

The City Record

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Official Proceedings City Council

Cleveland, Ohio
Monday, May 13, 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, 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, Jasmin Santana, Charles Slife, Jenny Spencer, Richard A. Starr.

Also present were: Mayor Bibb; Chiefs Davy, Epstein, Griffin, Pomerantz, Pryor-Jones, Teeuwen; Directors Crowe, Drummond, Keane, Martin O'Toole, McNamara, Mitchell, Pan Huang, 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 Harsh, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Howse-Jones.

Communications

From the Ohio Division of Liquor Control

File No. 556-2024

#4403779. Transfer of Ownership Application, C2 C2X. JR Business LLC, 4595 Warner Road (Ward 2). Received.

File No. 557-2024

#1171024. New License Application, D3 D 3A. CP West 25th Street LLC, 2144 West 25th Street (Ward 3). Received.

File No. 558-2024

#2570875. New License Application, D3 D3A. Erie Island Coffee II LLC, 2057 East 4th Street (Ward 3). Received.

File No. 559-2024

#8291715. Transfer of Ownership Application, C2 C2X. Mountain Top Grocery, 11543-45 Mt. Carmel. (Ward 6). Received.

File No. 560-2024

#14374150666. Transfer of Location Application, D1 D2 D3 D3A. Chipotle Mexican Grill Of Colorado LLC, 3530 Steelyard Drive (Ward 12). Received.

File No. 561-2024

#1525509. New License Application, C1. Clarks Beverage LLC, 3315 Clark Avenue (Ward 14). Received.

File No. 562-2024

#4498894. Transfer of Ownership Application, D5. Kanchi Bar & Grill LLC, 13813 Lorain Avenue (Ward 16). Received.

File No. 563-2024

#65642640005. Economic Development Transfer Application, D1. 12400 Crossburn Avenue LLC, 12400 Crossburn Avenue (Ward 16). 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. 565-2024	Matilda Norfleet Hawkins
Jones	Res. No. 566-2024	Ruth Helen Booth
Jones	Res. No. 567-2024	Michael Torbert
Jones	Res. No. 568-2024	Patricia Ann Brantley
Spencer	Res. No. 569-2024	Antonio Ruggiero
Starr	Res. No. 570-2024	Berlis Gray
Griffin	Res. No. 575-2024	Luther Smith
Polensek	Res. No. 576-2024	Officer Jacob Derbin

Resolutions of Congratulations

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

Hairston	Res. No. 571-2024	Bishop Jon Walden - 10 Year Pastoral Anniversary
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Resolutions of Recognition

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

Maurer	Res. No. 572-2024	Marc A. Stefanski
Griffin	Res. No. 573-2024	Frances Belk
Griffin	Res. No. 574-2024	Cleveland School of the Arts "All- Star Heroes Summit"

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 13, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

[Ord. No. 542-2024](#)

[Ord. No. 548-2024](#)

[Ord. No. 543-2024](#)

[Ord. No. 549-2024](#)

[Ord. No. 544-2024](#)

[Ord. No. 550-2024](#)

[Ord. No. 545-2024](#)

[Ord. No. 551-2024](#)

[Ord. No. 546-2024](#)

[Ord. No. 553-2024](#)

[Ord. No. 547-2024](#)

Ordinance No. 542-2024

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

An emergency ordinance to amend the title, the first and second whereas clauses, and Sections 1, 2, 3, and 4 of Ordinance No. 532-2023, passed May 15, 2023; and to add two additional whereas clauses and new Sections 1a, 3a and 3b, relating to the improvement for the West Side Market and to authorize, as an alternative, grant agreements with Cleveland Public Market Corporation, or an entity affiliated with or controlled by CPMC, to provide economic development assistance for the design and construction of the improvement through the grant agreements.

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 title, the first and second whereas clauses, and Sections 1, 2, 3, and 4 of Ordinance No. 532-2023, passed May 15, 2023, are amended to read as follows:

An Emergency Ordinance determining the method of making the public improvement of constructing basement, roof, façade, HVAC, and electrical improvements to the West Side Market; authorizing the Director of Capital Projects to enter into one or more contracts with Cleveland Public Market Corporation (“CPMC”), for that purpose for the making of the improvement; and to apply for and accept any gifts, grants or services from any public or private entity, or as an alternative to the public improvement, authorizing the Director of Public Works, Community Development, or appropriate Director, to enter into one or more grant agreements with CPMC, or an entity affiliated with or controlled by CPMC, to provide economic development assistance relating to designing and constructing for the design and construction of the improvement through the grant agreements.

WHEREAS, there is a developed concept and there are established goals (the “Masterplan”) for the West Side Market (the “Market”) ~~capital improvements~~, which have been prepared by leading public market experts and reviewed by the West Side Market committee, comprised of merchants, City officials, and stakeholders, to maximize the functionality and ~~revenue-generational~~ revenue-generating potential of the Market; and

WHEREAS, the unique design, time, budgetary, or other material requirements of this project ~~can~~ may benefit from the special care, coordination, and expeditiousness possible by combining the performance of both the professional design services and the construction under a design-build construction manager at-risk contract with a single entity with operational control of the Market; and

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make various public improvements to the Market to enable the Masterplan to be carried out through various improvements to the Market, including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades (the “Design-Build Public Improvement”), for the Department of Public Works and/or the Office of Capital Projects, under one or more design-build agreements with CPMC, obtaining the best proposal, taking into consideration the engineering and design, the construction method(s), the proposed design and construction costs, the total life-cycle costs, the qualifications of the proposed design professional(s) and construction firm(s), and the other objectives of the Design-Build Public Improvement.

~~for the Office of Capital Projects, by one or more construction manager-at-risk (“CMAR”) contracts duly let for one or more phases of the Improvement to the person, firm, or corporation or combination of them submitting the best proposal, taking into consideration the engineering and design, the construction delivery method, the proposed design and construction costs, the schedule, the total life-cycle costs, the qualifications of the proposed design professional(s) and construction firm(s), and the objectives of the Improvement.~~

~~The selection of the person, firm, or corporation to design and construct the Improvement shall be made by the Board of Control on the nomination of the Director of Capital Projects from a list of qualified and available persons, firms, or corporations, as may be determined by the Director of Capital Projects after making a full and complete canvass for the purpose of compiling the list. The Board of Control shall fix the total compensation to be paid for all design and construction and procurement necessary for the Improvement. The contract or contracts shall be prepared by the Director of Law, approved by the Director of Capital Projects, and certified by the Director of Finance.~~

Section 2. That, as necessary, the Director of Capital Projects, Public Works, and/or Community Development, as appropriate, are is authorized is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 3. That the Director of Capital Projects, Public Works, and/or Community Development, as appropriate, are is authorized to apply for and accept any gifts, grants, or services to implement this ordinance from any public or private entity; and that the appropriate Director is authorized to file all papers and execute all documents necessary to receive any gift, grant funds or services; and that any funds received are appropriated or the purposes described in this ordinance.

Section 4. That the total cost of the ~~Design-Build Public Improvement~~ authorized in Sections 1 and 1a and Section 3a of this ordinance shall not exceed Ten-Million Dollars (\$10,000,000.00) and shall be paid from Fund No. 10 SF 400, and from the fund or funds to which are credited any gift or grant funds accepted under this ordinance, ~~and from any other funds approved by the Director of Finance.~~ (RQS 0103, RL 2023-42)

Section 2. That the existing title, the first and second whereas clauses, and Sections 1, 2, 3, and 4 of Ordinance No. 532-2023, passed May 15, 2023, are repealed.

Section 3. That Ordinance No. 532-2023, passed May 15, 2023, is supplemented by adding two additional whereas clauses to follow the second existing one and new Sections 1a, 3a and 3b to read as follows:

WHEREAS, consistent with Ordinance No. 1093-2023, the City and Cleveland Public Market Corporation (“CPMC”) entered into a Management Agreement, Contract No. CT-7005-PS 2024-0119, effective April 12, 2024 (the “Management Agreement”); and

WHEREAS, this ordinance seeks an amendment to Ordinance No. 532-2023, passed May 15, 2023, to authorize the Director of Capital Projects and/or Director of Public Works to enter into one or more design-build public improvement contracts with CPMC, or in the alternative, to authorize the Director of Public Works, Community Development, or appropriate Director, to enter into one or more grant agreements with CPMC, or an entity affiliated with or controlled by CPMC, to provide economic development assistance for the design and construction of improvements to the Market, including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades; and

Section 1a. That the Director of Capital Projects, Public Works, and/or Community Development, as appropriate, are authorized to enter into one or more contracts with CPMC or one or more amendments to the Management Agreement, for the design and construction of the Design-Build Public Improvement.

Section 3a. That as an alternative to Sections 1 and 1a of this ordinance, as necessary to secure funding through tax credits for capital improvements to benefit the Market, the Director of Public Works, Community Development, and/or appropriate Director, are authorized to enter into one or more grant agreements with CPMC, or an entity affiliated with or controlled by CPMC, to provide economic development assistance for the design and construction of the improvements to the Market to enable the Masterplan to be carried out through various improvements to the Market, including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food

preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades (the “Grant Agreement Improvement”).

Section 3b. That the agreements, amendments, and any other appropriate documents needed to complete the transaction authorized by this ordinance shall be prepared by the Director of Law, approved by the appropriate Director, and, as necessary, certified by the Director of Finance.

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 Capital Projects; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 543-2024

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

An emergency ordinance authorizing an additional Ten-Million Dollars (\$10,000,000.00) for improvements to the West Side Market contemplated under Ordinance No. 532-2023, passed May 15, 2023.

WHEREAS, Ordinance No. 532-2023, passed May 15, 2023, authorized a construction-manager at risk contract for the public improvement to the West Side Market (the “Market”), including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades (the “Public Improvement”); and

WHEREAS, Ordinance No. 542-2024, introduced May 13, 2024, seeks an amendment to Ordinance No. 532-2023, to authorize the Director of Capital Projects and/or Director of Public Works to enter into one or more design-build contracts for the Public Improvement (the “Design-Build Public Improvement”) with the Cleveland Public Market Corporation (“CPMC”), or in the alternative, to authorize the Director of Public Works, Community Development, or other appropriate Director, to enter into one or more grant agreements with CPMC, or an entity affiliated with or controlled by CPMC, to provide economic development assistance relating to designing and constructing improvements to the Market, including but not limited to, reconfiguring and replacing the basement coolers and storage and constructing new food preparation areas, constructing roof and façade repairs, installing new heating, ventilation, and air conditioning systems, and performing electrical upgrades (the “Grant Agreement Improvement”); and

WHEREAS, an additional Ten Million Dollars (\$10,000,000.00) is necessary for either the Design-Build Public Improvement or the Grant Agreement Improvement entered into with CPMC, or an entity affiliated with or controlled by CPMC; 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 this Council authorizes an additional Ten-Million Dollars (\$10,000,000.00) payable from Fund No. 01-7005-6926, for improvements to the Market as contemplated under Ordinance No. 532-2023, as amended by Ordinance No. 542-2024. The additional funding will go towards either the Design-Build Public Improvement or the Grant Agreement Improvement authorized in that ordinance. (RQS 0103, RL 2024-60)

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 Capital Projects; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 544-2024

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

An emergency ordinance to supplement Ordinance No. 54-2023, passed March 20, 2023, to add new Section 10; and to renumber existing Sections 10, 11, and 12 to new Sections 11, 12, and 13, relating to the Development and/or Purchase Agreement with TurnDev, or its designee, for the development and sale of real property and buildings located at 2530-2570 Superior Avenue as the new police headquarters.

