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Schedule of the Board of Zoning Appeals

**Monday, June 3, 2024
9:30 a.m.**

Under the conditions specified by law, the Board of Zoning Appeals will be conducting a hybrid in-person and virtual hearing using the WebEx Platform. IF YOU WISH TO PARTICIPATE AND OR GIVE TESTIMONY THROUGH WEBEX, contact the Board of Zoning Appeals office and request the link at 216-664-2580 by noon on June 7, 2024. You can also email us boardofzoningappeals@clevelandohio.gov.

The in-person hearing will be held in Room 514 in City Hall. Bring proper ID to enter the building.

Those individuals not planning to attend are encouraged to view one of the live streams:

<http://www.clevelandohio.gov/CityofCleveland/Home/Government/CityAgencies/CityPlanningCommission/ZoningAppeals>

Or <https://www.youtube.com/channel/UCB8qloJrhmpYIR1OLY68bw/>

**Calendar No. 24-075: 4098 Rocky River Drive
Ward 17 – Charles Slife**

Rocky River Rental Property, Ltd, owners, proposes to establish use as a Tattoo Studio a C1 Residence-Office District. The owners appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b)(2)(P) of Section 343.11, which states that a Tattoo Studio is first permitted in a General Retail Business District; proposed location is in a Residence-Office District.
2. Division (b) of Section 347.12, which states that no such use shall be established within 1,000 feet of a residential district or day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center.

**Calendar No. 24-076: 2291 Professor Avenue
Ward 3 – Kerry McCormack**

TDGOZ Professor LLC, owner, proposes to construct a new four-story, multi-family building with 43 dwelling units, amenity spaces and future restaurant space in split zoning; a B1 Two-Family Residential District and a C1 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03, which states that an apartment building is not permitted in a Two-Family Residential District, but first permitted in Multi-Family Residential District (337.8).
2. Section 353.01, which states maximum height shall not be greater than 35 feet; proposing 55 feet.
3. Section 355.04, which states that the maximum Gross Floor Area shall not be greater than 50 percent of the lot area or in this case 12,087 square feet. Proposing 15,274 square feet.
4. Division (e) of Section 349.04, which states that 78 parking spaces are required (one parking space for each residential dwelling unit, one for each employee, plus one for each 100 square feet of floor area devoted to patron use or one for each four seats based on maximum seating capacity, whichever is greater), and the appellant is proposing 43 spaces.
5. Division (b) of Section 341.02, which states City Planning Commission review and approval is required before issuance of permit.

**Calendar No. 24-077: 1944 East 124th Place
Ward 6 – Blaine Griffin**

Robbin D. Garcia, Trustee, proposes to erect a new three-story frame, single-family residence with front-loaded attached garage in a C1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b) of Section 355.04, which states that the maximum gross floor area shall not exceed 50 percent of the lot size or in this case 1,750 square feet, and the appellant is proposing 3,566 square feet.
2. Division (a) of Section 357.06, which states the required front yard setback is 11.86 feet, and the appellant is proposing 7 feet. Per code section 329.04, the Board is limited in its ability to grant a variance unless certain circumstance apply.
3. Division (b)(2)(D) of Section 357.09, which states that the minimum distance from property line is 3 feet, and the appellant is proposing 1 foot. This section also states that the required combination total of both Interior Side Yards is 6 feet, and the appellant is providing 4 feet.
4. Division (c) of Section 357.13, which states that a Window Well is not a permitted Interior Side Yard Encroachment.
5. Division (a)(A)(2) of Section 337.23, which states attached front-loaded garage shall be located on rear half of the lot.

Calendar No. 24-078: 15009 Puritas Avenue**Ward 16 – Brian Kazy**

ASAM LLC, owner, proposes for addition and expansion of a convenience store to an existing gas station in a G2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 352.08 through 352.10, which states that an 8-foot wide transition strip is required at the rear, and 5 feet are proposed.
2. Division (a) of Section 359.01, which states that expansion of a nonconforming use requires BZA approval.

*Note: City Planning Commission (CPC) approval required.

Postponed from April 29, 2024**Calendar No. 24-047: 4600 Brookpark Road****Ward 13 – Kris Harsh**

Enviroserve Inc, owner, proposes to establish operation of a solid waste facility/ transfer station in a B3 Semi-Industry District and a G3 General Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.02, which states that a solid waste facility/transfer station is not permitted in a Semi-Industry District. Portion of property is in a Semi-Industry District.
2. Section 331.04, which states that in all instances where this Zoning Code requires a separation of use districts, lots, building or uses by a specified distance, such distance shall be measured in a geometrically straight line using a scaled map, or a survey if deemed necessary. The calculation shall consider uses and districts across the City's boundary if the City and bordering jurisdiction have entered into an agreement whereby each will consider uses and districts across the common boundary. The City of Cleveland entered into such an agreement with the City of Parma on July 19, 2002.
3. Division (a)(9) of Section 345.04, which states that the lot upon which the proposed use will occur must be located no closer than five hundred (500) feet to a residence district. Proposed use is on a lot within 230 feet of a residence district to the south.

TESTIMONY TAKEN. POSTPONEMENT MADE AT THE REQUEST OF THE CITY PLANNING COMMISSION.

Agenda of the Board of Building Standards and Building Appeals

Wednesday, May 22, 2024 - revised

Board of Building Standards and Building Appeals
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST
BBSA@clevelandohio.gov

NOTE: This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

Download the WebEx Desktop App or the mobile App from the WebEx website at <https://www.webex.com/downloads.html/>

Instructions to enable a browser plug-in for Chrome or Firefox can be found here: <https://help.webex.com/en-us/WBX77970/How-Do-I-Enable-the-Webex-Plug-in-to-Join-aMeeting-Using-Chrome-or-Firefox>

For instructions to join the call you can go to here: <https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App>

Email: cdavis@clevelandohio.gov 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-402-23	6501 Barberton Avenue	WARD: 14 (Jasmin Santana)
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Stockyard Studios LLC, Owner of the Light Manufacturing/ Assembly; Two Dwelling Units Structure, appeals from a **NOTICE OF VIOLATION – ELEVATOR**, dated December 14, 2023; appellant is requesting for time to complete the abatement of the violations.

Docket A-2-24	2174 West 103rd Street	WARD: 15 (Jenny Spencer)
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Liminal LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Two-Story Wood Frame/Siding/Masonry Veneer Frame Structure, appeals from

a **NOTICE OF VIOLATION – LEAD CERTIFICATE**, dated December 8, 2023; appellant is requesting for time to complete abatement of the violation.

Docket A-4-24

7000 Central Avenue

**WARD: 5
(Richard A. Starr)**

Christie Lites Cleveland LLC, Owner of the F-1 Factory- Moderate Hazard (Combustibles) Four-Story Metal Frame Structure, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS & EXTERIOR MAINTENANCE**, dated December 6, 2023 & January 11, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-10-24

2517 East 57th Street

**WARD: 5
(Richard A. Starr)**

RDJ Group LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Four Dwelling Units; Two-Story Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE & HAZARDOUS CONDITIONS**, dated December 13, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-51-24

2517 East 57th Street

**WARD: 5
(Richard A. Starr)**

RDJ Group LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); Two and a Half-Story; Wood Frame/Siding/Masonry Veneer Frame Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE & VACATE**, dated March 4, 2024; appellant is requesting for time to complete abatement of the violations.

HOUSING:

Docket A-401-23

1204 East 173rd Street

**WARD: 8
(Michael D. Polensek)**

Abundantly Blessed Endeavors LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated November 8, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-401-23 has been **WITHDRAWN** per the request of the appellant.

