the prices for the sale of the properties shall be \$4,200.00 for Permanent Parcel No. 119-13-011, \$3,360.00 for Permanent Parcel No. 119-13-013, and \$1,848.00 for Permanent Parcel No. 119-13-098, which amounts are determined to be not less than fair market value.

**BE IT FURTHER RESOLVED** that the Mayor and the Commissioner are further directed to execute and deliver the official deed or deeds of the City of Cleveland conveying in fee simple the aforementioned City-owned properties, which deeds shall contain such additional terms and provisions as the Director of Law shall determine are necessary to protect the City's interests.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 236-24**

Adopted 5/08/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel Nos. 128-02-056, 128-02-087, 128-02-088, and 128-02-089 located on Crestwood Avenue, Grandview Avenue; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, Burten, Bell, Carr Development, Inc. has proposed to the City to purchase and develop the parcels for a pocket park/open greenspace; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 6 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Burten, Bell, Carr Development, Inc., for the sale and development of Permanent Parcel Nos. 128-02-056, 128-02-087, 128-02-088, and 128-02-089 located on Crestwood Avenue, Grandview Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$800.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 237-24**

Adopted 5/08/24

By Director Hernandez

**WHEREAS**, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program") according to the provisions of Chapter 5722 of the Ohio Revised Code; and

**WHEREAS**, under the Program, the City has acquired Permanent Parcel No. 136-24-008 located at 10512 Miles Avenue; and

**WHEREAS**, Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976 authorizes the Commissioner of Purchases and Supplies, when directed by the Director of Community Development and when certain specified conditions have been met, to sell City of Cleveland Land Reutilization Program parcels; and

**WHEREAS**, Lerdon Woodfolk has proposed to the City to purchase and develop the parcel for yard expansion; and

**WHEREAS**, the following conditions exist:

1. The member of Council from Ward 2 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Lerdon Woodfolk, for the sale and development of Permanent Parcel No. 136-24-008 located at 10512 Miles Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

**BE IT FURTHER RESOLVED THAT** the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

**Resolution No. 238-24**

Adopted 5/08/24

By Director Hernandez

**WHEREAS**, Ordinance No. 406-2024, passed May 6, 2024 by the Council of the City of Cleveland, authorizes the Mayor and the Commissioner of Purchases and Supplies, by and at the direction of the Board of Control, to sell certain City-owned properties known as Permanent Parcel Nos. 119-12-057 and 119-12-084 and located, respectively, at 1848 East 101st Street and 9910 Woodward Avenue, found and determined to be no longer needed for the City's public use and more fully described in the ordinance, to Gordon Crossing Land Co., LLC at a price not less than \$200 for each parcel, which price has been determined to be fair market value, for the purpose of developing the Gordon Crossing Low Income Housing Tax Credit project; now, therefore,

**BE IT RESOLVED** by the Board of Control of the City of Cleveland that under the Ordinance No. 406-2024, passed May 6, 2024 by the Council of the City of Cleveland, the Mayor and the Commissioner of Purchases and Supplies are directed to convey a fee simple interest in each of the City-owned properties known as Permanent Parcel Nos. 119-12-057 and 119-12-084, as more fully described in the ordinance, to Gordon Crossing Land Co., LLC.

**BE IT FURTHER RESOLVED** that the Mayor is requested to execute and deliver the official deed or deeds of the City of Cleveland conveying in fee simple the aforementioned City-owned properties, which deed(s) shall contain such additional terms and provisions as the Director of Law shall determine are necessary to protect the City's interests.

Yeas: Directors Griffin, Abonamah, Keane, Acting Director Laird, Director Margolius, Acting Director Carlton, Directors Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Director Francis

# Schedule of the Board of Zoning Appeals

**Monday, May 13, 2024**

**Under the conditions specified by law, the Board of Zoning Appeals will be conducting a hybrid in-person and virtual hearing using the WebEx Platform. IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY THROUGH WEBEX, contact the Board of Zoning Appeals office and request the link at 216-664-2580 by noon on May 10, 2024. You can also email us [boardofzoningappeals@clevelandohio.gov](mailto:boardofzoningappeals@clevelandohio.gov).**

**The in-person hearing will be held in Room 514 in City Hall. Bring proper ID to enter the building.**

**Those individuals not planning to attend are encouraged to view one of the live streams:**

<http://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/CityPlanningCommission/ZoningAppeals>

Or <https://www.youtube.com/channel/UCB8qloJrhmpYIR1OLY68bw/>

**Calendar No. 24-049: 523 East 140 Street  
Ward 8 – Michael Polensek**

Michael Dolan, owner proposes to establish a party center in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b)(2)(L) of Section 343.11, which states that a party center is first permitted in the General Retail Business District; proposed location is in the Local Retail Business District.
2. Division (e) of Section 349.04, which states required parking is equal to 3 times the floor area for patron use; in this case 3,750 square feet of parking is required.
3. Division (d)(4)(A) of Section 348.04, which states that in a Form District required parking for existing buildings is 25% of the total number of parking spaces required or in this case 6 spaces.
4. Section 349.08, which states where 5 or more accessory off-street parking spaces are provided, and are located on a lot that adjoins a building containing dwelling units, such parking spaces shall be screened from all adjoining lots in the Residence District or a building containing dwelling units, by an opaque wall, a uniformly painted fence of fire-resistant material or a strip of land at least 4 feet wide and densely planted with shrubs that form a dense screen year round. Such wall, fence or shrubs shall be at least 3 feet, but not more than 6 feet, 6 inches in height. However, such wall, fence or shrubs located within 25 feet of the

intersection of two or more streets or the intersection of an access driveway and a street, shall have a maximum height of 3 feet and a minimum height of 2 feet.

**Calendar No. 24-054: 5100 Lorain Avenue**

**Ward 15 – Jenny Spencer**

Tavoros Capital LLC, owner, proposes to establish a smoothie bar in a G2 Limited Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (a) of Section 349.07, which states that driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking spaces, surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials.
2. Division (b) of Section 349.07, which states that accessory off-street parking spaces shall be provided with wheel or bumper guards that are so located that no part of a parked vehicle will extend beyond such parking space.
3. Section 352.10 and 352.11 which state that a six-feet wide landscaped frontage strip is required where no landscaping is proposed.

**Calendar No. 24-055: 8716 Meridian Avenue**

**Ward 7 – Stephanie Howse-Jones**

Roy Jelks, owner, and Chanell Murray, lessee, proposes to establish a “Type A” daycare in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.03, which states that by reference, per division (g)(3)(C) of Section 337.02, a daycare is permitted if located not less than 30 feet from any adjoining premises in a Residence District not used for a similar purpose and if approved by the Board of Zoning Appeals after public notice and public hearing, and if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, if in the judgment of the Board such buildings and uses are appropriately located and designed that will meet a community need without adversely affecting the neighborhood. Said use is also subject to the review and approval of the Board of Zoning Appeals.

**Calendar No. 24-056: 8720 Meridian Avenue**

**Ward 7 – Stephanie Howse-Jones**

Chanell Murray, lessee, requesting to designate the vacant lot for use as a “Type A” daycare’s play area in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

2. Section 337.03, which states that by reference, per division (g)(3)(C) of Section 337.02, a daycare is permitted if located not less than 30 feet from any adjoining premises in a Residence District not used for a similar purpose and if approved

by the Board of Zoning Appeals after public notice and public hearing, and if adequate yard spaces and other safeguards to preserve the character of the neighborhood are provided, if in the judgment of the Board such buildings and uses are appropriately located and designed that will meet a community need without adversely affecting the neighborhood. Said use is also subject to the review and approval of the Board of Zoning Appeals.

**Calendar No. 24-057: 820 College Avenue**

**Ward 3 – Kerry McCormack**

Sandy Banks LLC, owner, proposes to enclose patio of existing restaurant located in C1 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 352.08 through 352.11, which states that a 10-foot-wide transition strip is required along the interior sideline, where the lot abuts Two Family District where the patio enclosure is proposed and no transition strip proposed.

**Calendar No. 24-058: 2281 Columbus Road**

**Ward 3 – Kerry McCormack**

St. Wendelin Parish, owner, propose to install an electronic changeable copy monument sign in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 350.13, which states that the maximum allowed square footage for a freestanding identification sign is 40 square feet and the appellant is proposing 77.56 square feet. This section also states that the maximum height for a freestanding identification sign is 5 feet, and the proposed height is 8 feet, 6 inches.
2. Division (g) of Section 350.13, which states that variance shall be required and may be granted for Identification or Bulletin Board signs using electronically changeable copy to display information pertinent to a Community Facility use on the premises of such Community Facility use only if the Board of Zoning Appeals determines that the sign will provide community information without adversely affecting the character of nearby residential properties, in accordance with the following provisions.
  - Community Facility Uses, for purposes of these provisions, shall include schools, places of worship, libraries, museums, hospitals, municipal recreation centers, parks, playgrounds, police stations, fire stations and other principal uses determined to be similar uses by the Board of Zoning Appeals.
  - Information displayed on the sign shall be limited to information that pertains to the community facility use on which property the sign is located. Each display of information shall remain static or fixed for a minimum of twenty (20) seconds, thereby prohibiting flashing, scrolling, animated or other copy that gives the appearance of motion.