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 Ordinance No. 54-2023, passed March 20, 2023, is supplemented by adding a new Section 10 to read as follows:

Section 10. That the Project shall be exempt from any permit fees prescribed in Chapter 3105 of the Codified Ordinances.

Section 2. That existing Sections 10, 11 and 12 are renumbered to new “Section 11”, “Section 12”, and “Section 13”.

Section 3. That the amendment to Section 10 above shall be applied retroactively to March 20, 2023, which is the date Ordinance No. 54-2023 was passed.

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 Capital Projects; Building and Housing; Finance; and Law; Committees on Safety; Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 545-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to amend Section 3 of Ordinance No. 905-2022 and Section 3 of Ordinance No. 906-2022, passed September 19, 2022, relating to allocating a portion of the City's Coronavirus Local Fiscal Recovery Funds for the agreements with Child Care Resource Center of Cuyahoga County, dba Starting Point, to assist with the Early Childhood Recovery Initiative.

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 3 of Ordinance No. 905-2022, passed September 19, 2022, is amended to read as follows:

Section 3. That the cost of all agreements authorized by this ordinance shall not exceed ~~\$2,668,750~~ \$2,168,750 and shall be paid from the Fund Payment, Fund No. 01-001-9997, Fund No. 15 SF 190, and from any other funds approved by the Director of Finance. (RQS 0114, RLA 2022-56)

Section 2. That existing Section 3 of Ordinance No. 905-2022, passed September 19, 2022, is repealed.

Section 3. That Section 3 of Ordinance No. 906-2022, passed September 19, 2022, is amended to read as follows:

Section 3. That the cost of all agreements authorized by this ordinance shall not exceed ~~\$1,888,750~~ \$2,388,750 and shall be paid from the Fund Payment, Fund No. 01-001-9997, Fund No. 15 SF 190, and from any other funds approved by the Director of Finance. (RQS 0114, RLA 2022-52)

Section 4. That existing Section 3 of Ordinance No. 906-2022, passed September 19, 2022, is repealed.

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 Finance; and Law; Committee on Finance, Diversity, Equity and Inclusion.

Ordinance No. 546-2024

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

An emergency ordinance authorizing the Director of City Planning to apply for and accept a grant from the United States Department of Transportation for the 2023 Safe Streets and Roads for All Grant; authorizing the Director of City Planning, or appropriate Director, to enter into contracts to implement the grant; determining the method of making the public improvement of constructing safety improvements through a quick-build demonstration project on St. Clair Avenue and authorizing contracts to make the improvement; to apply for and accept any gifts or grants from any public or private entity; authorizing the Commissioner of Purchases and Supplies to acquire, accept and record real property and easements that are necessary for the improvement; and authorizing other agreements.

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 City Planning is authorized to apply for and accept a grant in the approximate amount of \$2,328,908 from the United States Department of Transportation, and any other funds from public or private entities that may become available during the grant term, to conduct the 2023 Safe Streets and Roads for All Grant; 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 the legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, **File No. 546-2024-A**, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide \$582,227 in cash matching funds payable from Fund No. 11 SF 006, is approved in all respects and shall not be changed without additional legislative authority. (RQS 0110, RLA 2024-48)

Section 3. That the Director of City Planning is authorized to extend the term of the grant during the grant term.

Section 4. That the Director of City Planning, Capital Projects and/or Public Works, 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, including but not limited to, design, engineering, and construction services necessary for the Improvement described below; safety audits and safety analyses of several high injury network street segments; and project management services.

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 City Planning, or appropriate Director, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the appropriate Director 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 appropriate Director, and certified by the Director of Finance.

Section 5. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing safety improvements through a quick-build demonstration project on St. Clair Avenue (the “Improvement”), for the Director of Capital Projects by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 6. That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 7. That the Director of Capital Projects, or appropriate Director, is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 8. That the Director of City Planning, Capital Projects, and/or Public Works, is authorized to make one or more written standard purchase contracts and written requirement 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 materials, equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of City Planning, or appropriate department. 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 9. That under Section 108(b) of the Charter, the purchases and/or services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of City Planning, Capital Projects, and/or Public Works, may sign all documents that are necessary to make the purchases and/or obtain such services, and may enter into one or more contracts with the vendors and/or consultants selected through that cooperative process.

Section 10. That the Director of Capital Projects is authorized to accept right-of-entries from private property owners within the Improvement locations where access to private property is necessary to complete the Improvement.

Section 11. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property and easements necessary to make the Improvement, including but not limited to gift, fee simple acquisitions, temporary and permanent easements, and work agreements. The consideration to be paid for the property and easements shall not exceed fair market value to be determined by the Board of Control.

Section 12. That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 13. That the Director of Capital Projects is authorized to file all papers and execute all documents necessary to receive the funds under this ordinance; and that the funds are appropriated for the purposes described in the ordinance.

Section 14. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for the Improvement from any public or private entity; and 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 15. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement this ordinance.

Section 16. That the cost of the contract or contracts authorized in this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, the cash match, and from the fund or funds to which are credited any gifts received for this purpose.

Section 17. 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 City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 547-2024

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

An emergency ordinance nominating and voting on who should serve on Cuyahoga County's 9-1-1 Program Review Committee.

WHEREAS, the City of Cleveland is located within the County of Cuyahoga and is therefore part of Cuyahoga County's 9-1-1 service network; and

WHEREAS, Cuyahoga County convenes a 9-1-1 Program Review Committee in accordance with Revised Code Section 128.06(B); and

WHEREAS, Revised Code Section 128.06(B)(4) specifies that all municipal corporations within Cuyahoga County are entitled to one vote as to the chief executive officer of one municipal corporation, who shall represent on the 9-1-1- Program Review Committee all chief executive officers of all municipal corporations within Cuyahoga County; and

WHEREAS, said representative shall be selected by the majority of all the legislative authorities of municipal corporations in Cuyahoga County; 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 Mayor Kirsten Holzheimer-Gail of the City of Euclid is hereby nominated and voted to serve on Cuyahoga County's 9-1-1 Program Review Committee as the representative of all chief executive officers of all municipal corporations within Cuyahoga County.

Section 2. That the Clerk of Council is authorized to transmit a certified copy of this ordinance to Brandy Carney, Director of Cuyahoga County Public Safety and Justice Services, 2079 East 9th Street, 5th Floor, Cleveland, Ohio 44115.

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 Public Safety; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 548-2024

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

An emergency ordinance approving the 9-1-1 Plan of Cuyahoga County, dated March 6, 2024.

WHEREAS, the City of Cleveland is located within the County of Cuyahoga and is therefore part of Cuyahoga County 9-1-1 service network; and

WHEREAS, Cuyahoga County maintains a 9-1-1 Plan in accordance with Revised Code Section 128.07; and

WHEREAS, Cuyahoga County has provided a copy of the 9-1-1 Plan to the City of Cleveland in accordance with Revised Code Section 128.07; and

WHEREAS, the City of Cleveland wishes to assist Cuyahoga County in complying with Revised Code Section 128.08 by offering this ordinance signifying its approval or rejection of said plan; 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 9-1-1 Plan of Cuyahoga County, dated March 6, 2024, is approved and placed in **File No. 548-2024-A**.

Section 2. That the Clerk of Council is authorized to transmit a certified copy of this ordinance to Brandy Carney, Director of Cuyahoga County Public Safety and Justice Services, 2079 East 9th Street, 5th Floor, Cleveland, Ohio 44115.

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 Public Safety; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 549-2024

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with AT & T Corp. for professional services necessary to add new hardware, network and telecommunication services, for the various divisions of the Department of Public Utilities for a period of three years.

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 enter into one or more contracts with AT & T Corp. for professional services necessary to add new hardware, network and telecommunication services for the various divisions of the Department of Public Utilities on the basis of its proposal, received on March 26, 2024, in the total sum of \$3,378,399 for a period of three years. The contract or contracts shall be paid from Fund Nos. 50 SF 002, 52 SF 001, 54 SF 001 and 58 SF 001. (RQS 2002, RL 2024-45)

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 Utilities; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 550-2024

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

An emergency ordinance determining the method of making the public improvement of renewing, repairing, and replacing various water mains in 2025 and 2026; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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, under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of renewing, repairing, and replacing various water mains in 2025 and 2026, including but not limited to, cleaning, lining, and structural lining, for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding upon a unit basis for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding upon a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract upon a unit basis.

Section 3. That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the cost of the improvement and other expenditures authorized shall be paid from Fund No. 52 SF 001 and from the fund or funds to which are credited the sale from the proceeds of future bonds, if issued for this purpose. RQS 2002, RL 2024-35.

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; City Planning Committee; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 551-2024

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

An emergency ordinance determining the method of making the public improvement of constructing the Brookfield Avenue/West 130th Street, Dearborn Avenue, East 27th Street, East 48th Street, East 93rd Street, Parkridge Avenue/Brookside Drive, West 19th Street, West 63rd Street, and West 89th Street area sewer replacement or rehabilitation projects; authorizing the Director of Public Utilities to enter into one or more public improvement contracts; authorizing the Director to employ one or more professional consultants necessary to design the improvement; and authorizing the Director to apply for and accept any loans or grants from any public or private entity.

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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the Brookfield Avenue/West 130th Street, Dearborn Avenue, East 27th Street, East 48th Street, East 93rd Street, Parkridge Avenue/Brookside Drive, West 19th Street, West 63rd Street, and West 89th Street area sewer replacement or rehabilitation projects, which may include but not be limited to replacing the existing main sewer and installing a new storm relief sewer (the “Improvement”), for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the Director of Public Utilities is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. 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 Improvement.