Docket A-403-23

2872 West 32nd Street

**Ward: 3
(Kerry McCormack)**

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

CONDEMNATION-SHED & CONDEMNATION-MAIN STRUCTURE, dated November 15, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-405-23 **19104 Shawnee Avenue** **WARD: 8**
(Michael D. Polensek)

Zachary Swann, Owner of the One-Story Garage-Detached; Wood Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated December 4, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-411-23 **307 East 149th Street** **WARD: 8**
(Michael D. Polensek)

Cara Romano, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated November 20, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-412-23 **3808 East 153rd Street** **WARD: 1**
(Joseph T. Jones)

Colen Boone, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE, & CONDEMNATION-GARAGE**, dated December 20, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-3-24 **15401 Lakeshore Boulevard** **WARD: 8**
(Michael D. Polensek)

James D. Ealey, Owner of the One Dwelling Unit; Single-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated November 29, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-5-24 **17512 Allien Avenue** **WARD: 17**
(Charles J. Slife)

Robert W. Monroe, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated December 14, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-9-24 **3061 West 46th Street** **WARD: 3**
(Kerry McCormack)

From Grounds Up Estate LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – STOP WORK ORDER, NO PERMIT & EXTERIOR MAINTENANCE** dated December 5, 2023 & April 28, 2022; appellant is requesting for time to complete abatement of the violations.

Time Extension:

Docket A-407-23 **567 East 128th Street** **WARD: 10**
(Anthony T. Hairston)

Odasha Blue, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated January 31, 2023; appellant is requesting for additional time awarded under Docket A-40-23 until December 18, 2023, to complete abatement of the violations.

Docket A-7-24 **3235 West 111th Street** **WARD: 11**
(Danny Kelly)

Allan Parker, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE**, dated May 19, 2023; appellant is requesting for additional time awarded under Docket A-123-23 until December 27, 2023, to complete abatement of the violations.

BRIDGE:

Docket A-343-23
81 Woodland Cleveland, OH AKA West of E. 79 City Bridge **WARD: 5**
(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:584 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-343-23 has been **POSTPONED**.

Docket A-344-23
83 Yeakel Cleveland, OH AKA East of East 93 Street City Bridge **WARD: 3**
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:586 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-344-23 has been **POSTPONED**.

Docket A-345-23

87 MLK Cleveland, OH AKA (East Blvd) South of Cedar City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:590 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-345-23 has been **POSTPONED**.

Docket A-346-23

84 Puritas Cleveland, OH AKA East of West 160 Street City Bridge

WARD: 16
(Brian Kazy)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:587 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-346-23 has been **POSTPONED**.

Docket A-347-23

88 Brookside Cleveland, OH AKA Park Entrance City Bridge

WARD: 13
(Kris Harsh)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:591 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-347-23 has been **POSTPONED**.

Docket A-348-23**89 East 33rd Cleveland, OH AKA North of Hamilton Avenue City Bridge****WARD: 7****(Stephanie D. Howse-Jones)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:592 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-348-23 has been **POSTPONED**.

Docket A-349-23**90 East 117th Cleveland, OH AKA South of Euclid Avenue City Bridge****WARD: 4****(Deborah A. Gray)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:593 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-349-23 has been **POSTPONED**.

Docket A-350-23**91 MLK Cleveland, OH AKA (East Blvd.) South of Cedar City Bridge****WARD: 3****(Kerry McCormack)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:594 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-350-23 has been **POSTPONED**.

Docket A-351-23**92 Euclid Cleveland, OH AKA At E. 118 St. City Bridge****WARD: 9****(Kevin Conwell)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:596 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated

August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-351-23 has been **POSTPONED**.

Docket A-352-23

93 West 73 Cleveland, OH AKA Under NS City Bridge

WARD: 15
(Jenny Spencer)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:597 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-352-23 has been **POSTPONED**.

Docket A-353-23

94 MLK Jr. Bl. Cleveland, OH South of Shoreway City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 6:056 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-353-23 has been **POSTPONED**.

Docket A-354-23

95 East 37 Cleveland, OH AKA City Bridge

WARD: 5
(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 6:508 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-354-23 has been **POSTPONED**.

Docket A-355-23

97 Fairfield Cleveland, OH AKA Scranton Ave at Train Ave. City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 6:512 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-355-23 has been **POSTPONED**.

Docket A-356-23
99 East 37th Cleveland, OH AKA City Bridge
WARD: 5 (Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 6:520 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-356-23 has been **POSTPONED**.

Docket A-357-23
98 East 37th Cleveland, OH AKA City Bridge

WARD: 5
(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 6:519 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

DOCKET A-357-23 has been **POSTPONED**.

Approval of Resolutions

Docket/s:

A-226-23	Darold Alexander
A-360-23	Paul A. Gregory
A-367-23	Abdul Ali
A-379-23	P&P Cleveland LLC
A-382-23	Matthew P. Williams
A-384-23	Paul A. Gregory
A-385-23	Therma Holdings LLC
A-386-23	Melissa Phillips
A-387-23	Gary N. Travis
A-388-23	Jeannot Mukendi Kashala
A-389-23	Lofty Holding 13806 Coit Rd DAO LLC
A-390-23	Michael C. Cepec
A-391-23	Augustine P. Banks
A-393-23	Joynal Abedin
A-395-23	SEES INC
A-397-23	Ashley Anderson
A-81-24	Diane Panaroski

Approval of Minutes

May 8, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

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

Date: May 3, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, May 22, 2024, at approximately 9:30 a.m.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-402-23	6501 Barberton	W. Clark
A-2-24	2174 West 103	W. Battle
A-4-24	7000 Central	A. Cvitic
A-10-24	2517 East 57	R. Derrett
A-401-23	1204 East 173	D. Blazevic
A-403-23	2872 West 32	T. Barisic
A-405-23	19104 Shawnee	B. McClure
A-411-23	307 East 149	B. McClure
A-412-23	3808 East 153	J. Dvorak
A-3-24	15401 Lakeshore	B. McClure
A-5-24	17512 Allien	C. Davis
A-9-24	3061 West 46	T. Barisic
A-407-23	567 East 128	A. Arnold
A-7-24	3235 West 111	C. Davis
A-51-24	2517 East 57	M. Shockley

Report of the Board of Building Standards and Building Appeals

Wednesday, May 22, 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-402-23 – RE: Appeal of Stockyard Studios LLC, Owner of the Light Manufacturing/Assembly; Two Dwelling Units; Structure, located on the premises known as 6501 Barberton Avenue, appeals from a **NOTICE OF VIOLATION – ELEVATOR**, dated December 14, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until June 21, 2024, to have the elevators inspected and until November 21, 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 Maschke.

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

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Docket A-2-24 – RE: Appeal of Liminal LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Two-Story Wood Frame/Siding/Masonry Veneer Frame Structure, located on the premises known as 2174 West 103rd Street, appeals from a **NOTICE OF VIOLATION – LEAD CERTIFICATE**, dated December 8, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

Docket A-2-24 has been **WITHDRAWN** per the Appellate request.

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Docket A-4-24 – RE: Appeal of Christie Lites Cleveland LLC, Owner of the F-1 Factory- Moderate Hazard (Combustibles) Four-Story Metal Frame Structure, located on the premises known as 7000 Central Avenue, appeals from **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS & EXTERIOR MAINTENANCE**, dated December 6, 2023, & January 11, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellate's request 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 Denk Jr. and seconded by Maschke.