- The sign using electronically changeable copy shall be either a wall sign or a freestanding sign or portion of such sign and shall be a maximum of thirty square feet in area.
- The placement and design of the sign using electronically changeable copy shall be approved by the City Planning Commission and Landmarks Commission, as applicable, in accordance with the design review guidelines established in this Zoning Code for signs and, specifically, with the intent of ensuring compatibility with the character of nearby residential properties.
- A variance is required from the Board of Zoning Appeals for electronic changeable copy signage in a residential district; proposed location is in the Multi-Family Residential District

**Calendar No. 24-059: 2417 Professor Street  
Ward 3 – Kerry McCormack  
(PPN 004-16-027)**

Alex Gaundo, (new owner) proposes to establish use as a “Cilantro” restaurant in a C1 General Retail Business. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Division (f) of Section 349.04, which states twenty-one off street spaces are required and no parking is proposed.

**Calendar No. 24-060: 6005 Parkridge Avenue  
Ward 13 – Kris Harsh**

Daniel Foster, owner, proposes to erect a two-story, single-family residence with detached garage in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b)(2) of Section 357.09, which states that the minimum required Interior Side Yard is 10 feet and the appellant is proposing 6 feet.
2. Section 353.05, which states accessory detached garage shall not be less 15 feet from a house on adjoining lot and the appellant is proposing 6 feet.

**Postponed from April 8, 2024**

**Calendar No. 24-038: 1055 Ivanhoe Road/ Violation Notice  
Ward 8 – Michael Polensek**

216 Real Estate LLC., owner (c/o Jason Lewis), appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and division (d) of Section 329.02 of the Cleveland Codified Ordinances from Notice of Violation Number V24003721 issued on January 30, 2024, by the Cleveland Department of Building and Housing for failure to comply with Section 343.01 of the Cleveland Codified Ordinances which states that new

or used motor vehicles sales on a vacant lot or building is not permitted in a Local Retail Business District. (Filed February 23, 2024)

*POSTPONED TO ALLOW TIME FOR STAFF TO ACQUIRE A REPORT FROM THE BUILDING AND HOUSING INSPECTOR.*

## Schedule of the Board of Zoning Appeals

**Monday, May 20, 2024**

**Under the conditions specified by law, the Board of Zoning Appeals will be conducting a hybrid in-person and virtual hearing using the WebEx Platform. IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY THROUGH WEBEX, contact the Board of Zoning Appeals office and request the link at 216-664-2580 by noon on May 17, 2024. You can also email us [boardofzoningappeals@clevelandohio.gov](mailto:boardofzoningappeals@clevelandohio.gov).**

**The in-person hearing will be held in Room 514 in City Hall. Bring proper ID to enter the building.**

**Those individuals not planning to attend are encouraged to view one of the live streams:**

<http://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/CityPlanningCommission/ZoningAppeals>

Or [https://www.youtube.com/channel/UCB8qloJrhm\\_pYIR1OLY68bw/](https://www.youtube.com/channel/UCB8qloJrhm_pYIR1OLY68bw/)

**Calendar No. 24-061: 1596 East 82nd Street**

**Ward 7 – Stephanie Howse Jones**

Stephanie Sanders, owners, proposes to establish use as Type “A” Home Daycare in a residence located in a D2 Multi-Family Residential District. The owners appeal for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Division (e)(3) of Section 337.08, which states that Daycare use shall not be located less than 15 feet from any adjoining premises in Residential District not for similar purpose.

**Calendar No. 24-062: 3121 West 25th Street**

**Ward 14 – Jasmine Santana**

The Egg Carton LLC, owner, proposes to change of use from commercial building to a two-story masonry single family residence in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division of Section 343.23(g)(1), which states that the Maximum Front Yard Setback is 5 feet and the appellant is Proposing 19.5 feet & 23.8 feet.

**Calendar No. 24-064: 2805 Seymour Avenue**

**Ward 14 – Jasmine Santana**

Gladys Vargas, owner, proposes to install 6 banners in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

2. Section 350.12, which states that the area of all banners displayed for a business or other non-residential use shall be limited to twenty-five percent (25%) of the permitted permanent sign area. Each business or use shall display banners for no more than four months during any calendar year. The maximum area allowed for banners is 15.3 square feet, and the appellant is proposing 102.65 square feet.

**Calendar No. 24-065: 2325 Kinkel Avenue  
Ward 14 – Jasmine Santana**

Rosemary DeJesus, owner, proposes to establish use as Limited Lodging (Airbnb) for more than 91 days per calendar year in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.251 (b)(1), which states that Limited Lodging is permitted in a dwelling unit located in a residence district for not more than 91 days. Appellant is proposing to establish an Airbnb in second floor unit.

**Calendar No. 24-066: Appeal of Eben Reed from the decision of the  
Commissioner Assessment and Licenses regarding denial of Tow Truck  
Application LUOU24-00065**

Eben Reed appeals under the authority of division (b) of Section 76-6 of the Charter of the City of Cleveland and division (d) of Section 329.02 from the decision of the Commissioner of Assessments and Licenses to deny Tow Truck Driver application LUOU24-00065.

# Report of the Board of Zoning Appeals

**Monday, May 6, 2024**

At the meeting of the Board of Zoning Appeals on Monday, May 6, 2024, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED**:

**Calendar No. 24-027: 14930 St. Clair Avenue**

Five Points Center LLC, owner, proposes to change of use from office to behavioral center in a Shopping Center District.

**Calendar No. 24-036: 1695 Bradford Avenue (Conditional)**

Joseph Wagner, owner, proposes to erect a 24-feet by 42-feet 3 story frame two-family residence with gravel parking space.

**Calendar No. 24-046: 3305 West 165th Street**

Robert and Colleen Lanning, owner, proposes to erect a 1 story single family residence with attached garage.

**Calendar No. 24-051: 2429 Superior Viaduct Avenue**

Bridgeworks LLC, proposes to erect a 7-story mixed use building with 146 residential apartments, a 6,933 square foot restaurant, 132 hotel rooms, 185 space parking garage; and 9,000 square foot retail use on the ground floor facing W. 25<sup>th</sup> St. in a K5 Limited Retail Business District and an Urban Form Overlay District.

The following appeals were **DENIED**:

**Calendar No. 24-024: 10022 Madison Ave.**

Shaker Madison LLC, owner, proposes to construct a new gas station in a C2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO) Zoning District.

The following appeals were **WITHDRAWN**: **None**

The following appeals were **DISMISSED**:

**Calendar No. 24-017: 3462 East 143rd Street**

Darquita Bennett, owner, proposes to establish use as a Residential Facility for eight occupants in a B1 Two-Family Residential District.

The following cases were **REMANDED**: **None**

The following cases were **POSTPONED**: **None**

# Agenda of the Board of Building Standards and Building Appeals

Wednesday, May 22, 2024 - revised

Board of Building Standards and Building Appeals  
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST  
[BBSA@clevelandohio.gov](mailto:BBSA@clevelandohio.gov)

**NOTE:** This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

**Download the WebEx Desktop App or the mobile App from the WebEx website at <https://www.webex.com/downloads.html/>**

**Instructions to enable a browser plug-in for Chrome or Firefox can be found here: <https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox>**

**For instructions to join the call you can go to here: <https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App>**

**Email: [cdavis@clevelandohio.gov](mailto:cdavis@clevelandohio.gov) to receive the calendar invite (This invite is for testament/witness purposes only)**

**PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:**

**<https://www.youtube.com/channel/UCB8ql0JrhmpYIR1OLY68bw/>**

**BUILDING:**

|                        |                              |                                            |
|------------------------|------------------------------|--------------------------------------------|
| <b>Docket A-402-23</b> | <b>6501 Barberton Avenue</b> | <b>WARD: 14</b><br><b>(Jasmin Santana)</b> |
|------------------------|------------------------------|--------------------------------------------|

**Stockyard Studios LLC**, Owner of the Light Manufacturing/ Assembly; Two Dwelling Units Structure, appeals from a **NOTICE OF VIOLATION – ELEVATOR**, dated December 14, 2023; appellant is requesting for time to complete the abatement of the violations.

|                      |                               |                                           |
|----------------------|-------------------------------|-------------------------------------------|
| <b>Docket A-2-24</b> | <b>2174 West 103rd Street</b> | <b>WARD: 15</b><br><b>(Jenny Spencer)</b> |
|----------------------|-------------------------------|-------------------------------------------|

**Liminal LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Two-Story Wood Frame/Siding/Masonry Veneer Frame Structure, appeals from

a **NOTICE OF VIOLATION – LEAD CERTIFICATE**, dated December 8, 2023; appellant is requesting for time to complete abatement of the violation.