The selection of the 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 5. That the Director of Public Utilities is authorized to apply for and accept one or more grants from various public or private entities to make the Improvement; including but not limited to, the Northeast Ohio Regional Sewer District for Community Cost Share Program funding or other funding to implement the Improvement, that the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the grants.

Section 6. That the Director of Public Utilities and/or the Director of Finance are authorized to apply for and accept one or more Water Pollution Control Loan Fund ("WPCLF") loans from the Ohio Environmental Protection Agency ("EPA") or Ohio Water Development Authority, or other agencies; 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.

The Director of Public Utilities and/or the Director of Finance, as appropriate, are authorized to enter into one or more loan agreements with the Ohio EPA or Ohio Water Development Authority, or other appropriate agency, for one or more WPCLF loans, which loan agreement or agreements shall contain additional terms that are acceptable to the Director of Law to protect the public interest. Upon execution of the WPCLF loan agreement or agreements, the Director of Public Utilities and/or the Director of Finance are authorized to repay the loan funds to the WPCLF in accordance with the terms and conditions of the WPCLF loan agreement or agreements, from the operating revenues of the Division of Water Pollution Control.

Section 7. That the Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept grants as they become available and other funding from the United States of America and its federal agencies, the state of Ohio and its state agencies, and public agencies and/or pass-through entities approved by the governmental entity and that the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant or grants; and that the funds are appropriated for the purposes described in this ordinance.

Section 8. That the cost of the contracts and other expenditures authorized shall be paid from Fund No. 54 SF 001, from the fund or funds to which are credited the proceeds from funding received through the NEORS D Community Cost Share Program funds, from the fund or funds to which are credited the proceeds from any grant or loan received, from the fund or funds to which are credited the proceeds from the sale of bonds authorized by Ordinance No. 898-2023, passed September 18, 2023, if the City

sells such bonds and are issued for this purpose, and from future bonds if issued for this purpose. (RQS 2003, RLA 2024-44)

Section 9. 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; City Planning Committee; Finance; and Law; Committees on Utilities; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 553-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance and Mayor to terminate the On-Site Parking Garage (Gateway East) Base Lease as no longer needed for public use and appropriating certain funds to satisfy the City's capital repair obligations.

WHEREAS, on October 15, 1992, the City and Gateway Economic Development Corporation of Greater Cleveland ("Gateway") entered into a Base Lease for a term of up to 45 years for the purpose of the City constructing the On-Site Parking Facility to provide parking facilities for the public in downtown Cleveland, including patrons of the Gateway Sports Complex; and

WHEREAS, the Director of Finance has requested the termination of the base lease of the On-Site Gateway Parking Garage (also known as "Gateway East"), which is no longer needed for public use; and

WHEREAS, in exchange for termination of the Base Lease, the City will receive \$2,000,000 per year for 13 years, said payment to fund the City's required capital repair contribution; and

WHEREAS, funds remaining unexpended following the expiration of the City's various series Parking Facilities Revenue Bonds are available to fund deferred maintenance costs; 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, notwithstanding, and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the On-Site Gateway Parking Garage (Gateway East) is no longer needed for public use.

Section 2. That the Director of Finance and the Mayor are authorized to enter into an agreement to terminate the Base Lease entered into between the City and Gateway as of October 15, 1992, and to release all right, title and interest in the On-Site Gateway Garage (Gateway East) to Gateway.

Section 3. That the Director of Finance is authorized to pay up to \$2,000,000 to the Cleveland-Cuyahoga County Port Authority as deferred maintenance expenses out of Fund No. 65 SF 006.

Section 4. That the Director of Finance is authorized to receive payment of \$2,000,000 per year for 13 years, subject to acceleration in certain cases; to place said payments into Fund No. 65 SF 001, and this Council hereby appropriates said funds to be used to pay the City's required contribution for capital repairs at Progressive Field, pursuant to the Term Sheet attached to the Cooperative Agreement entered into among the City, the County of Cuyahoga, Gateway Economic Development Corporation of Northeast Ohio, and the Cleveland Guardians as authorized by Ordinance No. 844-2021, passed November 29, 2021. In addition to the foregoing, the Director of Finance is authorized to receive additional payments, to the extent permitted by law, relating to the operation of the garage and the sale of sponsor signage at the garage; and to place such payments into Fund No. 65 SF 001.

Section 5. That the Director of Finance is authorized in the name and on behalf of the City to sign and deliver a cooperative agreement, an amended Parking Facilities Agreement covering both teams utilizing Gateway, and all other necessary documents and agreements, all approved as to form and correctness by the Director of Law, to effectuate the transaction described more fully in **File No. 553-2024**.

Section 6. That is found and determined that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and any of its committees that resulted in these formal actions were held in meetings open to the public, in compliance with all legal requirements, including, without limitation, Section 121.22 of the Revised Code.

Section 7. That each section and each part of each section of this Ordinance is declared to be an independent section or part of a section and, notwithstanding any other evidence of legislative intent, it is declared to be the controlling legislative intent that if any such section or part of a section or any provision thereof, or the application thereof to any person or circumstance, is held to be invalid, the remaining sections or parts of sections and the application of such provisions to any other person or circumstance, other than those as to which it is held invalid, shall not be affected thereby, and it is declared to be the legislative intent that the other provisions of this Ordinance would have been passed independently of such section, or parts of a section, so held to be invalid.

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.

Referred to Directors of Finance; and Law; Committee on 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 13, 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. 554-2023](#)

[Ord. No. 555-2023](#)

[Ord. No. 564-2023](#)

Ordinance No. 554-2024**By Council Members:** Hairston

An emergency ordinance to amend the title and Section 1 of Ordinance 346-2024, passed March 25, 2024, relating to an agreement with Cavotta's Garden Center.

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 title and Section 1 of Ordinance 346-2024, passed March 25, 2024, are amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with North Collinwood Farm, LLC dba Cavotta's Garden Center or designee for a restaurant equipment project through the use of Ward 10 Casino Revenue Funds.

Section 1. That the Director of the Department of Economic Development is hereby authorized to enter into agreement with North Collinwood Farm, LLC dba Cavotta's Garden Center or designee for the a restaurant equipment project for the public purpose of creating new jobs through the use of Wards 10 Casino Revenue Funds.

Section 2. That the existing title and Section 1 of Ordinance 346-2024, passed March 25, 2024, are 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 Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

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, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Gray, Jones.

Ordinance No. 555-2024**By Council Members:** Gray

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 4 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 4 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 4	\$35,000.00	G24601

Section 3. That the Law Department has reviewed and approved this proposal on May 10, 2024. The Department has reviewed and approved the proposal on May 9, 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.

Motion by Council Member Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

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, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Gray, Jones.

Ordinance No. 564-2024**By Council Members:** Hairston

An emergency ordinance amending Section 4 of Ordinance No. 531-2023, passed May 31, 2023, authorizing the Director of Capital Projects and/or Port Control, as appropriate, to enter into one or more contracts with the Cleveland-Cuyahoga County Port Authority for the detailed design of the Early Implementation Phase of the Cleveland Harbor Eastern Embayment Resilience Strategy project; and authorizing the appropriate director to apply for and accept any gifts, grants or services from any public or private entity.

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 4 of Ordinance No. 531-2023, passed May 31, 2023, is amended to read as follows:

Section 4. That the cost of this ordinance shall not exceed \$1,575,000, and shall be paid from Fund No. 10 SF 400, from the fund or funds to which are credited any gift or grant funds accepted under this ordinance, and from any other funds approved by the Director of Finance. (RQS 0103, RL 2023-48)

Section 2. That the existing Section 4 of Ordinance No. 531-2023, passed May 31, 2023, 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 Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

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, Griffin, Hairston, Harsh, Howse-Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Gray, Jones.

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 13, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on a resolution below to read it:

Res. No. 552-2024

Resolution No. 552-2024

By Council Members: Polensek

An emergency resolution in support of the application submitted by Western Reserve Land Conservancy to the Clean Ohio Green Space Conservation Fund Program for the purchase of the Euclid Beach Expansion Project.

WHEREAS, the State of Ohio, through the Ohio Public Works Commission, administers financial assistance for conservation purposes through the Clean Ohio Green Space Conservation Program (“Clean Ohio”); and

WHEREAS, Western Reserve Land Conservancy desires financial assistance for the acquisition of the 28.5 acre parcel (PPN 113-01-001) that will comprise the Euclid Beach Expansion Project area in the City of Cleveland, Cuyahoga County, Ohio; and

WHEREAS, the City of Cleveland recognizes the importance of lakefront access and quality green space to provide opportunities to gather, recreate, reflect and enjoy nature, improving quality of life for residents; 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 supports the application submitted by Western Reserve Land Conservancy to the Clean Ohio Green Space Conservation Fund Program for the purchase of the Euclid Beach Expansion Project.

Section 2. That the Clerk of Council is directed to transmit a certified copy of this resolution to Western Reserve Land Conservancy.

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 Director of Law; Committees on Finance, Diversity, Equity and Inclusion.

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 13, 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. 339-2024](#)

[Ord. No. 399-2024](#)

[Ord. No. 343-2024](#)

[Ord. No. 400-2024](#)

[Ord. No. 371-2024](#)

[Ord. No. 413-2024](#)

[Ord. No. 372-2024](#)

Ordinance No. 339-2024

By Council Members: Howse-Jones

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Lutheran Metropolitan Ministry, or its designee, to provide economic development assistance to partially finance the purchase of equipment, the lease or acquisition of warehouse space, and the construction of pilot houses, related to the development and implementation of an affordable housing program for low income or homeless people using 3D printing technology.

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

1. In the title, line 2 and in Section 1, line 1, strike “Economic” and insert “Community” in both places.
2. In Section 2, line 1, strike “\$1,000,000” and insert “\$500,000”; and at the end, add “(RQS 8006, RL 2024-42)”.

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 Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Gray.

Ordinance No. 343-2024**By Council Members:** Howse-Jones

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with the United Way of Greater Cleveland, or its designee, to act as the City's agent to partially finance costs for the development, administration and the providing of small business and participant support associated with development of a Universal Basic Employment and Opportunity pilot program.

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

1. In the title, line 2 and in Section 1, line 1, strike "Economic" and insert "Community" in both places.
2. In Section 2, at the end, add "(RQS 8006, RL 2024-41)".
3. Insert new Section 5 to read as follows:

"Section 5. That the Director of Community Development shall provide all members of Council a quarterly report regarding implementation, development and progress of the Universal Basic Employment and Opportunity pilot program."
4. Renumber existing Section 5 to new "Section 6".

Approved by the Directors of Economic Development; Finance; and Law; Committees on Workforce Education Training and Youth Development; and Finance Diversity Equity and Inclusion.