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

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Docket A-10-24 – RE: Appeal of RDJ Group LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Four Dwelling Units; Two-Story Frame Structure, located on the premises known as 2517 East 57th Street, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE & HAZARDOUS CONDITIONS**, dated December 13, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, THE NOTICE OF VIOLATION – EXTERIOR MAINTENANCE & HAZARDOUS CONDITIONS, dated December 13, 2023, has been CLOSED by the Commissioner/CBO of the Department of Building and Housing.

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Docket A-51-24 – RE: Appeal of RDJ Group LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Four Dwelling Units; Two and a Half-Story Wood Frame/Siding/Masonry Veneer Frame Structure, located on the premises known as 2517 East 57th Street, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE & VACATE**, dated March 4, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **UPHOLD** the Notice of **VACATE ORDER** as properly issued and to **DENY** the Appellant's request for more time, **BE IT FURTHER RESOLVED**, a motion is in order at this time to **GRANT** the Appellate's until July 21, 2024, to submit plans to the Department of Building and Housing, and until November 21, 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-401-23 – RE: Appeal of Abundantly Blessed Endeavors LLC, Owner of the Two Dwelling Units; Two Family Residence Two-Story Frame Property, located on the premises known as 1204 East 173rd Street, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated November 8, 2023, of the

Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC). **Docket A-401-23** has been **WITHDRAWN** per the appellant's request.

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Docket A-403-23 – RE: Appeal of Renato Tomori, Owner of the One Dwelling Unit; Single Family Residence One and a Half-Story Frame Property, located on the premises known as 2872 West 32nd Street, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-SHED & CONDEMNATION-MAIN STRUCTURE**, dated November 15, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellate's request 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-405-23 – RE: Appeal of Zachary Swann, Owner of the One-Story Garage-Detached; Wood Frame, located on the premises known as 19104 Shawnee Avenue, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated December 4, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until August 21, 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-411-23 – RE: Appeal of Cara Romano, Owner of the One Dwelling Unit; Single Family Residence Two-Story Frame Property, located on the premises known as 307 East 149th Street, appeals from a **NOTICE OF VIOLATION – 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/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until October 1, 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-412-23 – RE: Appeal of Colen Boone, Owner of the One Dwelling Unit; Single-Family Residence Two-Story Frame Property, located on the premises known as 3808 East 153rd Street, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE & CONDEMNATION-GARAGE**, dated December 20, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

Docket A-412-23 has been **RESCHEDULED** until December 4, 2024.

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Docket A-3-24 – RE: Appeal of James D. Ealey, Owner of the One Dwelling Unit; Single Family Residence Two and a Half-Story Frame Property, located on the premises known as 15401 Lakeshore Boulevard, 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/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until July 21, 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-5-24 – RE: Appeal of Robert W. Monroe, Owner of the One Dwelling Unit; Single Family Residence Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, located on the premises known as 17512 Allien Avenue, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated December 14, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-9-24 – RE: Appeal of From Grounds Up Estate LLC, Owner of the Two Dwelling Units; Two-Family Residence Two and a Half-Story Frame Property, located on the premises known as 3061 West 46th Street, appeals from a **NOTICE OF VIOLATION – STOP WORK ORDER, NO PERMIT & EXTERIOR MAINTENANCE** dated December 5, 2023, & April 28, 2022, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-407-23 – RE: Appeal of Odasha Blue, Owner of the One Dwelling Unit; Single Family Residence Two-Story Frame Property, located on the premises known as 567 East 128th Street, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated January 31, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until June 5, 2024, to obtain the permit(s); 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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Docket A-7-24 – RE: Appeal of Allan Parker, Owner of the One Dwelling Unit; Single Family Residence One-Story Garage-Detached Frame Property, located on the premises known as 3235 West 111th Street, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE**, dated May 19, 2023, of the Director of the

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

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellate until August 21, 2024, with no further extension; 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: Bradley, Gallagher, Maschke, Denk Jr. Nays: None. Absent: None.

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BE IT RESOLVED the following Dockets have been **POSTPONED A-343-23 through A-357-23**.

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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-226-23 Darold Alexander
A-360-23 Paul A. Gregory
A-367-23 Abdul Ali
A-379-23 P&P Cleveland LLC
A-384-23 Paul A. Gregory
A-385-23 Therma Holdings LLC
A-386-23 Melissa Phillips
A-387-23 Gary N. Travis
A-388-23 Jeannot Mukendi Kashala
A-389-23 Lofty Holding 13806 Coit Rd DAO LLC
A-390-23 Michael C. Cepec
A-391-23 Augustine P. Banks
A-393-23 Joynal Abedin
A-395-23 SEES INC
A-397-23 Ashley Anderson
A-81-24 Diane Panaroski

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):

May 8, 2024

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

* * *

Patrick Gallagher
Chairperson

Public Notice

NOTICE OF PUBLIC MEETING OF THE CITY RECORDS COMMISSION OF THE CITY OF CLEVELAND

Notice is hereby given, in accordance with Ohio Revised Code Section 121.22(F) and Cleveland Codified Ordinances Section 167.01(a), that the City Records Commission of the City of Cleveland will hold a public meeting on Friday, June 7, 2024, at 10:00 a.m., in Cleveland City Council's Mercedes Cotner Committee Room 217 in Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio, for the purpose of reviewing proposed records retention schedules and any other business with respect to records retention and disposal requests and questions.

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, May 20, 2024.

Click on a piece of legislation below to read it:

[Ord. No. 369-2024](#)

[Ord. No. 471-2024](#)

[Ord. No. 370-2024](#)

[Ord. No. 477-2024](#)

[Ord. No. 402-2024](#)

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

[Ord. No. 403-2024](#)

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

[Ord. No. 404-2024](#)

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

[Ord. No. 405-2024](#)

[Ord. No. 589-2024](#)

[Ord. No. 407-2024](#)

[Ord. No. 597-2024](#)

[Ord. No. 418-2024](#)

[Res. No. 596-2024](#)

[Ord. No. 441-2024](#)

Ordinance No. 369-2024

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

An emergency ordinance to amend Section 3 of Ordinance No. 531-2021, passed August 18, 2021; and to supplement the ordinance by adding new Sections 3a and 3b relating to accepting funding from the United States Treasury Department for purposes of implementing the Emergency Rental Assistance Program established under the American Rescue Plan Act of 2021 and authorizing contracts to implement.

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. 531-2021, passed August 18, 2021, is amended to read as follows:

Section 3. That the Director of Community Development is authorized to expend funds and to enter into one or more contracts with the Cuyahoga Metropolitan Housing Authority, various community development corporations to implement the Emergency Rental Assistance Program. (RQS 8006, RL 2024-43)

Section 2. That existing Section 3 of Ordinance No. 531-2021, passed August 18, 2021, is repealed.

Section 3. That Ordinance No. 531-2021, passed August 18, 2021, is supplemented by adding new Sections 3a and 3b to read as follows:

“Section 3a. That the Director of Community Development shall provide all members of Council a quarterly report detailing how the funds were spent.

Section 3b. That any notice sent to residents who are receiving assistance under this ordinance shall include a provision that the assistance is provided through a partnership with the City of Cleveland, Cleveland City Council, and the Biden-Harris Administration.”

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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 370-2024

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

An emergency ordinance to amend the first whereas clause and Section 1 of Ordinance No. 1253-2019, passed October 21, 2019; repeal the third whereas clause; and supplement the ordinance by adding new Section 1a; relating to authorizing the Director of Community Development to be a co-applicant and co-Grantee with Cuyahoga Metropolitan Housing Authority which will allow CMHA to accept HUD funding to implement the Choice Neighborhoods Implementation Grant.