**Docket A-4-24**

**7000 Central Avenue**

**WARD: 5  
(Richard A. Starr)**

**Christie Lites Cleveland LLC**, Owner of the F-1 Factory- Moderate Hazard (Combustibles) Four-Story Metal Frame Structure, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS & EXTERIOR MAINTENANCE**, dated December 6, 2023 & January 11, 2024; appellant is requesting for time to complete abatement of the violations.

**Docket A-10-24**

**2517 East 57th Street**

**WARD: 5  
(Richard A. Starr)**

**RDJ Group LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Four Dwelling Units; Two-Story Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE & HAZARDOUS CONDITIONS**, dated December 13, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-51-24**

**2517 East 57th Street**

**WARD: 5  
(Richard A. Starr)**

**RDJ Group LLC**, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); Two and a Half-Story; Wood Frame/Siding/Masonry Veneer Frame Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE & VACATE**, dated March 4, 2024; appellant is requesting for time to complete abatement of the violations.

#### **HOUSING:**

**Docket A-401-23**

**1204 East 173rd Street**

**WARD: 8  
(Michael D. Polensek)**

**Abundantly Blessed Endeavors LLC**, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated November 8, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-403-23**

**2872 West 32nd Street**

**Ward: 3  
(Kerry McCormack)**

**Renato Tomori**, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-SHED & CONDEMNATION-MAIN STRUCTURE**, dated

November 15, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-405-23**                      **19104 Shawnee Avenue**                      **WARD: 8**  
**(Michael D. Polensek)**

**Zachary Swann**, Owner of the One-Story Garage-Detached; Wood Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated December 4, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-411-23**                      **307 East 149th Street**                      **WARD: 8**  
**(Michael D. Polensek)**

**Cara Romano**, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated November 20, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-412-23**                      **3808 East 153rd Street**                      **WARD: 1**  
**(Joseph T. Jones)**

**Colen Boone**, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE, & CONDEMNATION-GARAGE**, dated December 20, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-3-24**                      **15401 Lakeshore Boulevard**                      **WARD: 8**  
**(Michael D. Polensek)**

**James D. Ealey**, Owner of the One Dwelling Unit; Single-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated November 29, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-5-24**                      **17512 Allien Avenue**                      **WARD: 17**  
**(Charles J. Slife)**

**Robert W. Monroe**, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated December 14, 2023; appellant is requesting for time to complete abatement of the violations.

**Docket A-9-24**                      **3061 West 46th Street**                      **WARD: 3**  
**(Kerry McCormack)**

**From Grounds Up Estate LLC**, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – STOP WORK ORDER, NO PERMIT & EXTERIOR MAINTENANCE** dated December 5, 2023 & April 28, 2022; appellant is requesting for time to complete abatement of the violations.

**Time Extension:**

**Docket A-407-23**                      **567 East 128th Street**                      **WARD: 10**  
**(Anthony T. Hairston)**

**Odasha Blue**, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated January 31, 2023; appellant is requesting for additional time awarded under Docket A-40-23 until December 18, 2023, to complete abatement of the violations.

**Docket A-7-24**                      **3235 West 111th Street**                      **WARD: 11**  
**(Danny Kelly)**

**Allan Parker**, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE**, dated May 19, 2023; appellant is requesting for additional time awarded under Docket A-123-23 until December 27, 2023, to complete abatement of the violations.

**BRIDGE:**

**Docket A-343-23**  
**81 Woodland Cleveland, OH AKA West of E. 79 City Bridge**                      **WARD: 5**  
**(Richard A. Starr)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:584 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-343-23** has been **POSTPONED**.

**Docket A-344-23**  
**83 Yeakel Cleveland, OH AKA East of East 93 Street City Bridge**                      **WARD: 3**  
**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:586 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-344-23** has been **POSTPONED**.

**Docket A-345-23**

**87 MLK Cleveland, OH AKA (East Blvd) South of Cedar City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:590 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-345-23** has been **POSTPONED**.

**Docket A-346-23**

**84 Puritas Cleveland, OH AKA East of West 160 Street City Bridge**

**WARD: 16**  
**(Brian Kazy)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:587 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-346-23** has been **POSTPONED**.

**Docket A-347-23**

**88 Brookside Cleveland, OH AKA Park Entrance City Bridge**

**WARD: 13**  
**(Kris Harsh)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:591 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3)

**DOCKET A-347-23** has been **POSTPONED**.

**Docket A-348-23****89 East 33rd Cleveland, OH AKA North of Hamilton Avenue City Bridge****WARD: 7****(Stephanie D. Howse-Jones)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:592 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-348-23** has been **POSTPONED**.

**Docket A-349-23****90 East 117th Cleveland, OH AKA South of Euclid Avenue City Bridge****WARD: 4****(Deborah A. Gray)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:593 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-349-23** has been **POSTPONED**.

**Docket A-350-23****91 MLK Cleveland, OH AKA (East Blvd.) South of Cedar City Bridge****WARD: 3****(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:594 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-350-23** has been **POSTPONED**.

**Docket A-351-23****92 Euclid Cleveland, OH AKA At E. 118 St. City Bridge****WARD: 9****(Kevin Conwell)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:596 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated

August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-351-23** has been **POSTPONED**.

**Docket A-352-23**

**93 West 73 Cleveland, OH AKA Under NS City Bridge**

**WARD: 15**  
**(Jenny Spencer)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:597 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-352-23** has been **POSTPONED**.

**Docket A-353-23**

**94 MLK Jr. Bl. Cleveland, OH South of Shoreway City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:056 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-353-23** has been **POSTPONED**.

**Docket A-354-23**

**95 East 37 Cleveland, OH AKA City Bridge**

**WARD: 5**  
**(Richard A. Starr)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:508 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-354-23** has been **POSTPONED**.

**Docket A-355-23**

**97 Fairfield Cleveland, OH AKA Scranton Ave at Train Ave. City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:512 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-355-23** has been **POSTPONED**.

**Docket A-356-23**  
**99 East 37th Cleveland, OH AKA City Bridge**  
**WARD: 5 (Richard A. Starr)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:520 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-356-23** has been **POSTPONED**.

**Docket A-357-23**  
**98 East 37th Cleveland, OH AKA City Bridge**

**WARD: 5**  
**(Richard A. Starr)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:519 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**DOCKET A-357-23** has been **POSTPONED**.

**Approval of Resolutions**

Docket/s:

|          |                                     |
|----------|-------------------------------------|
| A-360-23 | Paul A. Gregory                     |
| A-367-23 | Abdul Ali                           |
| A-379-23 | P&P Cleveland LLC                   |
| A-382-23 | Matthew P. Williams                 |
| A-384-23 | Paul A. Gregory                     |
| A-385-23 | Therma Holdings LLC                 |
| A-386-23 | Melissa Phillips                    |
| A-387-23 | Gary N. Travis                      |
| A-388-23 | Jeannot Mukendi Kashala             |
| A-389-23 | Lofty Holding 13806 Coit Rd DAO LLC |
| A-390-23 | Michael C. Cepec                    |
| A-391-23 | Augustine P. Banks                  |
| A-393-23 | Joynal Abedin                       |
| A-395-23 | SEES INC                            |
| A-397-23 | Ashley Anderson                     |
| A-81-24  | Diane Panaroski                     |

**Approval of Minutes**

May 8, 2024

**MEMO**

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary  
Board of Building Standards and Building Appeals

Date: May 3, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, May 22, 2024, at approximately 9:30 a.m.