Motion by Council Member Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 2.

Voting Yea: Conwell, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Santana, Slife, Spencer, Starr.

Voting Nay: Bishop, Polensek.

Absent: Gray.

Ordinance No. 371-2024

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 Contract No. MA RCD2022-02 with Wausau Equipment Company, Inc. for services, maintenance, inspections, and parts necessary to maintain Wausau snow removal equipment for the Division of Airports, Department of Port Control.

Approved by the Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Gray.

Ordinance No. 372-2024

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 Contract No. LS 2023-001 with BP Products, North America, Inc., for the lease of City-owned property commonly known as the North Fuel Farm located at Cleveland Hopkins International Airport, for the purpose of operating an aviation fuel storage and handling facility.

Approved by the Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Gray.

Ordinance No. 399-2024

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

An emergency ordinance to amend Section 1 of Ordinance No. 255-2023, passed April 10, 2023, relating to the design, installation, implementation, management and maintenance of a Neutral-Host Distributed Antenna System at Cleveland Hopkins International Airport.

Approved by the Directors of Port Control; Finance; and Law; Committees on Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Gray.

Ordinance No. 400-2024

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

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the Title X Program; authorizing the director to charge and accept fees; entering into one or more agreements to receive payments from Medicare, Medicaid, Medicaid HMOs, and other third-party insurers; and authorizing contracts with various entities, requirement contracts, professional services, and advertising contracts necessary to implement the grant.

Approved by the Directors of Public Health; Finance; and Law; Committees on Health Human Services and the Arts; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Gray.

Ordinance No. 413-2024

By Council Members: Santana and Griffin (by departmental request)

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 143.06 relating to applications for and acceptance of grants and other funding and services from any public or private entity to place fellows and interns in various City departments.

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

1. In Section 1, at new Section 143.06(a), at the end, add the following: “The appropriate Director will notify the Council in writing where and when the fellows and interns are placed.”; and in 143.06(b), line 2, after “funds” insert “up to \$50,000; and in line 3, at the end, insert “Any grant that requires a cash match over \$50,000 shall require additional legislative authority.”

Approved by the Directors of Human Resources; Finance; and Law; Committees on Workforce Education Training and Youth Development; Finance, Diversity, Equity and Inclusion.

Motion by Council Member Harsh to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Howse-Jones.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

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

Voting Nay: None.

Absent: Gray.

Official Proceedings Adjournment City Council

Cleveland, Ohio
Monday, May 13, 2024

MOTION

On the motion of Council Member Harsh, the absence of Council Member Deborah A. Gray is hereby authorized. Seconded by Council Member Howse-Jones.

The Council Meeting adjourned at 8:20 p.m. to meet on Monday, May 20, 2024, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

Council Committee Meetings

Monday, May 13, 2024

9:30 a.m.

Health, Human Services and the Arts Committee

Present: Conwell, Chair; Gray, Harsh, Howse-Jones, Slife

Authorized Absence: Maurer, Starr

Also Present: Griffin

2:00 p.m.

Finance, Diversity, Equity and Inclusion Committee

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

Also Present: Howse-Jones

Wednesday, May 15, 2024

10:00 a.m.

Safety Committee

Present: Polensek, Chair; Jones, Vice Chair; Gray, Howse-Jones, Kelly, Slife, Starr

Also Present: Bishop, Conwell, Griffin, Harsh, Kazy

Board of Control

Wednesday, May 15, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, May 15, 2024, at 3:02 p.m. with Director Mark Griffin presiding.

Members Present: Mayor Bibb, Directors Griffin, Keane, Francis, Acting Directors Laird, Carlton, Wackers, Director Cole, Acting Director Brown
Director Martin O'Toole

Absent: Directors Abonamah, Margolius, McNamara

Others Present: James DeRosa, Director
Mayor's Office of Capital Projects

Jennifer Wiman, Contract Compliance Officer
Office of Equal Opportunity

William Mullins, Ground Transportation Manager
Port Control

James Hartley, Assistant Director
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 3:18 p.m.

Jeffrey B. Marks
Secretary – Board of Control

Resolution No. 239-24

Adopted 5/15/24

By Director Keane

WHEREAS, under the authority of Ordinance No. 1080-99, passed by the Cleveland City Council on May 22, 2000, and Board of Control Resolution No. 808-00, adopted December 6, 2000, the City of Cleveland, through the Director of Public Utilities, entered into City Contract No. 57651 with Montgomery Watson Americas, Inc. to acquire implementation and consultant services for the citywide Geographic Information System (GIS) program from Environmental Systems Research Institute, Inc. (Esri), and under Ordinance No. 532-07, passed by the Cleveland City Council on May 14, 2007, and Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, ("C.O."), entered into further agreements with Esri for licenses, maintenance and support services for the GIS program up to and including May 31, 2024, for various divisions of City government; and

WHEREAS, division (b) of Section 181.102 C.O. authorizes a director to acquire by contract or contracts with one or more software developers or vendors or one or more firms of software developers or vendors, upgrades, enhancements, necessary to implement or maintain the authorized software; and

WHEREAS, division (c) of Section 181.102 C.O. authorizes a director to execute one or more license agreements with a software licensing firm for software needed to expand, enhance, implement or maintain a previously acquired software system; and

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

WHEREAS, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Esri to obtain the professional services necessary to continue the license, support and maintenance for the citywide GIS software program and associated applications, and upgrade to an enterprise license agreement, for a period of three years starting June 1, 2024; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid Esri under the prospective agreement for licenses, maintenance and support services for the citywide GIS program, associated application and for the upgrade for a three-year term starting June 1, 2024, shall not exceed \$1,875,000.00.

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. 240-24

Adopted 5/15/24

By Director Francis

BE IT RESOLVED by the Board of Control of the City of Cleveland that Board of Control Resolution No. 380-21, adopted September 22, 2021, setting the rates to be charged for parking in the various lots and garage at Cleveland Hopkins International Airport, is amended, effective from the date of adoption of this resolution, by substituting the following parking rates for those set forth in Resolution No. 380-21, all other rates remaining unchanged:

CLE Smart Parking Garage:

After 3 hours

Up to \$28.00

Maximum daily rate

Up to \$28.00 per day

Premium Red Lot:

Daily rate (0 to 24 hours)

Up to \$26.00 per day

Maximum daily rate

Up to \$26.00 per day

Premium Blue Lot:

Daily rate (0 to 24 hours)

Up to \$26.00

Maximum daily rate

Up to \$26.00 per day

Long Term Orange Lot:

Daily rate (0 to 24 hours)

Up to \$23.00

Maximum daily rate

Up to \$23.00 per day

Economy Brown Lot:

Daily rate (0 to 24 hours)

Up to \$21.00 per day

Maximum daily rate

Up to \$21.00 per day

BE IT FURTHER RESOLVED that all other terms of Resolution No. 380-21 not expressly amended by this resolution 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. 241-24

Adopted 5/15/24

By Director Francis

BE IT RESOLVED by the Board of Control of the City of Cleveland that Board of Control Resolution No. 476-22, adopted November 16, 2022, under Section 571.88 of the Codified Ordinances of Cleveland, OH 1976, the schedule of fees that the Director of Port Control proposes to assess and collect from parties for use and rental of meeting room space at Cleveland Hopkins International Airport, excepting those parties that Section 571.88 permits to be excepted, is amended, effective May 1, 2024, by substituting the following Stephanie Tubbs-Jones Gallery rates for those set forth in the resolution:

Stephanie Tubbs-Jones Gallery:**Event Charges**

\$1200.00 per day

\$600.00 per half day

\$300.00 per hour

BE IT FURTHER RESOLVED that all other terms of Resolution No. 476-22 not expressly amended by this resolution 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. 242-24

Adopted 5/15/24

By Director DeRosa

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND, that the bid of American Grinding Company LLC for the 2024 Sidewalk Leveling Improvement Program, all items, received on April 18, 2024, under the authority of Ordinance No. 1025-2023, passed by Cleveland City Council on October 23, 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 \$1,156,401.00, 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.

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. 243-24

Adopted 5/15/24

By Director Williams

WHEREAS, under authority of Section 131.64 of the Codified Ordinances of Cleveland Ohio, 1976, and Board of Control Resolution No. 550-23, adopted October 25, 2023, the City, through the Director of Public Works, entered into City Contract No. RC2024-05 (the "Contract") with Cerni Motor Sales, Inc. dba Trivista, lowest and best bid for an estimated quantity of various International parts and labor, for the Division of Motor Vehicle Maintenance, for one year, with two one-year renewal options, for an estimated amount of \$665,625.00; and

WHEREAS, Ascendance Trucks, LLC dba Ascendance Trucks Midwest LLC notified the City on May 2, 2024, via email that Cerni Motor Sales, Inc. dba Trivista as of May 6, 2024, was united with Asscendance Truck Centers, effectively requiring the City's consent for the transfer of the Contract; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that this Board authorizes the Director of Public Works on behalf of the City to consent to the above-mentioned transfer of City Contract No. RC2024-05 for various International parts and labor for the unexpired portion of the term to Ascendance Trucks, LLC dba Ascendance Trucks Midwest LLC.

BE IT FURTHER RESOLVED that the Director of Public Works is authorized to execute all documents and do all things necessary to effect the aforementioned consent to transfer of 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. 244-24

Adopted 5/15/24

By Director Williams

BE IT RESOLVED, by the BOARD of CONTROL of the CITY of CLEVELAND that, under Ordinance No. 1385-2024 passed by the Council of the City of Cleveland on February 12, 2024, Alliant Insurance Services, Inc. ("Consultant") is selected upon nomination of the Director of Public Works from a list of consultants determined after a full and complete canvass by the Director of Public Works to supplement the regularly employed staff of the City to perform the professional services necessary to assess, recommend, and/ or procure property insurance coverage for the municipally owned stadium facility located at 100 Alfred Lerner Way, for the Department of Public Works, for a period of one year beginning June 15, 2024.

BE IT FURTHER RESOLVED that the Director of Public Works is authorized to enter into a written contract with Alliant Insurance Services, Inc., based on its April 1, 2024 proposal, for the professional services necessary to assess, recommend, and/ or procure property insurance covering the municipally owned stadium facility located at 100 Alfred Lerner Way, for a period of one year, which contract shall be prepared by the Director of Law and shall include such additional provisions as the Director considers necessary to benefit and protect the public interest. The fee for services to be performed under the contract, as described in Consultant's proposal, shall be an amount of \$627,692.00 for the one-year term.