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 first whereas clause and Section 1 of Ordinance No. 1253-2019, passed October 21, 2019, are amended to read as follows:

WHEREAS, the Department of Community Development is authorized to be a co-applicant and co-Grantee with the Cuyahoga Metropolitan Housing Authority (“CMHA”), the Lead Applicant, to receive United States Department of Housing and Urban Development’s (“HUD”) Choice Neighborhood Implementation (“CNI”) grant funds; and

Section 1. That the Director of Community Development is authorized to be a co-applicant and co-Grantee with CMHA and to enter into one or more Choice Neighborhoods Implementation Grant Agreement or Agreements, including any ratifications that are necessary, with HUD that will allow CMHA and/or the City to receive \$45,000,000 and other funds that become available in CNI grant funding from HUD. The transformation plan for Woodhill Estates is consistent with the City’s HUD consolidated action plan and revitalization of the neighborhood is a priority of the plan. Under the Agreement, Agreements, or ratifications, the Director of Community Development may be authorized to accept a portion of the grant funds from HUD and/or CMHA to implement this ordinance, to file all papers and execute any documents necessary to receive the funds, and that the funds are appropriated for the purpose of this ordinance.

Section 2. That the existing first whereas clause and Section 1 of Ordinance No. 1253-2019, passed October 21, 2019, are repealed.

Section 3. That Ordinance No. 1253-2019 passed October 21, 2019, is amended by repealing the third whereas clause.

Section 4. That Ordinance No. 1253-2019 passed October 21, 2019, is supplemented by adding new Section 1a to read as follows:

Section 1a. That the Director of Community Development shall deposit any eligible funds accepted under this ordinance into a fund or funds designated by the Director of Finance to implement 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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 402-2024

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

An emergency ordinance authorizing the Director of Port Control to execute a deed of easement granting to The East Ohio Gas Company, dba Enbridge Gas Ohio certain easement rights in property located at Cleveland Hopkins International Airport; and declaring that the easement rights granted are not needed for the City's public use.

WHEREAS, The East Ohio Gas Company, dba Enbridge Gas Ohio ("Enbridge") has requested the Director of Port Control to convey certain easement rights in property located at Cleveland Hopkins International Airport and known as Permanent Parcel Nos. 029-32-005 and 029-32-010; and

WHEREAS, Enbridge requires an easement to install lines, in and across the premises, in order to provide natural gas for the newly constructed hangar located on West Hangar Road; and

WHEREAS, the easement rights to be granted are not needed for the City's public use; 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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described properties are not needed for the City's public use:

o' Wide Dominion Energy Easement
Cleveland Hopkins International Airport
West Hangar Road
March 25, 2024

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and located within parcel 029-32-010 owned by the City of Cleveland and being described as follows:

BEGINNING at a point on a corner common to said parcel 029-32-010 and parcel 029-32-005 also owned by the City of Cleveland, said point being the westernmost corner of said parcel 029-32-005 and being located South 37°51'07" West a distance of 1041.64 feet from Cleveland Hopkins International Control Monument 35 as shown on the City of Cleveland Department of Port Control Cleveland Hopkins

International Airport Survey Control plan prepared by KS Associates, Inc having a revision 10 date of February, 2008.

Thence along the said line common to parcels 029-32-010 and 029-32-005, South 40°29'32" East a distance of 2.90 feet to a point;

Thence across parcel 029-32-010 the following thirty-five (35) courses and distances:

- 1) South 38°04'48" West a distance of 12.87 feet to a point;
- 2) South 37°54'17" West a distance of 8.99 feet to a point;
- 3) North 52°14'19" West a distance of 17.29 feet to a point;
- 4) South 37°45'41" West a distance of 210.33 feet to a point;
- 5) South 39°14'15" West a distance of 66.20 feet to a point;
- 6) South 36°59'00" West a distance of 162.55 feet to a point;
- 7) South 39°03'26" West a distance of 55.37 feet to a point;
- 8) North 54°32'23" West a distance of 8.82 feet to a point;
- 9) South 37°30'00" West a distance of 88.66 feet to a point;
- 10) South 37°15'32" West a distance of 106.10 feet to a point;
- 11) South 37°54'29" West a distance of 23.56 feet to a point;
- 12) South 37°08'12" West a distance of 48.21 feet to a point;
- 13) South 36°48'11" West a distance of 23.22 feet to a point;
- 14) South 37°07'42" West a distance of 22.93 feet to a point;
- 15) South 35°52'54" West a distance of 89.88 feet to a point;
- 16) South 37°02'48" West a distance of 68.20 feet to a point;
- 17) South 37°39'43" West a distance of 332.73 feet to a point;
- 18) North 52°20'17" West a distance of 10.00 feet to a point;
- 19) North 37°39'43" East a distance of 332.68 feet to a point;
- 20) North 37°02'48" East a distance of 68.05 feet to a point;
- 21) North 35°52'56" East a distance of 89.89 feet to a point;
- 22) North 37°07'32" East a distance of 23.01 feet to a point;
- 23) North 36°48'11" East a distance of 23.22 feet to a point;
- 24) North 37°08'12" East a distance of 48.31 feet to a point;
- 25) North 37°54'29" East a distance of 23.57 feet to a point;
- 26) North 37°15'32" East a distance of 106.07 feet to a point;
- 27) North 37°30'00" East a distance of 98.33 feet to a point;
- 28) South 54°32'23" East a distance of 9.08 feet to a point;
- 29) North 39°03'26" East a distance of 45.80 feet to a point;
- 30) North 36°59'00" East a distance of 162.56 feet to a point;
- 31) North 39°14'15" East a distance of 66.27 feet to a point;
- 32) North 37°45'41" East a distance of 220.20 feet to a point;
- 33) South 52°14'19" East a distance of 17.41 feet to a point;
- 34) North 37°41'03" East a distance of 13.83 feet to a point;
- 35) South 51°55'12" East a distance of 7.14 feet to a point on the said line common to parcels 029-32-010 and 029-32-005;

Thence along the said line common to parcels 029-32-010 and 029-32-005, South 37°24'41" West a distance of 1.34 feet to the place of BEGINNING and containing 0.309 acres of land.

The bearings for this description is based on Grid North, of the Ohio State plane Coordinate System, North Zone, NAD83 (2011).

This description was prepared and reviewed by GPD Group under the supervision of Steven L. Mullaney, Professional Surveyor No. 7900 conducted for Dominion Energy, in March 2024.

Section 2. That, by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to Enbridge subject to any conditions stated in this ordinance. The consideration be paid for the easement interest shall be \$1.00, and other valuable consideration, determined to be fair market value.

Section 3. That the easement shall be non-exclusive and the purpose of the easement shall be to install lines in and across the premises in order to provide natural gas for the newly constructed hangar located on West Hangar Road.

Section 4. That the duration of the easement shall be perpetual but shall revert back to the City if abandoned; that the easement shall not be assignable without the consent of the Director of Port Control; that the easement shall require that Enbridge provide reasonable insurance, maintain any Enbridge improvements located within the easement; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 5. That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Port Control on behalf of the City of Cleveland. The Directors of Port Control and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

Section 6. 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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 403-2024

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

An emergency ordinance authorizing the Directors of Public Works and Capital Projects to execute various deeds of permanent, temporary, and subterranean easement granting to the Northeast Ohio Regional Sewer District certain easement rights at or under several City-owned properties for NEORSD's Southerly Tunnel and Consolidation Project and declaring the easement rights not needed for the City's public use.