| <b>DOCKET NO.</b> | <b>ADDRESS</b>  | <b>INSPECTOR/S</b> |
|-------------------|-----------------|--------------------|
| A-402-23          | 6501 Barberton  | W. Clark           |
| A-2-24            | 2174 West 103   | W. Battle          |
| A-4-24            | 7000 Central    | A. Cvitic          |
| A-10-24           | 2517 East 57    | R. Derrett         |
| A-401-23          | 1204 East 173   | D. Blazevic        |
| A-403-23          | 2872 West 32    | T. Barisic         |
| A-405-23          | 19104 Shawnee   | B. McClure         |
| A-411-23          | 307 East 149    | B. McClure         |
| A-412-23          | 3808 East 153   | J. Dvorak          |
| A-3-24            | 15401 Lakeshore | B. McClure         |
| A-5-24            | 17512 Allien    | C. Davis           |
| A-9-24            | 3061 West 46    | T. Barisic         |
| A-407-23          | 567 East 128    | A. Arnold          |
| A-7-24            | 3235 West 111   | C. Davis           |
| A-51-24           | 2517 East 57    | M. Shockley        |

# Agenda of the Board of Building Standards and Building Appeals

**Wednesday, November 6, 2024**

Board of Building Standards and Building Appeals  
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST  
[BBSA@clevelandohio.gov](mailto:BBSA@clevelandohio.gov)

**NOTE:** This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

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**For instructions to join the call you can go to here: <https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App>**

**Email: [cdavis@clevelandohio.gov](mailto:cdavis@clevelandohio.gov) to receive the calendar invite (This invite is for testament/witness purposes only)**

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**[https://www.youtube.com/channel/UCB8ql0Jrhm\\_pYIR1OLY68bw/](https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/)**

**BRIDGE:**

**Docket A-327-23  
65 Madison Cleveland, OH AKA At West 112 Street City Bridge**

**WARD: 11  
(Danny Kelly)**

**Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure- Code 4:562 NOTICE OF VIOLATION – EXTERIOR MAINTENANCE, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).**

**Docket A-328-23  
66 Stanton Cleveland, OH AKA East of East 79 Street City Bridge**

**WARD: 5**

**(Richard A. Starr)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:565 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-329-23**

**67 Steinway Cleveland, OH AKA East of Buckeye City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:566 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-330-23**

**69 Mayfield Cleveland, OH AKA At East 117 Street City Bridge**

**WARD: 9**  
**(Kevin Conwell)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:569 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-331-23**

**70 University Cleveland, OH AKA East of Scranton Road City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:570 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-332-23**

**71 West Cleveland, OH AKA South of Baltic Road City Bridge**

**WARD: 15**  
**(Jenny Spencer)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:571 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-333-23**

**72 West 65 Cleveland, OH AKA South of Clark Avenue City Bridge**

**WARD:14**  
**(Jasmin Santana)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:573 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3)

**Docket A-334-23**

**73 West 65 Cleveland, OH AKA At Father Caruso City Bridge**

**WARD: 15**  
**(Jenny Spencer)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:574 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-335-23**

**74 West 76 Cleveland, OH AKA At Northerly End City Bridge**

**WARD: 15**  
**(Jenny Spencer)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:575 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-336-23**

**75 West 95 Cleveland, OH AKA City Bridge**

**WARD: 15**  
**(Jenny Spencer)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:576 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of

the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-338-23**

**76 West 117 Cleveland, OH AKA North of Berea Road City Bridge**

**WARD: 16  
(Brian Kazy)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:577 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3)

**Docket A-339-23**

**77 West 117 Cleveland, OH AKA South of Madison Road City Bridge**

**WARD: 16  
(Brian Kazy)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:578 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-340-23**

**78 West 130 Cleveland, OH AKA South of Gilmore Avenue City Bridge**

**WARD: 3  
(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:579 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-341-23**

**79 West 130 Cleveland, OH AKA North of I-480 City Bridge**

**WARD: 3  
(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:580 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-342-23****80 Willey Cleveland, OH AKA South of Train Avenue City Bridge****WARD: 3  
(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:582 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Approval of Resolutions**

Docket/s:

|          |                                  |
|----------|----------------------------------|
| A-309-23 | Norfolk Southern Railway Company |
| A-310-23 | Norfolk Southern Railway Company |
| A-311-23 | Norfolk Southern Railway Company |
| A-312-23 | Norfolk Southern Railway Company |
| A-313-23 | Norfolk Southern Railway Company |
| A-314-23 | Norfolk Southern Railway Company |
| A-315-23 | Norfolk Southern Railway Company |
| A-316-23 | Norfolk Southern Railway Company |
| A-317-23 | Norfolk Southern Railway Company |
| A-318-23 | Norfolk Southern Railway Company |
| A-319-23 | Norfolk Southern Railway Company |
| A-320-23 | Norfolk Southern Railway Company |
| A-321-23 | Norfolk Southern Railway Company |
| A-324-23 | Norfolk Southern Railway Company |
| A-325-23 | Norfolk Southern Railway Company |
| A-326-23 | Norfolk Southern Railway Company |

**Approval of Minutes**

October 23, 2024

**MEMO**

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary  
Board of Building Standards and Building Appeals

Date: May 3, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, May 22, 2024, at approximately 9:30 a.m.

| <b>DOCKET NO.</b> | <b>ADDRESS</b> | <b>INSPECTOR/S</b> |
|-------------------|----------------|--------------------|
| A-327-23          | 65 Madison     | E. Elmi            |
| A-328-23          | 66 Stanton     | E. Elmi            |
| A-329-23          | 67 Steinway    | E. Elmi            |
| A-330-23          | 69 Mayfield    | E. Elmi            |
| A-331-23          | 70 University  | E. Elmi            |
| A-332-23          | 71 West        | E. Elmi            |
| A-333-23          | 72 West 65     | E. Elmi            |
| A-334-23          | 73 West 65     | E. Elmi            |
| A-335-23          | 74 West 76     | E. Elmi            |
| A-336-23          | 75 West 95     | E. Elmi            |
| A-338-23          | 76 West 117    | E. Elmi            |
| A-339-23          | 77 West 117    | E. Elmi            |
| A-340-23          | 78 West 130    | E. Elmi            |
| A-341-23          | 79 West 130    | E. Elmi            |
| A-342-23          | 80 Willey      | E. Elmi            |

# Agenda of the Board of Building Standards and Building Appeals

**Wednesday, November 20, 2024**

Board of Building Standards and Building Appeals  
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST  
[BBSA@clevelandohio.gov](mailto:BBSA@clevelandohio.gov)

**NOTE:** This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

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**Email: [cdavis@clevelandohio.gov](mailto:cdavis@clevelandohio.gov) to receive the calendar invite (This invite is for testament/witness purposes only)**

**PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:**

**<https://www.youtube.com/channel/UCB8ql0JrhmpYIR1OLY68bw/>**

**BRIDGE:**

**Docket A-343-23**  
**81 Woodland Cleveland, OH AKA West of E. 79 City Bridge**

**WARD: 5**  
**(Richard A. Starr)**

**Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure- Code 4:584 NOTICE OF VIOLATION – EXTERIOR MAINTENANCE, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).**

**Docket A-344-23**  
**83 Yeakel Cleveland, OH AKA East of East 93 Street City Bridge**

**WARD: 3**

**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:586 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-345-23**

**87 MLK Cleveland, OH AKA (East Blvd) South of Cedar City Bridge**

**WARD: 3**

**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:590 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-346-23**

**84 Puritas Cleveland, OH AKA East of West 160 Street City Bridge**

**WARD: 16**

**(Brian Kazy)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:587 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-347-23**

**88 Brookside Cleveland, OH AKA Park Entrance City Bridge**

**WARD: 13**

**(Kris Harsh)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:591 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3)

**Docket A-348-23**

**89 East 33rd Cleveland, OH AKA North of Hamilton Avenue City Bridge**

**WARD: 7**

**(Stephanie D. Howse-Jones)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:592 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-349-23**

**90 East 117th Cleveland, OH AKA South of Euclid Avenue City Bridge**

**WARD: 4**  
**(Deborah A. Gray)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:593 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-350-23**

**91 MLK Cleveland, OH AKA (East Blvd.) South of Cedar City Bridge**

**WARD: 3**  
**(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:594 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-351-23**

**92 Euclid Cleveland, OH AKA At E. 118 St. City Bridge**

**WARD: 9**  
**(Kevin Conwell)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:596 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-352-23**

**93 West 73 Cleveland, OH AKA Under NS City Bridge**

**WARD: 15**  
**(Jenny Spencer)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 4:597 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated

August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-353-23**

**94 MLK Jr. Bl. Cleveland, OH South of Shoreway City Bridge**

**WARD: 3  
(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:056 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-354-23**

**95 East 37 Cleveland, OH AKA City Bridge**

**WARD: 5  
(Richard A. Starr)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:508 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-355-23**

**97 Fairfield Cleveland, OH AKA Scranton Ave at Train Ave. City Bridge**

**WARD: 3  
(Kerry McCormack)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:512 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-356-23**