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. 245-24

Adopted 5/15/24

By Director Hernandez

WHEREAS, Board of Control Resolution No. 191-24, adopted April 17, 2024, authorized the sale and development of Permanent Parcel Nos. 002-31-173, 002-31-174, 002-31-175, 002-31-176, 002-31-177, 002-31-178, 002-31-179 and 002-31-180 to OKO Townhomes, LLC for new housing construction, as part of the City Land Reutilization Program established under Ordinance No. 2076-76, passed by the Cleveland City Council on October 25, 1976; and

WHEREAS, Resolution No. 191-24 list the parcel addresses as "located on W. 57th Street"; now, therefore,

BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND that Resolution No. 191-24, adopted by this Board April 17, 2024, authorizing the sale and development of Permanent Parcel Nos. 002-31-173, 002-31-174, 002-31-175, 002-31-176, 002-31-177, 002-31-178, 002-31-179 and 002-31-180 to OKO Townhomes, LLC for new housing construction, is amended by inserting the parcel addresses "located on W. 58th PL, and W. 57th Street" where "located on W. 57th Street" appears in the resolution.

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 191-24 not expressly amended 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. 246-24

Adopted 5/15/24

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. 126-36-102 located on Alpine 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, Dayerlin Dariana Funes Bonilla 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 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 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 Dayerlin Dariana Funes Bonilla, for the sale and development of Permanent Parcel No. 126-36-102 located on Alpine 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. 247-24

Adopted 5/15/24

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. 132-08-078 located at 3631 East 63rd 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, Tami R. Hauser 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 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 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 Tami R. Hauser, for the sale and development of Permanent Parcel No. 132-08-078 located at 3631 East 63rd 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. 248-24

Adopted 5/15/24

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. 134-15-017 located at 8507 Force 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, Sohee Moon has proposed to the City to purchase and develop the parcel for Side 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 Sohee Moon, for the sale and development of Permanent Parcel No. 134-15-017 located at 8507 Force 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: 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. 249-24

Adopted 5/15/24

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. 007-30-117 located at 3730 Newark 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, Paisano Properties, Inc. 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 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 Paisano Properties, Inc., for the sale and development of Permanent Parcel No. 007-30-117 located at 3730 Newark 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 \$2,646.00, 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. 250-24

Adopted 5/15/24

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. 016-18-03 7 located at 3521 West 56th 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, Patrice Audrie Worthen has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

3. The member of Council from Ward 3 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;
4. 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 Patrice Audrie Worthen, for the sale and development of Permanent Parcel No. 016-18-037 located at 3521 West 56th 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. 251-24

Adopted 5/15/24

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. 014-02-043 located at 3851 West 39th 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, Adrume Isaac Y eka and Lydia Adrume 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 12 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 Adrume Isaac Yeka and Lydia Adrume, for the sale and development of Permanent Parcel No. 014-02-043 located at 3851 West 39th 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

Report of the Board of Zoning Appeals

Monday, May 13, 2024

At the meeting of the Board of Zoning Appeals on Monday, May 13, 2024, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED**:

Calendar No. 24-055: 8716 Meridian Avenue

Roy Jelks, owner, and Chanell Murray, lessee, proposes to establish a “Type A” daycare in a B1 Two-Family Residential District.

Calendar No. 24-056: 8720 Meridian Avenue

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.

Calendar No. 24-057: 820 College Avenue

Sandy Banks LLC, owner, proposes to enclose patio of existing restaurant located in C1 General Retail Business District.

Calendar No. 24-058: 2281 Columbus Road

St. Wendelin Parish, owner, propose to install an electronic changeable copy monument sign in a B1 Multi-Family Residential District.

Calendar No. 24-059: 2417 Professor Street (PPN 004-16-027)

Alex Gaundo (new owner) proposes to establish use as a “Cilantro” restaurant in a C1 General Retail Business.

Calendar No. 24-060: 6005 Parkridge Avenue

Daniel Foster, owner, proposes to erect a two-story, single-family residence with detached garage in an A1 One-Family Residential District.

The following appeals were **DENIED**: **None.**

The following appeals were **WITHDRAWN**:

Calendar No. 24-054: 5100 Lorain Avenue

Tavoros Capital LLC, owner, proposes to establish a smoothie bar in a G2 Limited Retail Business District.

The following appeals were **DISMISSED**:

Calendar No. 24-038: 1055 Ivanhoe Road/Violation Notice

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 Section 329.02(d) of the Cleveland Codified Ordinances from Notice of Violation Number V24003721.

Calendar No. 24-049: 523 East 140 Street

Michael Dolan, owner proposes to establish a party center in a C2 Local Retail Business District.

The following cases were **REMANDED:** **None**

The following cases were **POSTPONED:** **None**

The following cases were heard by the Board of Zoning Appeals on Monday May 6, 2024, and the decisions were adopted and approved on Monday, May 13, 2024:

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. 25th St. in a K5 Limited Retail Business District and an Urban Form Overlay District.

The following cases were heard by the Board of Zoning Appeals on Monday April 29, 2024, and the decisions were adopted and approved on Monday, May 13, 2024:

The following appeals were **APPROVED:**

Calendar No. 24-045: 9623 Clifton Boulevard

Jessica and Paul Laurello, owners, propose to construct a two-car garage with dwelling unit above on a 6,560 square foot lot in a One-Family Residential District.

Calendar No. 24-048: 2070 West 7th Street

TTE Real Estate Group LLC, owner, proposes to establish use as brewery and restaurant/tavern in a B1 Semi-Industry District.

Calendar No. 24-052: 2636 Scranton Road

Wagner Awning, owner, proposes to erect 254 linear feet of 6-feet-high chain link fence and 77 linear feet of 6-feet-high ornamental fence in a G2 Local Retail Business District.

Calendar No. 24-053: 2654 Scranton Road

Wagner Awning, owner, proposes to erect 269 linear feet of 6 feet high chain link fence and 176 linear feet of 6 feet high ornamental fence in a D1 Two-Family Residential District.

Agenda of the Board of Building Standards and Building Appeals

Wednesday, May 8, 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

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/>

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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 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/UCB8ql0Jrhm_pYIR1OLY68bw/

BUILDING:

Docket A-226-23	5404 Broadway Avenue	WARD: 5 (Richard A. Starr)
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Darold Alexander, Owner of the MXD Mixed Uses-Multiple Uses in One Building; Two-Story; Masonry walls/Wood floors Frame Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION MAIN STRUCTURE** dated August 3, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-379-23	7403 St. Clair Avenue	WARD: 10 (Anthony T. Hairston)
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P & P Cleveland LLC, Owner of the MXD Mixed Uses- Multiple uses in one building; Eight Dwelling Units; Two and a Half-Story Masonry Frame Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE, & 30-**

DAY CONDEMNATION, dated August 25, 2008 & March 11, 2010; appellant is requesting for time to complete abatement of the violations.

Docket A-395-23 3401 East 139th Street WARD: 4
(Deborah A. Gray)

Sees INC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Twelve Dwelling Units; Two and a Half-Story Masonry walls/Wood floors Structure, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS**, dated November 27, 2023; appellant is requesting for time to complete the abatement of the violations.

HOUSING:

Docket A-367-23 882 Paxton Road APT# 3rd Floor WARD: 10
(Anthony T. Hairston)

Abdul Ali, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated October 3, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-382-23 3985 West 22nd Street WARD: 12
(Rebecca Maurer)

Matthew P. Williams, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE**, dated November 2, 2023; appellant is requesting for time to complete the abatement of the violation.

DOCKET A-382-23 has been **WITHDRAWN** per request of the appellant.

Docket A-385-23 855 East 79th Street WARD: 10
(Anthony T. Hairston)

Therma Holdings LLC, Owner of the VL Vacant Lot appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated October 23, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-386-23 15840 Munn Road WARD: 17
(Charles J. Slife)

Melissa Phillips, 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 October 26, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-387-23**3385 Rocky River Drive****WARD: 17**
(Charles J. Slife)

Gary N. Travis, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Masonry Frame Property appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated October 31, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-388-23**10603 Almira Avenue****WARD: 11**
(Danny Kelly)

Jeannot Mukendi-Kashala, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE, NO PERMIT, ILLEGAL OCCUPANCY & RENTAL REGISTRATION** dated November 8, 2023 & November 9, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-389-23**13806 Coit Road****WARD: 8**
(Michael D. Polensek)

Lofty Holding 13806 Coit Rd DAO LLC, Owner of the Two Dwelling Units; Two--Family Residence; One and a Half-Story Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated October 27, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-390-23**3544 West 129th Street****WARD: 16**
(Brian Kazy)

Michael C. Cepec Jr. Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached Wood Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE**, dated November 29, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-391-23**1114 East 171st Street****WARD: 8**
(Michael D. Polensek)

Augustine P. Banks, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated October 31, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-393-23**8511 Platten Avenue****WARD: 15**
(Jenny Spencer)

Joynal Abedin, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property appeals from a **NOTICE OF VIOLATION –**

CONDEMNATION – MAIN STRUCTURE, dated November 22, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-397-23

1325 East 117th Street

WARD: 9
(Kevin Conwell)

Ashley Anderson, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Wood Frame/Siding/Masonry Veneer Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENENCE**, dated November 20, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-81-24

5212 Hamm Avenue (REAR)

WARD: 5
(Richard A. Starr)

Dianne Panaroski, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – VACATE & HAZARDOUS CONDITIONS**, dated March 26, 2024, appellant is requesting for time to complete abatement of the violations.

Permit Extension:

Docket A-384-23

3610 West 49th Street

WARD: 14
(Kris Harsh)

Paul A. Gregory appeals from Suspended or Abandoned work performed under the following: **PERMIT(S) B22032448**, issue date December 9, 2022, inspection date November 8, 2023; appellant is requesting for an additional six (6) months.

Time Extension:

Docket A-360-23

3610 West 49th Street

WARD: 14
(Kris Harsh)

Paul A. Gregory, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated November 25, 2022; appellant is requesting for additional time awarded under Docket A-215-22 until October 26, 2023, to complete abatement of the violation.

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-327-23 has been **POSTPONED**.

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-328-23 has been **POSTPONED**.

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-329-23 has been **POSTPONED**.

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-330-23 has been **POSTPONED**.

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-331-23 has been **POSTPONED**.

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-332-23 has been **POSTPONED**.

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-333-23 has been **POSTPONED**.

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-334-23 has been **POSTPONED**.

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-335-23 has been **POSTPONED**.

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-336-23 has been **POSTPONED**.

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-338-23 has been **POSTPONED**.

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-339-23 has been **POSTPONED**.

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-340-23 has been **POSTPONED**.

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-341-23 has been **POSTPONED**.

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).