WHEREAS, the Northeast Ohio Regional Sewer District ("NEORSD") has requested the Directors of Public Works and Capital Projects to convey various deeds of permanent, temporary, and subterranean easement at or under several City-owned properties which are located at Harvard Garage, Morgana Run Trail, Dolloff Road Municipal Parking Lot, and vacant property at East 65 Street and Bessemer Avenue, for NEORSD's Southerly Tunnel and Consolidation Project ("SOTC 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 Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that easement interests in the following described properties are not needed for the City's public use:

Permanent Subterranean Easement
125-08-002 & 125-08-014 - SOTC-P1
0.0660 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 1 and No. 2 in H.F. Hoppensack's Subdivision of part of Original 100 Acre Lot No. 326, as recorded in Volume 8, Page 27 of the Cuyahoga County Map Records. Also being part of the land conveyed to the City of Cleveland as recorded in AFN 200402050858 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a point in the northerly right of way of Bessemer Avenue (width varies) at the southeasterly corner of said land conveyed to the City of Cleveland;

Thence, along the northerly right of way of Bessemer Avenue, along the arc of a curve which deflects to the right, 10.85 feet to the True Point of Beginning for the easement herein described, said curve having a radius of 347.00 feet, a central angle of 01° 47' 32", and a chord of 10.85 feet which bears North 64° 14' 36" West;

Thence, continuing along the northerly right of way of Bessemer Avenue, along the arc of a curve which deflects to the right, 30.26 feet, said curve having a radius of 347.00 feet, a central angle of $04^{\circ} 59' 49''$, and a chord of 30.25 feet which bears North $60^{\circ} 50' 55''$ West;

Thence, leaving said northerly right of way, North $21^{\circ} 43' 28''$ East, 117.29 feet to the easterly line of said land conveyed to the City of Cleveland;

Thence, along the easterly line of said land conveyed to the City of Cleveland, South $01^{\circ} 09' 54''$ East, 35.89 feet;

Thence, continuing along said easterly line, North $89^{\circ} 33' 00''$ East, 17.32 feet;

Thence, leaving said easterly line, South $21^{\circ} 43' 28''$ West, 94.68 feet to the point of beginning.

Containing within said bounds 0.0660 acres (2,875 square feet) of land and having a lower elevation of 506.00 (184 feet below ground surface) and an upper elevation of 621.00 (69 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2022. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of November, 2022.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Surface Easement
131-16-027 – SOTC-P1
0.0887 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Nos. 316 and 320. Also being part of Parcel 1 conveyed to City of Cleveland, as recorded in AFN 200502010335 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 49th Street (width varies) and the northerly line of Original 100 Acre Lot No. 316;

Thence, along the northerly line of Original 100 Acre Lot No. 316, North $87^{\circ} 21' 21''$ East, 91.78 feet to the southerly line of said Parcel 1;

Thence, leaving the northerly line of Original 100 Acre Lot No. 316, along the southerly line of said Parcel 1, South $84^{\circ} 18' 02''$ East, 218.18 feet to the True Point of Beginning for the easement herein described;

Thence, leaving the southerly line of said Parcel 1, North 15° 22' 03" East, 45.60 feet;

Thence, South 81° 56' 06" East, 90.30 feet;

Thence, South 15° 10' 42" West, 37.73 feet to the southerly line of said Parcel 1;

Thence, along the southerly line of said Parcel 1, South 87° 21' 21" West, 27.60 feet;

Thence, continuing along said southerly line, North 84° 18' 02" West, 64.36 feet to the point of beginning.

Containing within said bounds 0.0887 acres (3,864 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2022.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Permanent Subterranean Easement
131-16-027 – SOTC-P2
0.1079 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Nos. 316 and 320. Also being part of Parcel 1 conveyed to City of Cleveland, as recorded in AFN 200502010335 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a point in the westerly right of way of East 52nd Street (50.00 feet wide) at the northeasterly corner of said Parcel 1;

Thence, leaving the westerly right of way of East 52nd Street, along the northerly line of said Parcel 1 the following three courses;

South 87° 59' 03" West, 124.82 feet;

Thence, North 02° 00' 57" West, 3.27 feet;

Thence, North 88° 28' 22" West, 145.08 feet to the True Point of Beginning for the easement herein described;

Thence, leaving the northerly line of said Parcel 1, South 52° 44' 30" West, 192.60 feet to the southerly line of said Parcel 1;

Thence, along said southerly line, South 87° 21' 21" West, 0.27 feet;

Thence, leaving said southerly line, North 15° 10' 42" East, 37.73 feet;

Thence, North 81° 56' 06" West, 9.62 feet;

Thence, North 52° 44' 30" East, 132.34 feet to the northerly line of said Parcel 1;

Thence, along said northerly line, South 88° 28' 22" East, 47.89 feet to the point of beginning.

Containing within said bounds 0.1079 acres (4,699 square feet) of land and having a lower elevation of 502.00 (159 feet below ground surface) and an upper elevation of 617.00 (44 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2022. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of November, 2022.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Subterranean Easement
131-22-017 – SOTC-P1
0.0887 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 289 and No. 290 in O.M. Stafford's Allotment of part of Original 100 Acre Lot No. 321, as recorded in Volume 11, Page 49 of the Cuyahoga County Map Records and part of Escoba Court (12.00 feet wide) as vacated by City of Cleveland Ordinance No. 2744-89, dated November 15, 1989. Also being part of the land conveyed to the City of Cleveland, as recorded in Volume 9778, Page 311 and Volume 9761, Page 420 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the northwesterly right of way of Blanche Avenue (50.00 feet wide) and the northeasterly right of way of Dolloff Road (50.00 feet wide);

Thence, along the northeasterly right of way of Dolloff Road, North 46° 19' 39" West, 232.32 feet;

Thence, continuing along the northeasterly right of way of Dolloff Road, North 39° 22' 24" West, 30.93 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the northeasterly right of way of Dolloff Road, North 39° 22' 24" West, 30.18 feet;

Thence, leaving the northeasterly right of way of Dolloff Road, North 56° 51' 26" East, 118.74 feet;

Thence, along the arc of a curve which deflects to the left, 10.05 feet to the centerline of said vacated Escoba Court, said curve having a radius of 1985.00 feet, a central angle of $00^{\circ} 17' 25''$, and a chord of 10.05 feet which bears North $56^{\circ} 44' 02''$ East;

Thence, along the centerline of vacated Escoba Court, South $39^{\circ} 23' 57''$ East, 30.16 feet;

Thence, leaving the centerline of vacated Escoba Court, along the arc of a curve which deflects to the right, 12.59 feet, said curve having a radius of 2015.00 feet, a central angle of $00^{\circ} 21' 28''$, and a chord of 12.59 feet which bears South $56^{\circ} 40' 42''$ West;

Thence, South $56^{\circ} 51' 26''$ West, 116.22 feet to the point of beginning.

Containing within said bounds 0.0887 acres (3,864 square feet) of land and having a lower elevation of 503.00 (185 feet below ground surface) and an upper elevation of 618.00 (70 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A Bixler, Professional Surveyor, No. 7730 in November, 2022. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of November, 2022.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Permanent Subterranean Easement
511-12-014– SOTC-P1
0.0142 Acres

Situated in the Village of Newburgh Heights, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 308. Also being part of Parcel No. 43 conveyed to City of Cleveland as recorded in Volume 5438, Page 1 of the Cuyahoga County Records, being more definitely described as follows;

Beginning at the intersection of the southerly right of way of Harvard Avenue (width varies) and the westerly right of way of East 49th Street (60.00 feet wide);

Thence, along the westerly right of way of East 49th Street, South $06^{\circ} 53' 35''$ East, 90.42 feet;

Thence, leaving said westerly right of way, North $15^{\circ} 19' 57''$ West, 93.27 feet to the southerly right of way of Harvard Avenue;

Thence, along the southerly right of way of Harvard Avenue, South $89^{\circ} 14' 00''$ East, 13.81 feet to the point of beginning.