**99 East 37th Cleveland, OH AKA City Bridge**

**WARD: 5 (Richard A. Starr)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:520 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Docket A-357-23**  
**98 East 37th Cleveland, OH AKA City Bridge**

**WARD: 5**  
**(Richard A. Starr)**

**Norfolk Southern Railway Company**, Owner of the Railroad Bridge Structure-Code 6:519 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

**Approval of Resolutions**

Docket/s:

|          |                                  |
|----------|----------------------------------|
| A-309-23 | Norfolk Southern Railway Company |
| A-310-23 | Norfolk Southern Railway Company |
| A-311-23 | Norfolk Southern Railway Company |
| A-312-23 | Norfolk Southern Railway Company |
| A-313-23 | Norfolk Southern Railway Company |
| A-314-23 | Norfolk Southern Railway Company |
| A-315-23 | Norfolk Southern Railway Company |
| A-316-23 | Norfolk Southern Railway Company |
| A-317-23 | Norfolk Southern Railway Company |
| A-318-23 | Norfolk Southern Railway Company |
| A-319-23 | Norfolk Southern Railway Company |
| A-320-23 | Norfolk Southern Railway Company |
| A-321-23 | Norfolk Southern Railway Company |
| A-324-23 | Norfolk Southern Railway Company |
| A-325-23 | Norfolk Southern Railway Company |
| A-326-23 | Norfolk Southern Railway Company |

**Approval of Minutes**

October 23, 2024

**MEMO**

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary  
Board of Building Standards and Building Appeals

Date: May 3, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, May 22, 2024, at approximately 9:30 a.m.

| <b>DOCKET NO.</b> | <b>ADDRESS</b> | <b>INSPECTOR/S</b> |
|-------------------|----------------|--------------------|
| A-327-23          | 65 Madison     | E. Elmi            |
| A-328-23          | 66 Stanton     | E. Elmi            |
| A-329-23          | 67 Steinway    | E. Elmi            |
| A-330-23          | 69 Mayfield    | E. Elmi            |
| A-331-23          | 70 University  | E. Elmi            |
| A-332-23          | 71 West        | E. Elmi            |
| A-333-23          | 72 West 65     | E. Elmi            |
| A-334-23          | 73 West 65     | E. Elmi            |
| A-335-23          | 74 West 76     | E. Elmi            |
| A-336-23          | 75 West 95     | E. Elmi            |
| A-338-23          | 76 West 117    | E. Elmi            |
| A-339-23          | 77 West 117    | E. Elmi            |
| A-340-23          | 78 West 130    | E. Elmi            |
| A-341-23          | 79 West 130    | E. Elmi            |
| A-342-23          | 80 Willey      | E. Elmi            |

## Public Notice

The Development, Planning and Sustainability (Zoning) Committee will meet on Tuesday, May 21, 2024, at 9:30 a.m. to hear the following legislation:

**Ord. No. 347-2024**

By Council Members Hairston and Griffin (by departmental request)

An ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Title VIIA, Cleveland Neighborhood Form-Based Code, which consists of Chapters 3001 through 3007; and to amend Section 327.01 of the codified ordinances, as enacted by Ordinance No. 546-93, passed June 14, 1993, to reference the new Title VIIA, Cleveland Neighborhood Form[1]Based Code.

## Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, April 29, 2024.

**Click on a piece of legislation below to read it:**

[Ord. No. 368-2024](#)

[Ord. No. 486-2024](#)

[Ord. No. 440-2024](#)

[Ord. No. 487-2024](#)

[Ord. No. 478-2024](#)

[Ord. No. 488-2024](#)

[Ord. No. 484-2024](#)

[Res. No. 505-2024](#)

[Ord. No. 485-2024](#)

**Ordinance No. 368-2024**

**By Council Members:** Hairston and Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Community Development to administer the Community Engagement Healthy Home Initiative; to enter into one or more contracts with various Community Development Corporations for the purpose of hiring Community Engagement Specialists by neighborhood to improve the quality of life for residents and the City's housing stock; to enter into professional services contracts for acquisition of software and training to conduct the Initiative; and to make purchases of materials, equipment, supplies, and services needed to conduct the Initiative.**

**WHEREAS**, the Housing Advisory Board of the City of Cleveland, received a description of the Community Engagement Healthy Home Initiative over a period in excess of fifteen (15) days and approved the Initiative on May 12, 2020; and

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of Community Development is authorized to enter into one or more contracts with various Community Development Corporations for the purpose of hiring Community Engagement Specialists by neighborhood to improve the quality of life for residents and the City's housing stock.

**Section 2.** That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to acquire software necessary to enable the Community Engagement Specialists to, among other things, input data on the City's housing stock and report that information to the Department of Community Development, and for maintenance and support of the software.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Community Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Community Development, and certified by the Director of Finance.

**Section 3.** That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to provide training to Community Development staff and the Community Engagement Specialists in housing related areas necessary to enable the staff and Community Engagement Specialists to fully assist City of Cleveland residents in housing related areas.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of Community Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Community Development, and certified by the Director of Finance.

**Section 4.** That the Director of Community Development is authorized to make one or more written standard purchase and/or written requirement purchase contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: materials, equipment, supplies, and services needed to implement the Community Engagement Healthy Home Initiative and for the rental of equipment including, if needed, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Department of Community Development. Bids may be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 5.** That the costs of the purchase and/or requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

**Section 6.** That the contracts and other appropriate documents needed to complete the transactions authorized by this legislation shall be prepared by the Director of Law.

**Section 7.** That the cost of the contracts is not to exceed \$1,060,000 and shall be paid from Fund No. 01-8006-6320. (RQS 8006, RL 2024-35).

**Section 8.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed April 29, 2024.**

**Effective April 30, 2024.**

**Ordinance No. 440-2024**

**By Council Members:** Griffin (by departmental request)

**An emergency ordinance authorizing the Director of Finance to employ one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors necessary to implement various technology projects, services, and upgrades to existing systems under the 2024 ITS Capital Project Plan, other related professional services to implement the Plan; and to enter into various contracts to implement this ordinance.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That, provided this Council authorizes and the City sells bonds in 2023 for purposes that include this ordinance, the Director of Finance is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants, for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement various technology projects, services, and upgrades to existing systems under the 2024 ITS Capital Project Plan (the “Plan”) and to purchase any associated hardware and appurtenances that are non-competitive, cannot be secured from any other source and that are necessary for upgrade, replacement, or maintenance of any components of the Plan. Components of the Plan include, but are not limited to: Website Optimization; Route Optimization; Artificial Intelligence Tools and Services; Learning Management Solution; Payroll Processing and Onboarding Software; fiber optic installation; Computer Refresh Project; Social Services Software; Data Center Network and Server Upgrades and enhancements migrating physical servers to power efficient, sustainable Blade Chassis and Virtual Servers; SharePoint system upgrade; Software as a Service; Platform as a Service; Low Code No Code Solution; Record Management System; Computer Aid Dispatch System upgrade; WorkOrder Management; AVL System Upgrade; Camera System; Accela System Upgrade; Voice over Internet Protocol (VoIP) telephone system; WIFI installation in City-owned and City- leased facilities; installation of Pen-based devices; Business Intelligence/Data Management systems; and all associated hardware and appurtenances for the foregoing.

Professional services needed to implement the Plan include, but are not limited to: project management; business analysis; network installation; support services; software implementation and configuration; end user and technical staff training; system design; data conversion; report development and implementation; testing; technical administration; tuning; maintenance services; upgrades; backup systems and services; system disaster alleviation and remediation; business continuity; technical support; network administration; implementation; programming; maintenance; and other

support for operation and enhancement of systems, integrations, data exchange, migration, installation, design, interfacing, repair, upgrades and enhancements; and other related professional services.

**Section 2.** That, provided this Council authorizes and the City sells bonds in 2023 for purposes that include this ordinance, the Director of Finance is authorized to employ by contract or contracts one or more consultants, computer software developers or vendors or one or more firms of consultants, computer software developers or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to acquire one or more software licenses and city-wide applications, including implementation, training, and technical support related to the software or applications necessary to implement the Plan, which are not obtained under a professional services contract authorized in Section 1 of this ordinance.

**Section 3.** The selection of the consultants, computer software developers, or vendors for the services, software licenses, city-wide applications and related services referred to in Section 2 of this ordinance and/or to provide necessary associated hardware, appurtenances, and all other items described in Sections 1 and 2, shall be made by the Board of Control on the nomination of the Director of Finance and, if applicable, shall be from a list of qualified consultants, computer software developers, or vendors available for employment as may be determined after a full and complete canvass by the Director of Finance for the purpose of compiling a list. The compensation to be paid for the services, hardware, appurtenances, and licenses and applications shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law and approved and certified by the Director of Finance.