DOCKET A-342-23 has been **POSTPONED**.

Approval of Resolutions

Docket/s:

A-231-23	Alicia Allen
A-241-23	Saeery LLC
A-242-23	Field of Roses
A-243-23	Yan Rong/Moon Mei
A-244-23	Keith Ford
A-245-23	Sold Simple Property Solutions
A-247-23	GGW Enterprises LLC
A-268-23	9712 Elwell
A-269-23	Bauhaus Investments LLC
A-273-23	Akron Cleveland Construction
A-274-23	Shaker Heights Apartment Owner
A-305-23	Bertha Price
A-322-23	Gary G. Habeeb
A-337-23	Calvary Presbyterian Church
A-361-23	Johnny Waller Sr.
A-1-24	Famico Bibibi LLC

Approval of Minutes

April 24, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary
Board of Building Standards and Building Appeals

Date: April 19, 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, April 24, 2024, at approximately 9:30 a.m. via WebEx.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-226-23	5404 Broadway	K. Gudat
A-379-23	7403 St. Clair	O'Connell/Sinclair
A-395-23	3401 East 139	M. Watson
A-367-23	882 Paxton	G. Conwell
A-385-23	855 East 79	M. O'Connell
A-386-23	15840 Munn	C. Davis
A-387-23	3385 Rocky River	S. Lang
A-388-23	10603 Almira	R. Derrett
A-389-23	13806 Coit	K. Lanum
A-390-23	3544 West 129	C. Davis
A-391-23	1114 East 171	B. McClure
A-393-23	8511 Platten	Fzekaj
A-397-23	1325 East 117	K. Lanum
A-384-23	3610 West 49	T. Vanover
A-360-23	3610 West 49	T. Barisic
A-81-24	5212 Hamm	Michael E. Shockley

Agenda of the Board of Building Standards and Building Appeals

Wednesday, July 17, 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

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/>

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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 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:

**Docket A-43-24 2184 West 85th Street WARD: 15
(Jenny Spencer)**

Hasanabouali Inc, Owners of the MXD Mixed Uses-Multiple uses in one building Two-Story Wood/Timber Frame Structure, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated January 16, 2024; 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.

Docket A-51-24 was RESCHEDULED.

Docket A-94-24 **2163 East 78th Street** **WARD: 5**
(Richard A. Starr)

Cheryl Hammons, Owner R-2 Residential-Non-transient; Apartments (Shared Egress) Two Story Masonry Frame Structure appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & HAZARDOUS CONDITIONS** dated April 18, 2024; appellant for time to complete abatement of the violations.

Docket A-98-24 **3412 East 145th Street** **WARD: 1**
(Joseph T. Jones)

VMD OH LLC, Owner R-2 Residential-Non-transient; Apartments (Shared Egress)
Two Story Masonry walls/Wood Floors Frame Structure appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE & CODEMNATION-GARAGE** dated December 7, 2022; appellant for time to complete abatement of the violations.

Docket A-100-24 **3373 East 93rd Street** **WARD: 6**
(Blaine A. Griffin)

Black Lion Investment Group LLC, Owner of the MXD Mixed Uses-Multiple uses in One Building Two Story Masonry walls/Wood Floors Frame Structure appeals from a **NOTICE OF VIOLATION- HAZARDOUS CONDITIONS** dated April 10, 2024; appellant is requesting for time to complete abatement of the violations.

HOUSING:

Docket A-46-24 3457 West 41st Street WARD: 14
(Jenny Spencer)

Manuel Roman, Owner of the Three Dwelling Units; Three-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated January 29, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-47-24 3630 East 112th Street WARD: 2
(Kevin L. Bishop)

Olia Wilson, Owner of the Two Dwelling Units; Two-Family Residence; One-Story Masonry Frame Property, appeals from a **NOTICE OF VIOLATION –INTERIOR/**

EXTERIOR MAINTENANCE, dated February 16, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-50-24

11310 Florian Avenue

WARD: 11
(Danny Kelly)

Steve Vulic, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE** dated February 28, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-52-24

9331 Pratt Avenue

WARD: 2
(Kevin L. Bishop)

DAKM Holdings LLC, Owner of the Two Dwelling Units; Two -Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE, & CONDEMNATION – GARAGE** dated, February 7, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-53-24

3788 Lee Heights Boulevard

WARD: 1
(Joseph T. Jones)

Hero Homes JV2 LLC, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – RENTAL REGISTRATION, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE**, dated February 9, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-54-24

15530 Munn Road

WARD: 17
(Charles J. Slife)

John Debarr, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated February 12, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-55-24

15700 Leigh Ellen Avenue

WARD: 16
(Brian Kazy)

The Estate of Jordan Gaiser, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached; Wood Frame Property, appeals from **NOTICE OF VIOLATION – CONDEMNATION – GARAGE** dated February 13, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-56-24

4421 West 11th Street

WARD: 12
(Rebecca Maurer)

Brad Reinhard, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated February 12, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-57-24

9721 Union Avenue

WARD: 6
(Blaine A. Griffin)

Regis Williams, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated March 4, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-59-24

10531 Columbia Avenue

WARD: 9
(Kevin Conwell)

Taylorred Spaces LLC, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, NO PERMIT & RENTAL REGISTRATION**, dated February 23, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-60-24

11204 Parkview Avenue

WARD: 4
(Deborah A. Gray)

DAKM Holdings LLC, Owner of the Three Dwelling Units; Three-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated February 23, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-86-24

2968 East 67th Street

WARD: 5
(Richard A. Starr)

Robin Turner, Owner of the Two Dwelling Units Two-Family Residence One Story Masonry walls/Wood floors Frame Property appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE & HVAC** dated March 27, 2024 & March 28, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-95-24

3855 West 31st Street

WARD: 10
(Anthony T. Hairston)

Estate of Milica Kablar, Owner of the One Dwelling Unit; Single-Family Residence One and a Half Story Frame Property appeals from a **NOTICE OF VIOLATION- CONDEMNATION MAIN STRUCTURE** dated March 11, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-96-24**12808 Woodside Avenue****WARD: 12
(Rebecca Maurer)**

Kimberly Morris, Owner of the One Dwelling Unit; Single-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE, HAZARDOUS CONDITIONS, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE** dated April 29, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-97-24**12808 Cumberland Avenue****WARD: 4
(Deborah A. Gray)**

Kimberly Morris, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION – GARAGE, HAZARDOUS CONDITIONS, NO PERMIT & INTERIOR/EXTERIOR MAINTENANCE** dated April 29, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-101-24**1283 West 106th Street****WARD: 15
(Jenny Spencer)**

Cecilia Li & Felipe de Freitas, Owner of the One Dwelling Unit; Single-Family Residence Two and a Half Story Frame Property appeals from a **NOTICE OF VIOLATION – CONDEMNATION – GARAGE & CONDEMNATION – MAIN STRUCTURE** dated April 26, 2024; appellant is requesting for time to complete abatement of the violations.

Approval of Resolutions

Docket/s:

A-21-24	Kenneth Passerallo
A-22-24	Murad Alqudah
A-23-24	Christie Lites Cleveland LLC
A-24-24	Nathan Nickschinski
A-26-24	Eileen A. Scott
A-27-24	Dawn Young
A-28-24	Bonwit Teller LLC
A-29-24	John/Katherine Carey
A-30-24	R&R Luxury Homes LLC
A-31-24	Edifice Properties LLC
A-32-24	Joseph C. Beard
A-33-24	Brenda Lopez
A-34-24	Samuel Mitchell
A-35-24	Kyns T8 LLC
A-36-24	Muse Spaces LLC
A-37-24	Jamie Scaggs
A-38-24	Molmor LLC
A-39-24	Stephen Arisco
A-41-24	Hype Investing LLC
A-42-24	3434 West Blvd LLC

Approval of Minutes

July 3, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary
Board of Building Standards and Building Appeals

Date: May 15, 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, July 17, 2024, at approximately 9:30 a.m. via WebEx.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-43-24	2184 West 85	J. Dedic
A-51-24	2517 East 57	M. Shockley
A-46-24	3457 West 41	D. Turic
A-47-24	3630 East 112	K. Lanum
A-50-24	11310 Florian	D. Turic
A-52-24	9331 Pratt	M. Smith
A-53-24	3788 Lee Hts	R. Derrett
A-54-24	15530 Munn	C. Davis
A-55-24	15700 Leigh Ellen	C. Davis
A-56-24	4421 West 11	J. Barkas
A-57-24	9721 Union	A. Arnold
A-59-24	10531 Columbia	R. Derrett
A-60-24	11204 Parkview	M. Smith
A-86-24	2968 E. 67	K. Lanum/R. Hartman
A-95-24	3855 W. 31	J. Barkas
A-96-24	12808 Woodside	R. Derrett
A-97-24	9705 Cumberland	R. Derrett
A-101-24	1283 W. 106	Rowshanbakhtfardian

Report of the Board of Building Standards and Building Appeals

Wednesday, May 8, 2024

As required by the provisions of division (2) of Section 3103.20 of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in the City Records:

Docket A-226-23 – RE: Appeal of Darold Alexander, Owner of the MXD Mixed Uses-Multiple Uses in One Building Two-Story Masonry walls/Wood floors Frame Structure, located on the premises known as 5404 Broadway Avenue, appeals from a **NOTICE OF VIOLATION – CONDEMNATION MAIN STRUCTURE** dated August 3, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **UPHOLD** the notice as properly issued and to **DENY** the Appellate's request; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-379-23 – RE: Appeal of P & P Cleveland LLC, Owner of the MXD Mixed Uses- Multiple uses in one building Eight Dwelling Units; Two and a Half-Story Masonry Frame Structure, located on the premises known as 7403 St. Clair Avenue, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE & 30-DAY CONDEMNATION**, dated August 25, 2008 & March 11, 2010, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellate's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-395-23 – RE: Appeal of Sees INC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Twelve Dwelling Units; Two and a Half-Story Masonry walls/Wood floors Structure, located on the premises known as 3401 East 139th Street, appeals from **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS**, dated November 27, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until July 7, 2024, to obtain permits to begin the abatement process; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Bradley

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-385-23 – RE: Appeal of Therma Holdings LLC, Owner of the VL Vacant Lot, located on the premises known as 855 East 79th Street, appeals from a **NOTICE OF VIOLATION – NO PERMIT** dated September 12, 2023, of the Director of the Department of Public Safety, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-385-23 has been **WITHDRAWN** per the appellant's request.