Containing within said bounds 0.0142 acres (619 square feet) of land and having a lower elevation of 495.00 (198 feet below ground surface) and an upper elevation of 610.00 (83 feet below ground surface) as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2022. Depths below ground surface indicated in parentheses are approximate and are based on existing ground surface elevations as of November, 2022.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North. Elevations are based on NAVD88 vertical datum.

Section 2. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that temporary easement interests in the following described properties are not needed for the City's public use:

Temporary Construction Easement
131-16-027 – SOTC-T1
0.1963 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot Nos. 316 and 320. Also being part of Parcel 1 conveyed to City of Cleveland, as recorded in AFN 200502010335 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of East 49th Street (width varies) and the northerly line of Original 100 Acre Lot No. 316;

Thence, along the centerline of East 49th Street, North 09° 01' 04" West, 72.40 feet;

Thence, leaving the centerline of East 49th Street, North 80° 58' 56" East, 30.00 feet to the easterly right of way of East 49th Street and the True Point of Beginning for the easement herein described;

Thence, along the easterly right of way of East 49th Street, North 09° 01' 04" West, 13.91 feet;

Thence, leaving said easterly right of way, North 81° 01' 16" East, 36.21 feet;

Thence, South 36° 54' 17" East, 21.66 feet;

Thence, South 64° 04' 37" East, 100.12 feet;

Thence, South 88° 34' 50" East, 132.89 feet;

Thence, South 81° 56' 06" East, 33.43 feet;

Thence, South 15° 22' 03" West, 45.60 feet to the southerly line of said Parcel 1;

Thence, along the southerly line of said Parcel 1, North 84° 18' 02" West, 218.18 feet to the northerly line of Original 100 Acre Lot No. 316;

Thence, along the northerly line of Original 100 Acre Lot No. 316, North 87° 21' 21" East, 141.79 feet to the southerly line of said Parcel 1;

Thence, leaving the northerly line of Original 100 Acre Lot No. 316, along the southerly line of said Parcel 1, along the arc of a curve which deflects to the right, 225.11 feet to the point of beginning, said curve having a radius of 1196.28 feet, a central angle of 10° 46' 53", and a chord of 224.78 feet which bears North 73° 04' 30" West.

Containing within said bounds 0.1963 acres (8,551 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2022.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Temporary Construction Easement
131-16-027 – SOTC-T2
0.0804 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 100 Acre Lot No. 316. Also being part of Parcel 1 conveyed to City of Cleveland, as recorded in AFN 200502010335 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at a point in the westerly right of way of East 52nd Street (50.00 feet wide) at the southeasterly corner of said Parcel 1;

Thence, leaving the westerly right of way of East 52nd Street, along the southerly line of said Parcel 1 the following three courses;

South 87° 59' 03" West, 124.82 feet;

Thence, North 02° 00' 57" West, 3.04 feet;

Thence, North 88° 28' 22" West, 203.12 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the southerly line of said Parcel 1 the following three courses;

North 88° 28' 22" West, 32.30 feet;

Thence, North 02° 00' 57" West, 4.25 feet;

Thence, South 87° 21' 21" West, 67.40 feet;

Thence, leaving the southerly line of said Parcel 1, North 15° 10' 42" East, 37.73 feet;

Thence, South 88° 46' 00" East, 100.36 feet;

Thence, South 16° 04' 03" West, 37.73 feet to the point of beginning.

Containing within said bounds 0.0804 acres (3,503 square feet) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in November, 2022.

Bearings are based on the Ohio State Plane, North Zone, NAD83(2011) Grid North.

Section 3. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive easement interests to the NEORSD subject to any conditions stated in this ordinance at an appraised price of \$32,700.00, which is determined to be fair market value.

Section 4. That the purpose of the easements shall be for the implementation of NEORSD's SOTC Project; and that said improvements shall be subterranean and also include surface and/or subsurface improvements at shaft sites.

Section 5. That the duration of the permanent easements described in Section 1 shall be perpetual; that the duration of the temporary easements shall not exceed forty-two months; that the easements and temporary easements may include reasonable right of entry rights to the City; that the easements and temporary easements shall be assignable without the consent of the Director of Public Works or Capital Projects, as appropriate; that the easements and temporary easements shall require that the NEORSD or its contractor provide reasonable insurance, and pay any applicable taxes and assessments.

Section 6. That the conveyances referred to above shall be made by official deeds of easement and official deeds of temporary easement prepared by the Director of Law and executed by the Director of Public Works or Capital Projects, as appropriate, on behalf of the City of Cleveland. The deeds of easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Public Works, Capital Projects, and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 404-2024

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

An emergency ordinance authorizing the Director of Public Works to enter into a license agreement with The Convention and Visitors Bureau of Greater Cleveland, Inc., dba Destination Cleveland, or its designee, to install and maintain graphic art on City-owned property at 205 West St. Clair Avenue, for a period of five years automatically renewing from year to 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, notwithstanding Section 183.16 of the Codified Ordinances of Cleveland, Ohio, the Director of Public Works is authorized to enter into a license agreement with The Convention and Visitors Bureau of Greater Cleveland, Inc. dba Destination Cleveland, or its designee (“Destination Cleveland”), for the installation and maintenance of graphic art on City-owned property at 205 West St. Clair Avenue, at a cost of \$1.00 and other valuable consideration.

Section 2. That the term of the license agreement shall not exceed five years, automatically renewing from year to year unless terminated by either party.

Section 3. That the license agreement shall be prepared by the Director of Law which shall include the requirement that Destination Cleveland install and maintain graphic art on City-owned property at 205 West St. Clair Avenue at no cost to the City during the term of the agreement and remove the art at no cost to the City when the agreement is terminated.

Section 4. That the Director of Public Works and the Director of Law, and other appropriate City officials, are authorized to execute such other documents and certificates, and take such other action as may be necessary or appropriate to effect the license agreement authorized by 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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 405-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of trees, and labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, for the Division of Park Maintenance and Properties, Department of Public Works and the Departments of Aging and Community Development, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Works.

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one-year, with a one-year option to renew, exercisable by the Director of Public Works, of the necessary items of trees, and labor and materials needed for urban forestry services, including but not limited to, maintaining and planting trees, and removing trees, stumps, and tree waste material, 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 Park Maintenance and Properties, Department Public Works and the Departments of Aging and Community Development. 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 Works 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 568, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, 20 SF 597, 20 SF 702, 20 SF 712, 20 SF 718, from the fund or funds which are credited the proceeds from the sale of future bonds, if issued for this purpose, 01-001-9997, and shall also 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 7012, RL 2024-16)

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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 407-2024

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

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to sell certain City-owned property no longer needed for the City's public use located at the southeast corner of Grovewood Avenue and East 164th Street to Greater Cleveland Habitat for Humanity, Inc., or its designee, for purposes of future development.

WHEREAS, the Director of Public Works has requested the sale of certain City-owned property to Greater Cleveland Habitat for Humanity, Inc., or its designee (the "Redeveloper") no longer needed for the City's public use and located at the southeast corner of Grovewood Avenue and East 164th Street for purposes of constructing single-family modular homes; 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 property is no longer needed for the City's public use:

PPN 113-19-134

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublots Nos. 89 to 99, both inclusive, and Sublots Nos. 220 to 226, both inclusive, in the Eastwood Subdivision of part of Original Euclid Township Tract No. 16, as recorded in Volume 31, Page 27 of Cuyahoga County Map Records, and together bounded and described as follows:

Being 188.41 feet front on the southerly side of Grovewood Avenue N. E., being also along the northerly line of said Sublots Nos. 220 to 226, both inclusive, and extending back 410 feet along the easterly line of East 164th Street, being also along the westerly line of Sublots Nos. 89 to 99, both inclusive, and along the westerly line of Sublots Nos. 220 and extending back 410 feet along the easterly line of Sublots Nos. 89 to 99, both inclusive, and along the easterly line of Sublot No. 226 and being 185.19 feet along the rear, being the southerly line of said Sublot No. 89.