**Section 4.** That, provided this Council authorizes and the City sells bonds in 2024 for purposes that include this ordinance, the Director of Finance is authorized to make one or more written standard purchase or lease contracts and one or more written requirement purchase or lease contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items of the purchase, lease, or license of computer and network hardware; replacement parts with labor if necessary; software; software licenses; software upgrades; appurtenances; supplies; related furniture, building equipment and restoration; training materials; insurance; and other materials, equipment, supplies, and services necessary to implement the Plan which are not obtained under a contract authorized in Sections 1 and 2 of this ordinance, including labor and materials; training and training materials; maintenance; and installation if necessary; to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the Division of Information Technology and Services, Department of Finance. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

**Section 5.** That the costs of the requirement contract or contracts shall be paid from the fund or funds to which are credited the proceeds of the sale of future bonds if authorized for this purpose, and shall also be charged against the proper appropriation

accounts and the Director of Finance shall certify the amount of any purchase or procurement under the contract or contracts, each of which purchases or procurements shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

**Section 6.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 7.** That the total cost of the contracts and other expenditures authorized in this ordinance shall be paid from Fund Nos. 01-1511-6945, 11 SF 006, 52 SF 001, 54 SF 001, 58 SF 001, 60 SF 001, 81 SF 001, from the fund or funds to which are credited the proceeds of the sale of future bonds if issued for this purpose, and any other funds approved by the Director of Finance. (RQS 1511, RL 2024-47)

**Section 8.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed April 29, 2024.**

**Effective April 30, 2024.**

**Ordinance No. 478-2024****By Council Members:** Griffin (by departmental request)

**An emergency ordinance to amend Section 40 of Ordinance No. 194-2021, passed March 29, 2021, as amended by various ordinances, relating to salaries for various classifications.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That Section 40 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 523-2023, passed April 24, 2023, and Ordinance No. 338-2024, passed March 25, 2024, is amended to read as follows:

Section 40. That the salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

|    | <b>Classification</b>                                          | <b>Minimum</b> | <b>Maximum</b> |
|----|----------------------------------------------------------------|----------------|----------------|
| 1  | Administrator of Engineering and Planning                      | 31,866.00      | 145,752.15     |
| 2  | Airport Chief Engineer                                         | 31,866.00      | 145,752.15     |
| 3  | Assistant Chief of Public Utilities Security                   | 60,000.00      | 117,305.10     |
| 4  | Assistant City Comptroller                                     | 41,312.22      | 147,198.60     |
| 5  | Airport Planning Environmental Officer                         | 31,866.00      | 115,480.95     |
| 6  | Air Trade Development Manager                                  | 31,866.00      | 134,538.68     |
| 7  | Assistant Director of Human Resources and Economic Development | 31,866.00      | 145,751.75     |
| 8  | Budget Administrator                                           | 31,866.00      | 137,231.39     |
| 9  | Chief of Public Security                                       | 65,000.00      | 152,496.63     |
| 10 | Chief Superintendent of Electric Transmission & Distribution   | 50,000.00      | 134,900.87     |
| 11 | Comptroller-Airports                                           | 31,866.00      | 136,675.52     |
| 12 | Database Analyst                                               | 31,866.00      | 145,752.15     |
| 13 | Deputy Auditor                                                 | 49,500.00      | 136,188.80     |
| 14 | Deputy Commissioner of Parks, Maintenance and Properties       | 31,866.00      | 134,538.68     |
| 15 | Deputy Commissioner of Water                                   | 31,866.00      | 168,014.57     |
| 16 | Deputy Commissioner of Water Pollution Control                 | 31,866.00      | 134,538.68     |
| 17 | Electric Transmission SCADA Engineer                           | 31,866.00      | 126,703.09     |
| 18 | Energy Marketing Manager                                       | 31,866.00      | 144,589.46     |
| 19 | Environmental Programs Manager                                 | 45,000.00      | 113,000.93     |
| 20 | Executive Commissioner of Public Safety – Operations           | 36,590.39      | 184,369.96     |

|    |                                                                |           |            |
|----|----------------------------------------------------------------|-----------|------------|
| 21 | Executive Comm. of Public Safety – Projects, Grants Technology | 36,590.39 | 184,369.96 |
| 22 | Field Manager                                                  | 35,000.00 | 76,993.08  |
| 23 | Fleet Management Data Manager                                  | 31,866.00 | 86,494.52  |
| 24 | GIS/IS Coordinator                                             | 52,000.00 | 121,520.76 |
| 25 | Internal Affairs Superintendent                                | 60,000.00 | 140,766.12 |
| 26 | Labor Relations Manager                                        | 31,866.00 | 145,752.15 |
| 27 | Manager of Marketing                                           | 31,866.00 | 134,538.68 |
| 28 | Manager of Plant Operations                                    | 31,866.00 | 150,875.96 |
| 29 | Manager of Procurement                                         | 50,000.00 | 117,305.10 |
| 30 | Manager of Telecommunications                                  | 31,866.00 | 134,538.68 |
| 31 | Manager of Water Distribution Systems                          | 31,866.00 | 150,875.96 |
| 32 | Nurse Practitioner                                             | 31,866.00 | 134,538.68 |
| 33 | Permit Review Manager                                          | 31,866.00 | 134,538.68 |
| 34 | Project Leader/Applications                                    | 45,000.00 | 118,948.35 |
| 35 | Safety Programs Manager                                        | 31,866.00 | 115,480.95 |
| 36 | Section Chief – Architecture & Site Development                | 40,000.00 | 126,703.09 |
| 37 | Section Chief – Engineering & Construction                     | 50,000.00 | 126,703.09 |
| 38 | Senior Instructional Designer                                  | 31,866.00 | 115,671.57 |
| 39 | Software Analyst                                               | 45,000.00 | 113,000.93 |
| 40 | Superintendent of Electric Transmission & Distribution         | 50,000.00 | 128,669.23 |
| 41 | Supervisor of Computer Operations                              | 31,866.00 | 115,480.95 |
| 42 | Supervisor of Public Utilities Safety                          | 50,000.00 | 105,574.59 |
| 43 | Supervisor Hardware Evaluation                                 | 31,866.00 | 115,480.95 |
| 44 | Transmissions Operations Manager                               | 31,866.00 | 138,302.96 |
| 45 | Veterinarian in Charge of Spay and Neuter Clinic               | 31,866.00 | 124,437.25 |

**Section 2.** That existing Section 40 of Ordinance No. 194-2021, passed March 29, 2021, as amended by Ordinance No. 1281-2022, passed December 5, 2022, Ordinance No. 523-2023, passed April 24, 2023, and Ordinance No. 338-2024, passed March 25, 2024, is repealed.

**Section 3.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed April 29, 2024.**

**Effective April 30, 2024.**

**Ordinance No. 484-2024****By Council Members:** Griffin

**An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Union Miles Development Corporation for the Community Cleanup Project through the use of Ward 6 Casino Revenue Funds.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of the Department of Public Works is hereby authorized to enter into agreement with Union Miles Development Corporation for the Community Cleanup public purpose of providing a community neighborhood cleanup project through the use of Ward 6 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$1,665.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

| <u>Ward</u> | <u>Amount</u> | <u>Project Number</u> |
|-------------|---------------|-----------------------|
| Ward 6      | \$1,665.00    | G24652                |

**Section 3.** That the Law Department has reviewed and approved this proposal on April 25, 2024. The Department has reviewed and approved the proposal on April 22, 2024. Project shall begin as of March 1, 2024.

**Section 4.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed April 29, 2024.****Effective April 30, 2024.**

**Ordinance No. 485-2024****By Council Members:** Jones

**An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with the John F Kennedy High School Alumni Association for the HBCU Tour Recruitment project through the use of Ward 1 Casino Revenue Funds.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of the Department of Public Works is hereby authorized to enter into agreement with John F Kennedy High School Alumni Association for the HBCU Tour Recruitment for the public purpose of recruiting youth for a HBCU college tour program through the use of Ward 1 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$1,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

| <u>Ward</u> | <u>Amount</u> | <u>Project Number</u> |
|-------------|---------------|-----------------------|
| Ward 1      | \$1,000.00    | G23586                |

**Section 3.** That the Law Department has reviewed and approved this proposal on April 25, 2024. The Department has reviewed and approved the proposal on April 22, 2024. Project shall begin as of January 1, 2024.