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Docket A-367-23 – RE: Appeal of Abdul Ali, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, located on the premises known as 882 Paxton Road APT# 3rd Floor, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated October 3, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate's until September 7, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-382-23 – RE: Appeal of Matthew P. Williams, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Frame Property, located on the premises known as 3985 West 22nd Street, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE** dated November 2, 2023, of the Director

of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-385-23 has been **WITHDRAWN** per the appellant's request.

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Docket A-386-23 – RE: Appeal of Melissa Phillips, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, located on the premises known as 15840 Munn Road, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE** dated October 26, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate's until August 7, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-387-23 – RE: Appeal of Gary N. Travis, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Masonry Frame Property, located on the premises known as 3385 Rocky River Drive, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated October 31, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until November 7, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-388-23 – RE: Appeal of Jeannot Mukendi-Kashala, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, located on the premises known as 10603 Almira Avenue, appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE, NO PERMIT, ILLEGAL OCCUPANCY & RENTAL REGISTRATION** dated November 8, 2023, & November 9, 2023, of the Director of the Department of Building and Housing, requiring

compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **FIND** that the notices were properly issued and to **GRANT** the Appellate time under Notice of VIOLATION – V23024450 Interior/Exterior Maintenance, Appellate has until July 7, 2024, to complete abatement of the violation, and to **DENY** and **REMAND** the Appellant's request for time under Notice of VIOLATION – V23024452-No Permit and V23024453-Illegal Occupancy; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-389-23 – RE: Appeal of Lofty Holding 13806 Coit Rd DAO LLC, Owner of the Two Dwelling Units; Two- Family Residence; One and a Half-Story Frame Property, located on the premises known as 13806 Coit Road, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENENCE**, dated October 27, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until August 7, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-390-23 – RE: Appeal of Michael C. Cepec Jr. Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached Wood Frame Property, located on the premises known as 3544 West 129th Street, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE**, dated November 29, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until August 7, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-391-23 – RE: Appeal of Augustine P. Banks, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Property Frame Property, located on the premises known as 1114 East 171st Street, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated October 31, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until July 7, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-393-23 – RE: Appeal of Joynal Abedin, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame Property, located on the premises known as 8511 Platten Avenue, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated November 22, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-397-23 – RE: Appeal of Ashley Anderson, Owner of the One Dwelling Unit; Single Family Residence; One-Story Wood Frame/Siding/Masonry Veneer Frame Property, located on the premises known as 1325 East 117th Street, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated November 20, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and

Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Denk Jr.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-81-24 – RE: Appeal of Dianne Panaroski, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Frame Property, located on the premises known as 16413 Laverne Avenue, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS** dated September 20, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **FIND** that the Notice of Violation and the Vacate Order were properly issued and to **DENY** the Appellate's request for a more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Bradley.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-384-23 – RE: Appeal of Paul A. Gregory, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, located on the premises known as 3610 West 49th Street, appeals from a Suspended or Abandoned work performed under the following: PERMIT(S) B22032448, dated December 9, 2022, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until September 7, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Bradley.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-360-23 – RE: Appeal of Paul A. Gregory, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, located on the premises known as 3610 West 49th Street, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated November 25, 2022, of the Director of the Department of

Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until September 7, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Maschke and seconded by Bradley.

Yeas: Messrs. Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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BE IT RESOLVED the following Dockets have been **POSTPONED A-327-23 through A-342-23**.

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Approval of Resolutions

Separate motions were entered by Maschke and seconded by Denk Jr. for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

Dockets:

A-231-23 Alicia Allen
A-241-23 Saeery LLC
A-242-23 Field of Roses
A-247-23 GGW Enterprises LLC
A-268-23 9712 Elwell
A-269-23 Bauhaus Investments LLC
A-273-23 Akron Cleveland Construction
A-305-23 Bertha Price
A-322-23 Gary G. Habeeb
A-337-23 Calvary Presbyterian Church
A-361-23 Johnny Waller Sr.
A-1-24 Famico Bibibi LLC

Yeas: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Approval of Minutes

Separate motions were entered by Denk Jr. and seconded by Bradley for Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

April 24, 2024

Yeas: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Patrick Gallagher
Chairperson

Public Notice

The Development, Planning and Sustainability (Zoning) Committee will meet on Tuesday, May 21, 2024, at 8:30 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.

NOTE MEETING STARTING TIME CHANGE: 8:30 A.M.

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, May 6, 2024.

Click on a piece of legislation below to read it:

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

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

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

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

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

[Ord. No. 398-2024](#)

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

[Ord. No. 401-2024](#)

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

[Ord. No. 406-2024](#)

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

[Ord. No. 414-2024](#)

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

[Ord. No. 442-2024](#)

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

[Ord. No. 528-2024](#)

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

[Res. No. 535-2024](#)

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

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.

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 Safety is authorized 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.

Section 2. That the cost of the grant shall not exceed \$250,000 and shall be paid from Fund No. 10 SF 400. (RQS 6001, RLA 2024-41)

Section 3. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

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.

Passed on May 6, 2024.**Effective on May 7, 2024.**

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 with additional legislative authority.

WHEREAS, commencing September 1, 2020, the City of Cleveland (the "City") entered into a lease with City Rose, Ltd., under Contract No. CT-2004-LS2020*010 (the "Lease"), for the property and use described below; and

WHEREAS, the Lease expires August 31, 2024; 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, notwithstanding Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Utilities is authorized to extend the Lease with City Rose, Ltd., for certain property with an entrance at 14100 Darley Avenue, formerly 743 East 140th Street, Cleveland, Ohio, for the public purpose of continuing the operations the Division of Cleveland Public Power's Eastside Service Center. The leased premises, which is located on a portion of Permanent Parcel No. 112-27-007, consists of the southern half of City Rose, Ltd.'s industrial building (the leased space measuring approximately 97,000 square feet), a paved parking area and a storage yard (measuring approximately 2.5 acres).

Section 2. That the term of the Lease extension authorized by this ordinance shall be five (5) years, commencing September 1, 2024, with one (1) option to renew for an additional five-year period, exercisable with additional legislative authority.

Section 3. That the annual base rent for the Lease extension shall be \$250,000.00, plus the City's share of utilities, insurance and taxes.

Section 4. That the Lease extension shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.

Section 5. That the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates and take any other actions

that may be necessary or appropriate to effect the Lease extension authorized by this ordinance.

Section 6. That the costs of the Lease extension authorized by this ordinance shall be paid from Fund No. 58 SF 001. (RQS 2004, RL 2024-20)

Section 7. 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 on May 6, 2024.

Effective on May 7, 2024.

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

WHEREAS, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the “Commission”), has proposed to designate the Jesse Owens House as a landmark; and

WHEREAS, the owner of the Jesse Owens House has been properly notified and has consented in writing to the proposed designation; and

WHEREAS, the Commission has recommended designation of the Jesse Owens House as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

WHEREAS, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore,

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

Section 1. That the Jesse Owens House whose street address in the City of Cleveland is 2178 East 100th Street, Cuyahoga County Auditor’s Permanent Parcel Number is 121-16-021, and is also known as the following described property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 3 in Thomas H. Sayle Subdivision of part of Original One Hundred Acre Lot No. 409, as shown by the recorded plat in Volume 3 of Maps, Page 50 of Cuyahoga County Records, and bounded and described as follows:

The beginning point is on the Westerly line of East 100th Street, (60 feet wide) at the Southeasterly corner of said Sublot No. 3, it being the Southeasterly corner of a parcel of land conveyed as Parcel 2 in a Deed to I.B. Heller, recorded in Volume 1248, Page 269 of Cuyahoga County Deed Records;

Thence Northerly along said Westerly line of East 100th Street, 60.17 feet to the Southeasterly corner of a parcel of land conveyed by Jane Sayle, et al. to Henry B. Cody, by Deed recorded in Volume 443, Page 281 of Cuyahoga County Deed Records;

Thence Westerly along the Southerly line of land conveyed to Henry B. Cody as aforesaid, 94.34 feet to the Southwesterly corner thereof;

Thence Southerly parallel with the Westerly line of said Sublot No. 3, 60.17 feet to a point on the Southerly line of said Sublot No. 3;

Thence Easterly along the Southerly line of said Sublot No. 3, 94.30 feet to the point of beginning, be the same more or less, but subject to all legal highways.

Legal Description approved by Eric Westfall, Acting Section Chief,
Plats, Surveys and House Numbering Section

which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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.

WHEREAS, under the authority of Ordinance No. 195-2020, passed March 2, 2020, the Director of Public Works entered into Contract No. RC 2022-25 with Rumpke of Ohio Inc. for the transfer, disposal and processing of recyclable materials; and

WHEREAS, Ordinance No. 195-2020 requires further legislation before exercising the first option to renew on this contract; 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 Public Works is authorized to exercise the first option to renew Contract No. RC 2022-25 with Rumpke of Ohio Inc. to provide for the transfer, disposal and processing of recyclable materials. This ordinance constitutes the additional legislative authority required by Ordinance No. 195-2020 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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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.

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 Works is authorized to enter into one or more contracts with the Case Western Reserve University ("CWRU") for the public purpose of providing Cleveland youths with a summer sports, nutrition, health, and life skills development program for 2024 under the National Youth Sports Program supported by CWRU.

Section 2. That the cost of the contract or contracts shall not exceed \$150,000 and shall be paid from Fund No. 01-7004-6380. (RQS 7004, RL 2024-16)

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 on May 6, 2024.

Effective on May 7, 2024.

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.

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 Works is authorized 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 and to pay various fees, in an amount not to exceed \$160,000, payable from Fund No. 01-7004-6380. (RQS 7004, RL 2024-17)

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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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.

WHEREAS, based on recommendations made by the Cleveland Summit on Education, certain pilot programs were created; 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 Public Works is authorized to enter into an agreement with 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, in an amount not to exceed \$289,500.00, payable from Fund No. 01-7004-6380. (RQS 7004, RL 2024-14)

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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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.

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 Works 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 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.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Works 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 Works, and certified by the Director of Finance.

Section 2. That the cost of the contract or contracts authorized shall not exceed \$2,400,000.00 and shall be paid from Fund No. 01-7004-6380. (RQS 7004, RLA 2024-33)

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 on May 6, 2024.

Effective on May 7, 2024.

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.