Excluding permanent parcel number 113-19-136 and described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublots Nos. 225 and 226 in the Eastwood Subdivision of part of

Original Euclid Township Tract No. 16, as shown by the recorded plat in Volume 31 of Maps, Page 27 of Cuyahoga County Records and bounded and described as follows:

Beginning at a point in the Southerly line of Grovewood Avenue, N.E. at its intersection with Easterly line of land conveyed to the City of Cleveland by deed dated April 23, 1945 and recorded in Volume 5864, Page 140 of Cuyahoga County Records;

Thence Southerly along said Easterly line, 84.82 feet to the Southerly line of land conveyed to Emery and Louise Krizman by deed dated December 31, 1948 and recorded in Volume 6644, Page 364 of Cuyahoga County Records;

Thence Westerly along the Westerly extension of said Southerly line of land so conveyed to Emery and Louise Krizman, 30 feet,

Thence Northerly and parallel with said first described line, about 84.70 feet to said Southerly line of Grovewood Avenue, N.E.;

Thence Easterly along Southerly line, 30 feet to the place of beginning, be the same more less, but subject to all legal highways.

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 property to the Redeveloper at a price not less than the appraised value of \$65,000, which is determined to be fair market value.

Section 3. That the conveyance shall be made by official deed 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 deed 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 Public Works 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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 418-2024

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

An emergency ordinance to vacate a portion of Curtis Avenue N.E., east of East 59th Street.

WHEREAS, under Resolution No. 517-2023, adopted June 5, 2023, this Council declared its intention to vacate a portion of Curtis Avenue N.E., east of East 59th Street, as described; and

WHEREAS, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

WHEREAS, on March 14, 2024, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

WHEREAS, this Council is satisfied that there is good cause for vacating all of the above and that it will not be detrimental to the general interest and that it should be made; 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 declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being a portion of Original 100 Acre Lot No. 337, being more fully bounded and described as follows;

Beginning at the intersection of the southerly extended right of way line of Hough Avenue N.E., 60 feet wide, and the centerline of East 59th Street, 49 feet wide, being referenced by a drill hole in stone within a monument box assembly found north 0.05 feet thereof, thence South 01°12'00" East along the centerline of said East 59th Street, a distance of 488.68 feet to a point, thence North 88°57'07" East, a distance of 24.50 feet to a point on the easterly right of way line of said East 59th Street at the intersection with the northerly right of way line of Curtis Avenue N.E., 66 feet wide, also being the Principal Place of Beginning for the land herein described;

Course No. 1 Thence North $88^{\circ}57'07''$ East, along the northerly right of way line of said Curtis Avenue, being the southerly line of lands now or formerly owned by the MAGNET QALICB, INC., also being known as the southerly lines of Sub Lot Nos 11 through 19 and a 10-foot wide alley as shown in the Porter Allotment of part of Original 100 Acre Lot No. 337, as recorded in Volume 3 Page 44 of the Cuyahoga County Records, a distance of 454.43 feet to a point;

Course No. 2 Thence South $00^{\circ}57'49''$ East partially along a westerly line of Sub Lot 12 in said Porter Allotment and partially along a westerly right of way line of Chester Avenue N.E., width varies, a distance of 58.31 feet to a point;

Course No. 3 Thence along the arc of a curve deflecting to the left, a distance of 183.65 feet, having a radius of 2065.53 feet, a delta of ($05^{\circ} 05' 40''$), and a chord distance of 183.59 feet which bears South $86^{\circ} 33' 00''$ West to a point on the southerly right of way line of said Curtis Avenue, being the northerly right of way line of said Chester Avenue N.E.

Course No. 4 Thence South $88^{\circ}57'07''$ West, continuing along said southerly right of way line of Curtis Avenue, a distance of 270.74 feet to a point on the easterly right of way line of said East 59th Street;

Course No. 5 Thence North $01^{\circ}12'00''$ West, a distance of 66.00 feet to the Principal Place of Beginning said parcel containing 29,028 square feet or 0.6664 acres of land according to a survey by Langan Engineering and Environmental Services dated January 2021 and being the same more or less and being subject to all legal highways and easements. The basis of bearings of this survey is based on the Ohio State Plane Coordinate System, North Zone, NAD 83 (2011) derived from GPS observations and bearings are to denote angles only.

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

Section 2. That there is reserved to the City of Cleveland an easement of full width as described above for AT&T, Cleveland Public Power, City of Cleveland Division of Fire, The Illuminating Company, City of Cleveland Division of Water, and Water Pollution Control.

That there is reserved special easements of full width as described above for AT&T (a 10 ft. wide utility easement and 5x5 utility pole easement), the City of Cleveland Division of Fire (a load-bearing easement and 150 ft. access around all sides of the building), City of Cleveland Division of Water (a standard CWD easement for the installation and maintenance of water for supply purposes), and The Illuminating Company (a 15 ft. aerial easement with trimming rights, a load-bearing easement, and 10 ft. easement from centerline to equipment).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by the

City of Cleveland, AT&T, Cleveland Public Power, Division of Fire, The Illuminating Company, Division of Water, and Water Pollution Control.

Section 3. That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

Section 4. That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 441-2024

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. CT 3001 LS2023-0003 with Paratus Air for the lease of City-owned space located in the Terminal Building at Burke Lakefront Airport at 1501 North Marginal Road to support its helicopter tour services, for the Department of Port Control.

WHEREAS, under the authority of Ordinance No. 1044-2022, passed November 7, 2022, the Director of Port Control entered into Contract No. CT 3001 LS2023-0003 with Paratus Air for the lease of City-owned space located in the Terminal Building at Burke Lakefront Airport at 1501 North Marginal Road to support its helicopter tour services, for the Department of Port Control; and

WHEREAS, Ordinance No. 1044-2022 requires further legislation before exercising the second option to renew on this contract; and

WHEREAS, for the use of the Leased premises, Paratus Air shall pay the City an annual fee as specified in the 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 Port Control is authorized to exercise the second option to renew Contract No. CT 3001 LS2023-0003 with Paratus Air for the lease of City-owned space located in the Terminal Building at Burke Lakefront Airport at 1501 North Marginal Road to support its helicopter tour services. This ordinance constitutes the additional legislative authority required by Ordinance No. 1044-2022 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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 471-2024

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

An emergency ordinance to authorize the Director of Capital Projects to enter into an agreement with the Chagrin River Watershed Partners to participate in their grant from the National Fish and Wildlife Foundation for the “Engaging Dugway Brook Communities in Designing Stream and Wetland Restoration Project” by providing in-kind services.