**Section 4.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed April 29, 2024.****Effective April 30, 2024.**

**Ordinance No. 486-2024****By Council Members:** Jones**An emergency ordinance authorizing the Director of the Department of Aging to enter into agreement with Famicos Foundation for Senior Grass Cutting Program through the use of Ward 1 Discretionary Funds.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of the Department of Aging is hereby authorized to enter into agreement with Famicos Foundation for the Senior Grass Cutting Program for the public purpose of senior resident grass cutting through the use of Wards 1 Discretionary Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$50,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

| <u>Ward</u> | <u>Amount</u> | <u>Project Number</u> |
|-------------|---------------|-----------------------|
| Ward 1      | \$50,000.00   | H24184                |

**Section 3.** That the Law Department has reviewed and approved this proposal on April 18, 2024. The Department has reviewed and approved the proposal on April 17, 2024. Project shall begin as of May 1, 2024.

**Section 4.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed April 29, 2024.****Effective April 30, 2024.**

**Ordinance No. 487-2024****By Council Members:** Bishop

**An emergency ordinance authorizing the Director of the Department of Aging to enter into agreement with Union Miles Development Corporation for Senior Grass Cutting Program through the use of Ward 2 Casino Revenue Funds.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of the Department of Aging is hereby authorized to enter into agreement with Union Miles Development Corporation for the Senior Grass Cutting Program for the public purpose of senior resident grass cutting through the use of Ward 2 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$65,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

| <u>Ward</u> | <u>Amount</u> | <u>Project Number</u> |
|-------------|---------------|-----------------------|
| Ward 2      | \$65,000.00   | G24657                |

**Section 3.** That the Law Department has reviewed and approved this proposal on April 18, 2024. The Department has reviewed and approved the proposal on April 17, 2024. Project shall begin as of May 15, 2024.

**Section 4.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed April 29, 2024.**

**Effective April 30, 2024.**

**Ordinance No. 488-2024****By Council Members:** Slife

**An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with West United CLE for the Gators Youth Football Program at Gunning Recreation through the use of Ward 17 Casino Revenue Funds.**

**WHEREAS**, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That the Director of the Department of Public Works is hereby authorized to enter into agreement with West United CLE for the West United Gators Youth Football Program at Gunning Recreation for the public purpose of providing a youth football program through the use of Ward 17 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$3,831.84 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

| <u>Ward</u> | <u>Amount</u> | <u>Project Number</u> |
|-------------|---------------|-----------------------|
| Ward 17     | \$3,831.84    | G23628                |

**Section 3.** That the Law Department has reviewed and approved this proposal on April 25, 2024. The Department has reviewed and approved the proposal on April 22, 2024. Project shall begin as of June 1, 2023.

**Section 4.** That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

**Section 5.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**Passed April 29, 2024.****Effective April 30, 2024.**

**Resolution No. 505-2024****By Council Members:** Kazy

**An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 12945 Lorain Avenue, and repealing Resolution No. 868-2023 objecting to said renewal.**

**WHEREAS**, this Council objected to the renewal of a C2 and C2X Liquor Permit to 130 Lorain, LLC, DBA Q's Drive Thru, 12945 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 6533150, by Resolution No. 868-2023, adopted by the Council on August 16, 2023; and

**WHEREAS**, this Council wishes to withdraw its objection to the above permit and consents to said permit; and

**WHEREAS**, this resolution constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLEVELAND:**

**Section 1.** That objection to the renewal of a C2 and C2X Liquor Permit to 130 Lorain, LLC, DBA Q's Drive Thru, 12945 Lorain Avenue, Cleveland, Ohio 44111, Permit No. 6533150, be and the same is hereby withdrawn and Resolution No. 868-2023, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

**Section 2.** That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

**Adopted April 29, 2024.****Effective April 30, 2024.**

## Directory of City Officials

### City Council

Cleveland City Hall  
601 Lakeside Avenue, Room 220  
Cleveland, Ohio, 44114  
Phone: 216-664-2840  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

President of Council – Blaine A. Griffin

City Clerk, Clerk of Council – Patricia J. Britt

| <i>Council Member</i>    | <i>Ward</i> |
|--------------------------|-------------|
| Joseph T. Jones          | 1           |
| Kevin L. Bishop          | 2           |
| Kerry McCormack          | 3           |
| Deborah A. Gray          | 4           |
| Richard A. Starr         | 5           |
| Blaine A. Griffin        | 6           |
| Stephanie D. Howse-Jones | 7           |
| Michael D. Polensek      | 8           |
| Kevin Conwell            | 9           |
| Anthony T. Hairston      | 10          |
| Danny Kelly              | 11          |
| Rebecca Maurer           | 12          |
| Kris Harsh               | 13          |
| Jasmin Santana           | 14          |
| Jenny Spencer            | 15          |
| Brian Kazy               | 16          |
| Charles Slife            | 17          |

## Permanent Schedule – Standing Committees of the Council 2022-2025

### MONDAY – Alternating

9:30 a.m. – **Health, Human Services and the Arts Committee:** Conwell (CHAIR), Maurer (VICE-CHAIR), Gray, Harsh, Howse-Jones, Slife, Starr.

9:30 a.m. – **Municipal Services and Properties Committee:** Bishop (CHAIR), Starr (VICE-CHAIR), Hairston, Jones, Kazy, Kelly, Maurer.

### MONDAY

2:00 p.m. – **Finance, Diversity, Equity and Inclusion Committee:** Griffin (CHAIR), McCormack (VICE-CHAIR), Bishop, Conwell, Hairston, Kazy, Polensek, Santana, Spencer.

### TUESDAY

1:30 p.m. – **Workforce, Education, Training and Youth Development Committee:** Santana (CHAIR), Howse-Jones (VICE-CHAIR), Gray, Jones, Slife, Spencer, Starr.

### TUESDAY – Alternating

9:30 a.m. – **Development, Planning and Sustainability Committee:** Hairston (CHAIR), Santana (VICE-CHAIR), Harsh, Howse-Jones, Jones, McCormack, Spencer.

### WEDNESDAY – Alternating

10:00 a.m. – **Safety Committee:** Polensek (CHAIR), Jones (VICE-CHAIR), Gray, Howse-Jones, Kelly, Slife, Starr.

10:00 a.m. – **Transportation and Mobility Committee:** McCormack (CHAIR), Slife (VICE-CHAIR), Bishop, Gray, Kazy, Maurer, Santana.

### THURSDAY

10:00 a.m. – **Utilities Committee:** Kazy (CHAIR), Spencer (VICE-CHAIR), Bishop, Gray, Harsh, Kelly, Polensek.

### The following Committees meet at the Call of the Chair:

**Mayor's Appointments Committee:** Jones (CHAIR), Griffin, Hairston, Harsh, Starr.

**Operations Committee:** McCormack (CHAIR), Bishop, Conwell, Griffin, Maurer.

**Rules Committee:** Griffin (CHAIR), Conwell, Maurer, McCormack, Polensek.

## City Departments

City Hall  
601 Lakeside Avenue  
Cleveland, OH 44114

**MAYOR** – Justin M. Bibb

Bradford J. Davy, Chief of Staff

Jeff Epstein, Chief of Integrated Development

Froilan Roy Fernando, Chief Technology and Innovation Officer

Sarah N. Johnson, Chief Communications Officer

Sonya Pryor-Jones, Chief of Youth and Family Success

Ryan M. Puente, Deputy Chief of Staff and Chief Government Affairs Officer

Bonnie Teeuwen, Chief Operating Officer

Michele Pomerantz, Chief of Education

**AGING** – Mary McNamara, Director

**BOARD OF BUILDING STANDARDS AND BUILDING APPEALS** –

Carmella Davis, Secretary

Patrick M. Gallagher (Labor), Chair

Howard Bradley (Builder)

(Engineer)

Robert Maschke, Architect

Peggy Lipscomb, Alternate

**BOARD OF ZONING APPEALS** –

Elizabeth Kukla, Secretary

Members: Alanna Faith, Nina Holzer, Priscilla Rocha, Arleesha Wilson

**BUILDING AND HOUSING** –

Sally Martin O'Toole, Director

**Divisions:**

Navid Hussain, Commissioner, Construction Permitting

Richard Riccardi, Assistant Commissioner, Construction Permitting

Thomas E. Vanover, Commissioner, Code Enforcement

**CITY AUDIT COMMITTEE –**

Members: Laura Armstrong, Chair; Council President Blaine A. Griffin; Law Director Mark D. Griffin; Diane Downing; Sharon Dumas; Thomas Raguz.

**CITY PLANNING COMMISSION – Joyce Pan Huang, Director**

Members: Lillian Kuri, Chair, Gloria Jean Pinkney, Council Member Charles Slife, August Fluker, Denise McCray, Isabella McKnight, Andrew Sargeant.