WHEREAS, as part of a larger initiative to strengthen existing recreation centers designated as emergency disaster centers, the Director of Capital Projects is authorized to design and construct various energy efficiency improvements on up to six neighborhood resource and recreation centers ('NRRCs') to ensure clean uninterrupted power, recreation center building envelope and systems tune-ups and other improvements; and

WHEREAS, the unique design, time, budgetary, or other material elements of the improvement described above can benefit from the special care, coordination, and expeditiousness possible by performance of both the professional design services and the construction under a design-build approach contract with a single entity; 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 Capital Projects, on behalf of the Office of Sustainability, is authorized to apply for and accept a grant in the amount up to \$386,000, from the United States Department of Energy to conduct the Energy Efficiency Conservation Block Grant Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, **File No. 332-2024-A**, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority. (RQS 0112, RLA 2024-36)

Section 3. That the Director of Capital Projects, on behalf of the Office of Sustainability, is authorized to extend the term of the grant during the grant term.

Section 4. That the Director of Capital Projects, on behalf of the Office of Sustainability, is authorized to apply for and accept any gifts, grants, or other eligible funding from any other 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 the file.

Section 5. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of designing and constructing various energy efficiency improvements on up to six neighborhood resource and recreation centers (“NRRCs”) to ensure clean uninterrupted power, recreation center building envelope and systems tune-ups and other improvements (the “Improvement”), for the Office of Capital Projects, on behalf of the Office of Sustainability, by one or more design-build or engineer-procure-construct contracts duly let to the person, firm, or corporation or combination of them submitting the best proposal, taking into consideration the engineering and design, the construction method, the proposed design and construction costs, the total life-cycle costs, the schedule, qualifications of the proposed design professional and construction firm or firms, the community benefits offered, the risks and the objectives of the Improvement.

The selection of the person, firm, or corporation to design and construct the Improvement shall be made by the Board of Control on the nomination of the Director of Capital Projects, on behalf of the Office of Sustainability, from a list of qualified and available persons, firms, or corporations, as may be determined by the Director of Capital Projects, on behalf of the Office of Sustainability after making a full and complete canvass for the purpose of compiling the list. The Board of Control shall fix the total compensation to be paid for all design and construction and procurement necessary for the Improvement. The contract or contracts shall be prepared by the Director of Law, approved by the Director of Capital Projects, on behalf of the Office of Sustainability, and certified by the Director of Finance.

Section 6. That the Director of Capital Projects, on behalf of the Office of Sustainability, is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 7. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, the Director of Capital Projects, on behalf of the Office of Sustainability, may make purchases under the grant agreement through cooperative arrangements with other governmental agencies. The Director of Capital Projects, on behalf of the Office of Sustainability, may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts shall be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

Section 8. That the costs of the contract or contracts or payments authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, from the fund or funds to which are credited any grants,

gifts, or other eligible funding received for this purpose, and from any other funds approved by the Director of Finance.

Section 9. 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 on May 6, 2024.

Effective on May 7, 2024.

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.

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 Utilities 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: not to exceed two (2) 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 for the new equipment, and maintenance for a period of two years to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Division of Cleveland Public Power, Department of Utilities.

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 Public Utilities 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 authorized shall be paid from Fund No. 58 SF 001. (RQS 2004, RL 2024-12)

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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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 renew the SOPEC Contract entered into under Ordinance No. 631-2023 for an additional fixed pricing for twelve or twenty-four months; and to further authorize exercising such renewal.

WHEREAS, under the authority of Ordinance No. 631-2023, passed May 22, 2023, the Director of Finance entered into contract, also known as the Membership Agreement, with Sustainable Ohio Public Energy Council (the “SOPEC Contract”) which allows residential and small commercial electric customers within the City to participate in the opt-out electric aggregation programs (the “SOPEC programs”); and

WHEREAS, Ordinance No. 631-2023 authorizes an initial term of one year with two one-year options to renew both exercisable by additional legislative authority; and

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

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 Finance and/or Public Utilities is authorized to either: (1) renew the SOPEC Contract entered into 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.

Section 2. That, if the Director of Finance and/or Public Utilities elects alternate (1) in Section 1 above, then the appropriate Director may exercise the second option to renew for an additional twelve (12) months as authorized in Ordinance No. 631-2023 without the necessity of obtaining additional authority of Council.

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 on May 6, 2024.

Effective on May 7, 2024.

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.

WHEREAS, Ohio Revised Code Section 9.67 places restrictions on the owner of any professional sports team in Ohio who attempts to move his/her team out of a tax-supported facility; and

WHEREAS, Revised Code Section 9.67 states:

“No owner of a professional sports team that uses a tax-supported facility for most of its home games and receives financial assistance from the state or a political subdivision thereof shall cease playing most of its home games at the facility and begin playing most of its home games elsewhere unless the owner either:

(A) Enters into an agreement with the political subdivision permitting the team to play most of its home games elsewhere;

(B) Gives the political subdivision in which the facility is located not less than six months advance notice of the owner’s intention to cease playing most of its home games at the facility and, during the six months after such notice, gives the political subdivision or any individual or group of individuals who reside in the area the opportunity to purchase the team”; and

WHEREAS, the owners of the Cleveland Browns football team are currently considering whether to continue to play Browns games at the tax-supported stadium on Cleveland’s lakefront; and

WHEREAS, Revised Code Section 9.67, effective June 20, 1996, was enacted pursuant to a bill sponsored by Senator Dennis Kucinich, in the 121st Ohio General Assembly, and remains in effect today; 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 Law is hereby authorized and directed 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, in order to keep the Cleveland Browns in the City of Cleveland and to protect the interests of the taxpayers of the City with regard to their investment in the lakefront stadium.

Section 2. That this ordinance is declared to be an emergency measures and, provided it receives the affirmative vote of two-thirds of all 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 on May 6, 2024.

Effective on May 7, 2024.

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.

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 Economic Development is authorized 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.

Section 2. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 3. That the costs of the agreement shall not exceed an amount of \$300,000 and shall be paid from Fund No. 17 SF 652. (RQS 9501, RL 2024-38)

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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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.

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 Economic Development is authorized to enter into a grant agreement with JumpStart Inc., or its designee, to provide economic development assistance to assist with costs related to providing technical and financial assistance to Cleveland businesses.

Section 2. That the grant agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 3. That the costs of the grant agreement shall not exceed an amount of \$443,000 and shall be paid from Fund No. 17 SF 652. (RQS 9501, RL 2024-37)

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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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.

WHEREAS, the Director of Community Development has requested the sale of certain City-owned properties to Gordon Crossing Land Co., LLC (the "Redeveloper") no longer needed for the City's public use and located at 1848 East 101st Street and 9910 Woodward Avenue for purposes of developing the Gordon Crossing Low Income Housing Tax Credit project (the "Project"); 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 notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described properties are no longer needed for the City's public use:

PPN 119-12-057

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio: And known as being part of Original 100 Acre Lot No. 401 and bounded and described as follows:

Beginning at the point of intersection of the Westerly line of East 101st Street (formerly Republic Street) with the Northerly line of land conveyed to William W. Harris by deed dated March 7, 1872 and recorded in Volume 194, Page 596 of Cuyahoga County Records; thence Westerly along said Northerly line of land so conveyed being also the Southerly line of Woodward Court, N.E. as dedicated by plat recorded in Volume 78 of Maps, Page 39 of Cuyahoga County Records, 125 feet; thence Southerly on a line parallel to said Westerly line of East 101st Street, 36 feet; thence Easterly on a line parallel to said Northerly line of land so conveyed to William W. Harris, 125 feet to the Westerly line of East 101st Street; thence Northerly along the Westerly line of East 101st Street 36 feet to the place of beginning, as appears by said plat, be the same more or less.

Property Address: 1848 East 101st Street, Cleveland, Ohio 44106

PPN 119-12-084

And known as being: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 401, bounded and described as follows:

Beginning the Southwesterly corner of the parcel of land conveyed by H.A.C. Bennett, widow, to Louisa Sprague, by deed dated October 12, 1899, and recorded in Volume 723, Page 445 of Cuyahoga County Records; thence Northerly along the Westerly line of the land conveyed to Louisa Sprague as aforesaid and along the Westerly line of land conveyed by Frances A. Jones and Anna Bell Jones, husband and wife to Louisa Sprague by deed dated October 10, 1891, and recorded in volume 508, Page 6 of County Records, 137 feet to the Northerly line of land conveyed to Louisa Sprague, by deed recorded in Volume 508, Page 6 of Cuyahoga County Records, as aforesaid, which is also the Southerly line of Woodward Court Avenue, N.E.; thence Easterly along said Northerly line, which is also the Southerly line of Woodward Court, N.E., 45 feet; thence Southerly parallel with the first described line, 137 feet to a point in the Southerly line of land conveyed to Louisa Sprague, by deed recorded in Volume 723, Page 445, distant Easterly 45 feet from the place of beginning, thence Westerly along said Southerly line, 45 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Property Address: 9910 Woodward Avenue, Cleveland, Ohio 44106

Section 2. That by and at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to sell the above-described properties to the Redeveloper at a price not less than \$200 for each parcel, and other valuable consideration, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deeds of conveyance, which is determined to be fair market value.

Section 3. That the conveyances shall be made by official deeds prepared by the Director of Law and executed by the Mayor and the Commissioner of Purchases and Supplies on behalf of the City of Cleveland. The deeds shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 4. That the Director of Community Development is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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.

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 Safety is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a one-year period, with two one-year options to renew, exercisable by the Director of Public Safety, of the necessary items of ballistic vests, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Police, Department of Public Safety. 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. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

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 Public Safety 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 costs of the contract or contracts shall be paid from Fund Nos. 20 SF 566, 20 SF 573, 20 SF 578, 20 SF 585, 20 SF 588, 20 SF 591, 20 SF 596, 20 SF 701, 20 SF 705, 20 SF 709, 20 SF 710, 20 SF 711, 20 SF 715, from the fund or funds to which are credited future bonds if issued for this purpose and 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. (RQN 6002, RLA 2024-02)

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.

Passed on May 6, 2024.

Effective on May 7, 2024.

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.

WHEREAS, under Ordinance No. 1025-A-95, passed June 28, 1995, tax revenues from levying the parking facility tax and increases in the motor vehicle lessor tax and the admission tax can be used to fund recreational, cultural and extracurricular programs within the Cleveland Metropolitan School District; 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 Directors of Public Works and Finance are authorized to enter into one or more contracts with the Cleveland Metropolitan School District to conduct various recreational, cultural and extracurricular programs for the benefit of City school children during the 2023-24 school year, under the program description contained in **File No. 442-2024-A**. The cost of the contract or contracts shall not exceed \$950,000 and shall be paid from Fund No. 11 SF 035. (RQS 7001, RL 2024-5)

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.

Passed on May 6, 2024.

Effective on May 7, 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, 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.

Passed on May 6, 2024.

Effective on May 7, 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 Gobrand's, 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 Gobrand's, 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.

Adopted on May 6, 2024.

Effective on May 7, 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

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

<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

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/>