WHEREAS, the Chagrin River Watershed Partners (“Chagrin Partners”) has received a \$500,000 grant from the National Fish and Wildlife Foundation for the “Engaging Dugway Brook Communities in Designing Stream and Wetland Restoration Project” (the “Dugway Grant”); and

WHEREAS, Dugway Brook is a tributary that feeds directly into Lake Erie; and

WHEREAS, the purpose of the Chagrin Partners’ Dugway grant will be to conduct a feasibility study to determine if creating an ephemeral or intermittent stream is physically possible, cost effective and desirable; and

WHEREAS, the Dugway Grant required a funding match and other in-kind donations of services from numerous grant partners; and

WHEREAS, the City of Cleveland has pledged \$25,000 in in-kind staff-time equivalency from the Office of Capital Projects, Division of Architecture and Site Development, to participate in Dugway Grant’s Advisory Committee, provide design input, plan and execute community engagement, and other activities required under the Dugway Grant; 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 is authorized to enter into an agreement with the Chagrin Partners to participate in the Dugway Grant by providing in-kind services in the equivalent amount of \$25,000 during the grant term. Services include participating in the Dugway Grant’s Advisory Committee, providing design input, planning and executing community engagement, and other activities required under the Dugway Grant.

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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 477-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of various pharmaceuticals, medical supplies and medical equipment, for the Division of Emergency Medical Service, Department of Public Safety, for a period of one year, 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 period of one year, with two one-year option to renew, exercisable by the Director of Public Safety, of the necessary items of various pharmaceuticals, medical supplies and medical equipment, 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 of Division of Emergency Medical Service, 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 the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 6004, RL 2024-18)

Section 3. 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 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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 525-2024

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

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

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

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

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

Section 2. That the Director of the Community Relations Board shall provide all members of Council a quarterly report on the role of each agency paid and the amount, the numbers of young adults and youth served, the address of each agency, and a contact name with contact information for each agency.

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 May 20, 2024.

Effective May 22, 2024.

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 \$2,168,750 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 \$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.

Passed May 20, 2024.

Effective May 22, 2024.

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 no longer needed for the City's use and convey the property for the purpose of creating and preserving jobs and employment opportunities in the City, and appropriating certain funds to satisfy the City's contribution to capital repairs on the property.

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 by the City and which shall be conveyed to the Cleveland-Cuyahoga County Port Authority (the "Port Authority") for the purpose of creating and preserving jobs and employment opportunities that are available to residents or otherwise promote economic development within its jurisdiction as authorized by Article VIII Section 13 of the Ohio Constitution (the "Conveyance"); and

WHEREAS, in connection with the Conveyance, the City, the Port Authority and the Cleveland Guardians Baseball Company, LLC will enter into a cooperative agreement (the "Cooperative Agreement") to enable the lease and operation of Gateway East and payment to the City of approximately \$2,000,000 per full year for 13 years, said payment to fund the City's required contribution to repayment of Ballpark Improvement Project Bonds and to the extent not needed for bond debt service payments, for capital repairs at Progressive Field, pursuant to the Term Sheet attached to the agreement entered into among the City, the County of Cuyahoga, Gateway Economic Development Corporation of Greater Cleveland, and the Cleveland Guardians as authorized by Ordinance No. 844-2021, passed November 29, 2021 (the "Term Sheet"); 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 Gateway East is no longer needed for public use by the City and its Conveyance will further promote economic development within the City as authorized by Article VIII Section 13 of the Ohio Constitution.

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 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 for Gateway East out of Fund Nos. 65 SF 001 and 65 SF 006.

Section 4. That the Director of Finance is authorized to receive payment of approximately \$26,000,000 in total, subject to acceleration in certain cases, to be paid as (i) approximately \$2,000,000 per full year for 13 years and (ii) additional payments from the Port Authority pursuant to the Cooperative Agreement, to the extent permitted by law, relating to the lease, operation, including any sale of sponsor signage, and the sale of Gateway East. The payments received pursuant to (i) above are to be placed into Fund No. 65 SF 001, and this Council hereby appropriates said funds to be used to pay the City's required contribution pursuant to the Term Sheet. The payments received pursuant to (ii) above are to be placed 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 The Cooperative Agreement, an amended Parking Facilities Agreement covering both teams utilizing Gateway, and all other necessary documents and agreements, all to be approved as to form and correctness by the Director of Law, to effectuate the transaction described more fully in **File No. 553-2024-B**.

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.

Passed May 20, 2024.

Effective May 22, 2024.

Ordinance No. 589-2024

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 U.S. Department of Health and Human Services, Health Resources and Services Administration for a Healthy Start Initiative grant to carry out various MomsFirst project services; authorizing the purchase or lease of television and radio advertising time and other media; professional services to acquire case management software; and to enter into one or more contracts with various agencies entities, and individuals, to implement the project.

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 Health is authorized to apply for and accept a grant in the approximate amount of \$1,100,000 annually for a period of five years, and any other funds as they may become available during the grant term, from the U.S. Department of Health and Human Services, Health Resources & Services Administration for a Healthy Start Initiative grant to carry out various MomsFirst project services; that the Director of Public Health 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 set forth in the executive summary for the grant.

Section 2. That the executive summary for the grant, **File No. 589-2024-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 5008, RLA 2024-52)

Section 3. That the Director of Public Health shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Health shall deposit the grant accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the program as described in the file and appropriated for that purpose.

Section 5. That the Director of Public Health is authorized to enter into one or more contracts with various agencies, entitles, and individuals, including but not limited to, Birthing Beautiful Communities, Case Western Reserve University, Friendly Inn Settlement, Inc., Lexington Bell, Merrick House, The MetroHealth System, St. Martin De Porres Catholic Charities, Ronald K White dba Transparency Program (Fatherhood), and West Side Community House to provide MomsFirst services to women at risk of poor birth outcomes, during the grant term.

Section 6. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase of lease, during the grant term, of television and radio advertising time and other media, for the Department of Public Health.

Section 7. That the Director of Public Health is authorized to enter into one or more contracts with Go Beyond, Inc. for the acquisition of one or more licenses and services required under the grant, including but not limited to installation, design, training, testing, technical support and software maintenance during the grant period, for the Department of Public Health.

Section 8. That under Section 108(b) of the Charter, the services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents that are necessary to obtain such services and may enter into one or more contracts with the consultants selected through that cooperative process.

Section 9. That the cost of the contract or contracts shall be paid from the fund or funds which are credited the grant proceeds accepted under this ordinance.

Section 10. 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 May 20, 2024.

Effective May 22, 2024.

Ordinance No. 597-2024**By Council Members:** Gray

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with Henry's Dry Cleaners & Care Center, Inc. for business parking lot and pocket park improvement project 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 Economic Development is hereby authorized to enter into agreement with Henry's Dry Cleaners & Care Center for the business parking lot and pocket park improvement project for the public purpose of business development and public improvement through the use of Wards 4 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000.00 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	\$5,000.00	G24667

Section 3. That the Law Department has reviewed and approved this proposal on May 17, 2024. The Department has reviewed and approved the proposal on May 17, 2024. Project shall begin as of May 20, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed May 20, 2024.

Effective May 22, 2024.

Resolution No. 596-2024**By Council Members:** Griffin**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 11543-45 Mt. Carmel Avenue, lower level.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Oscar G. Smith, Jr., DBA Mountain Top Grocery, 11543-45 Mt. Carmel Avenue, lower level, Cleveland, Ohio 4104, Permit No. 8303228 to Lashawnda Smith, DBA Mountain Top Grocery, 11543-45 Mt. Carmel Avenue, lower level, Cleveland, Ohio 44104, Permit No. 8291715; 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 of a C2 and C2X Liquor Permit from Oscar G. Smith, Jr., DBA Mountain Top Grocery,

11543-45 Mt. Carmel Avenue, lower level, Cleveland, Ohio 4104, Permit No. 8303228 to Lashawnda Smith, DBA Mountain Top Grocery, 11543-45 Mt. Carmel Avenue, lower level, Cleveland, Ohio 44104, Permit No. 8291715; and requests the Superintendent 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 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 May 20, 2024.

Effective May 22, 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/>