**CIVIL SERVICE COMMISSION – Rachon Long, Assistant Director**

Gregory E. Jordan, President; Michael Flickinger, Vice President; India Pierce Lee, Secretary; Daniel J. Brennan, Member; Cyrus L. Patton, Member

**COMMUNITY DEVELOPMENT – Alyssa Hernandez, Director**

**Divisions:**

Administrative Service – Joy Anderson, Commissioner

Office of Fair Housing and Consumer Affairs – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise Jackson, Commissioner

**COMMUNITY POLICE COMMISSION – Jason Goodrick, Interim Executive Director**

Members: John Adams, Shandra Benito, James M. Chura, Charles Donaldson, Jr., Kyle Earley, Alana Garrett-Ferguson, Cait Kennedy, Gregory Reaves, Janice Ridgeway, Piet van Lier, Audrianna Rodriguez, Teri Wang, Sharena Zayed.

**COMMUNITY RELATIONS BOARD – Angela Shute-Woodson, Executive Director;**

Members: Mayor Justin M. Bibb, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman; Council Member Kevin L. Bishop, Daniel McNea, Stephanie

Morrison-Hrbek, Roland Muhammad, Luz Pellot, Robert Render, III, Gia Hoa Ryan, Council Member Richard Starr, Jay Westbrook, Peter Whitt.

**ECONOMIC DEVELOPMENT** – Thomas S. McNair, Director

**FINANCE** – Ahmed Abonamah, Director

**Divisions:**

Accounts – Lonya Moss-Walker, Commissioner

Assessments and Licenses – Dedrick Stephens, Commissioner

City Treasury – James Hartley, Treasurer

Financial Reporting and Control – James Gentile, Controller

Information Technology and Services –

Kimberly Roy Wilson, Commissioner

Internal Audit – Natasha Brandt, Manager

Printing and Reproduction – Michael Hewett, Commissioner

Purchases and Supplies – Tiffany White Johnson, Commissioner

Sinking Fund Commission – Betsy Hruby, Manager

Taxation – Kevin Preslan, Commissioner and Income Tax Administrator

Treasury – James Hartley, Treasurer

**HUMAN RESOURCES** – Matthew J. Cole, Director

Rachon N. Long, Assistant Director

**LANDMARKS COMMISSION** –

Members: Julie Trott-Heisey, Chair; Robert S. Strickland, Vice Chair; Michele Anderson; Allan Dreyer; Mark Duluk, City of Cleveland Architecture and Site Development; Councilwoman Deborah A. Gray; Cleveland City Planning Commission Director Joyce Huang; Christopher Loeser; Michael R. Sanbury; Raymond Tarasuck, Jr.; Dr. Regennia Williams.

**LAW** – Mark D. Griffin, Director

Michele Comer, Chief Counsel

Ronda Curtis, Chief Corporate Counsel  
Elena Boop, Chief Trial Counsel  
Aqueelah Jordan, Chief Prosecutor  
Delanté Spencer Thomas, Chief Ethics Officer  
John Skrtic, Law Librarian

**MAYOR’S OFFICE OF CAPITAL PROJECTS** – James D. DeRosa, Director

**Divisions:**

Architecture and Site Development – Carter Edman, Manager Engineering and  
Construction – Richard J. Switalski, Manager Real Estate – Susanne Degennaro,  
Commissioner

**MAYOR’S OFFICE OF EQUAL OPPORTUNITY** – Tyson Mitchell, Director

**MAYOR’S OFFICE OF URBAN ANALYTICS AND INNOVATION** – Elizabeth  
Crowe, Director

**MAYOR’S OFFICE OF SUSTAINABILITY** – Sarah O’Keeffe, Director

**PORT CONTROL** – Bryant L. Francis, Director

**Divisions:**

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur,  
Commissioner of Airports  
Burke Lakefront Airport – Tony Campofredano, Airport Leader

**PUBLIC HEALTH** – David Margolius, M.D., Director

**Divisions:**

Air Quality – David Hearne, Commissioner  
Environment – Wallace L. Chambers, Jr., Commissioner  
Health – Frances Mills, Commissioner  
Health Equity and Social Justice – Lita Marie Wills, Commissioner  
Vital Statistics – Andrea Kacinari, City Registrar

**PUBLIC SAFETY** – Dornat A. Drummond, Interim Director**Divisions:**

Animal Control Services – Cory Keller, Chief Animal Control Officer

Emergency Medical Service – Orlando Wheeler, Commissioner

Emergency Operations Center – Nicole Carlton, Assistant Director

Fire – Anthony P. Luke, Chief

Police – Dorothy A. Todd, Chief

Professional Standards – Roger C. Smith, Administrator

**PUBLIC UTILITIES** – Martin J. Keane, Director**Divisions:**

Cleveland Public Power – Ammon Danielson, Commissioner

Radio Communications – Brad Handke, Manager

TV 20 – Kathy Allen, General Manager

Utilities Fiscal Control – Catherine Troy, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Ramona Lowery-Ferrell, Commissioner

**PUBLIC WORKS** – Frank D. Williams, Director**Administration:**

Administration – John Laird, Manager

Susie Claytor, Executive Commissioner, Public Auditorium

Kim Johnson, Interim Executive Commissioner, Prevention, Intervention and  
Opportunity for Youth and Young Adults

**Divisions:**

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Neighborhood Resource and Recreation Centers – Samuel Gissentaner,  
Commissioner

Park Maintenance and Properties – Toi Porch, Interim Commissioner

Parking Facilities – Kim Johnson, Commissioner

Property Management – Tom Nagle, Commissioner

Streets – Randell Scott, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Terrell H. Pruitt, Commissioner

**WORKFORCE DEVELOPMENT & OHIO MEANS JOBS –**

**CLEVELAND/CUYAHOGA COUNTY** – Michelle Rose, Executive Director

## Cleveland Municipal Court

Justice Center

1200 Ontario Street

Cleveland, Ohio, 44113

[www.clevelandmunicipalcourt.org](http://www.clevelandmunicipalcourt.org)

| <i>Judge</i>                                          | <i>Courtroom</i> |
|-------------------------------------------------------|------------------|
| Presiding and Administrative Judge Michelle D. Earley | 14-C             |
| Judge Marilyn B. Cassidy                              | 13-A             |
| Judge Mark R. Majer                                   | 12-B             |
| Judge Lauren C. Moore                                 | 15-A             |
| Judge Andrea Nelson Moore                             | 12-A             |
| Judge Michael L. Nelson, Sr.                          | 15-C             |
| Judge Ann Clare Oakar                                 | 14-A             |
| Judge Charles L. Patton, Jr.                          | 14-B             |
| Housing Court Judge W. Moná Scott                     | 13-B             |
| Judge Suzan M. Sweeney                                | 12-C             |
| Judge Jazmin Torres-Lugo                              | 13-C             |
| Judge Shiela Turner McCall                            | 13-D             |
| Judge Joseph J. Zone                                  | 14-D             |

Earle B. Turner – Clerk of Courts

Russell R. Brown, III – Court Administrator

Belinda Gest – Housing Court Administrator

Robert J. Furda – Chief Bailiff

Dean Jenkins – Chief Probation Officer

Gregory F. Clifford – Chief Magistrate

## City Links

### **Board of Building Standards and Building Appeals**

<http://planning.city.cleveland.oh.us/bza/bbs.html>

### **Board of Zoning Appeals**

<http://planning.city.cleveland.oh.us/bza/cpc.html>

### **City Bids**

#### **Invitations to Bid**

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/BID>

#### **Requests for Proposals/Requests for Qualifications**

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/RFP>

#### **Cleveland Water**

<http://www.clevelandwater.com/work-with-us/invitations-to-bid>

#### **Water Pollution Control**

[http://wpc.clevelandwater.com/?page\\_id=3342](http://wpc.clevelandwater.com/?page_id=3342)

#### **Cleveland Airports**

<https://www.clevelandairport.com/about-us/business-cle/bids-rfps>

### **City Jobs**

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/HumanResources>

<https://www.governmentjobs.com/careers/cleveland>

### **City of Cleveland**

<http://www.city.cleveland.oh.us/>

### **City of Cleveland Charter and Codified Ordinances**

<https://codelibrary.amlegal.com/codes/cleveland/latest/overview>

### **Civil Service Commission**

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission>

### **Cleveland City Council**

<http://www.clevelandcitycouncil.org/>

## **Cleveland Courts**

Cleveland Municipal Court

<http://clevelandmunicipalcourt.org/home.html>

Clerk of Courts – Cleveland Municipal Court

<https://clevelandmunicipalcourt.org/clerk-of-courts>

Cleveland Housing Court

<http://clevelandhousingcourt.org/>