

The City Record

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Official Proceedings City Council

Cleveland, Ohio
Monday, September 16, 2024

The meeting of the Council was called to order at 7:01 p.m. with the President of Council, Blaine A. Griffin, in the Chair.

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

Also present were: Mayor Bibb; Chiefs Davy, Griffin, Johnson, Pomerantz, Pryor-Jones, Teeuwen; Directors Cole, Crowe, DeRosa, Drummond, Francis, Keane, Martin O'Toole, McNamara, Mitchell, O'Keeffe, Pan Huang, Williams; Senior Strategist Davis.

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

MOTION

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

Communications

File No. 995-2024

For Director Francis, Department of Port Control, City of Cleveland. Notification of acceptance for the equipment donated by United Airlines for the paging system at Cleveland Hopkins International Airport. Received.

File No. 996-2024

From Greg Baron, Managing Director of Development, Volker Development Inc. notice of intent to apply to Ohio Housing Finance Agency for multifamily funding programs for the development know as Walton Senior Apartments (52 Residential Units) at 3517 Walton Ave. (Ward 14), Cleveland, Ohio. Received.

From Ohio Division of Liquor Control

File No. 997-2024

#8927470. New License Application, D3. TJ Bar LLC, 2123 East 2nd Street (Ward 3). Received.

File No. 998-2024

#1686561. New License Application, D1. Connect Lounge LTD, 2456 Lakeside Avenue (Ward 7). Received.

File No. 999-2024

#9133516001. Transfer of Location Application, D1 D2 D3. UCAA LLC, 10510 Park Lane (Ward 9). Received.

Appointments

File No. 992-2024

From Councilman Joseph T. Jones, Chair of Mayor's Appointment Committee of Cleveland City Council. Recommending the appointment of Glen Shumate to the Cleveland-Cuyahoga County Port Authority Board of Directors to a term ending January 31, 2026. Without objection, the appointment is approved.

File No. 993-2024

From Council President Blaine A. Griffin. Recommending the appointment of Council Member Anthony T. Hairston to the Reinvestment Review Committee, pursuant to Section 178.06 of the Ohio Revised Code. Without objection, the appointment is approved.

File No. 994-2024

From Council President Blaine A. Griffin. Recommending the appointment of Council Member Kris Harsh to the Reinvestment Review Committee, pursuant to Section 178.06 of the Ohio Revised Code. Without objection, the appointment is approved.

Ordinances and Resolutions

Ceremonial Resolutions

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

Resolutions of Condolence

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

Starr	Res. No. 1000-2024	Marie Louise Grant
Kazy	Res. No. 1001-2024	Eric Dean Moten
Griffin	Res. No. 1002-2024	Eranie Carter
Conwell	Res. No. 1003-2024	Constella Smith

Resolutions of Congratulations

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

Griffin	Res. No. 1004-2024	Carrie Lynn Rentz
Polensek	Res. No. 1005-2024	Sister M. Ruth Ann Auckley – 70th Jubilee

Resolutions of Recognition

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

Griffin	Res. No. 1006-2024	Pneuma Life Foundation
Conwell	Res. No. 1007-2024	Julia Yvonne Douglas

Ordinances and Resolutions

First Reading Emergency Ordinances Referred

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

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

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

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

These ordinances were read for the first time on Monday, September 16, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

[Ord. No. 986-2024](#)

[Ord. No. 989-2024](#)

[Ord. No. 987-2024](#)

[Ord. No. 990-2024](#)

[Ord. No. 988-2024](#)

[Ord. No. 991-2024](#)

Ordinance No. 986-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to amend Sections 1 and 4 of Ordinance No. 854-2024, passed August 7, 2024, relating to contracts with MuniCap, Inc. for professional services to provide financial advisor services on the recently established Shore-To-Core-To Shore Tax Increment Financing District.

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 Sections 1 and 4 of Ordinance No. 854-2024, passed August 7, 2024, are amended to read as follows:

Section 1. That the ~~Director of Economic Development is~~ Directors of Finance and Economic Development are authorized to enter into one or more contracts with MuniCap Inc. for professional services to provide financial advisor services on the recently established Shore-To-Core-To Shore Tax Increment Financing District, on the basis of its proposal dated July 10, 2024, for the ~~Department~~ Departments of Finance and Economic Development, for a period of two years. The contract or contracts shall provide that no additional services shall be rendered by MuniCap, Inc. in excess of \$150,000 without Council approval.

Section 4. The contract or contracts shall not exceed \$150,000 and shall be paid from Fund No. ~~01-9501-6320~~ 01-1501-6320. (RQS 9501, RLA 2024-74)

Section 2. That existing Sections 1 and 4 of Ordinance No. 854-2024, passed August 7, 2024, are repealed.

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

Referred to Directors of Finance; and Law; Committee on Finance, Diversity, Equity and Inclusion.

Ordinance No. 987-2024

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

An emergency ordinance to amend various Sections of Chapter 396 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2020-A-96, passed December 14, 1998, relating to notification, environmental abatement and securing of closed or vacated facilities.

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 Sections 396.01, 396.03, 396.05, and 396.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2020-A-96, passed December 14, 1998, are amended to read as follows:

Section 396.01 Definitions

As used in this chapter:

(a) “Close” or “closing” means the permanent discontinuation, termination, or cessation of business regulated operations at a facility. For purposes of this chapter, “permanent” means a period of time longer than ninety (90) days and does not include transfer of the business regulated operation to another entity which will resume the operations within the ninety (90) day timeframe.

(b) “Establishment” means an economic unit generally at a single physical location where business is conducted or where services or industrial operations are performed.

~~(b)~~(c) “Facility” means ~~an industrial structure of any size or a commercial structure where such commercial structure is larger than one hundred and fifty thousand (150,000) square feet.~~ all buildings, equipment, structures, and other stationary items that are located on a single site or on contiguous or adjacent sites and that are owned or operated by the same person. However, in the case of a site or contiguous or adjacent sites that are owned by the same person and on which two or more establishments are located, each portion of the site or contiguous or adjacent sites and the buildings, equipment, structures, and other stationary items located thereon that is occupied by an establishment that is not owned or operated by the same parent corporation as, or does not have common corporate or business interests in or with, another establishment located thereon is a separate facility; and, in the case of a building or structure that is so located and that is occupied by two or more establishments, each portion of the building or structure and the equipment and other stationary items located therein that is occupied by an establishment that is not owned or operated by the same parent

corporation as, or does not have common corporate or business interests in or with, another establishment that is located therein is a separate facility.

(d) “Generator” means any person, by site, whose act or process produces hazardous substances at a facility as defined in this Chapter or whose act first causes a hazardous substance to become subject to regulation under this Chapter.

(e) “Regulated operations” means the production, use, storage, or handling of regulated substances.

~~(e)(f)~~ “Regulated substances” means all hazardous and flammable substances regulated by this Title, as well as petroleum, tires, and any other hazardous or element, compound, mixture, solution, material, gas, or substance having characteristics identified as hazardous including flammable, ignitable, corrosive, reactive and toxic substances regulated pursuant to federal, state, Federal, State, or local environmental laws.

~~(d)(g)~~ “Vacate” or “vacant” means abandoning a facility where regulated operations have been conducted, or a majority of the facility where regulated operations have been conducted as measured in square footage, such that no regular activities or regular occupancy by persons associated with the facility is occurring. It does not include:

(1) Storage of materials regulated by and in compliance with the remainder of this Title;

~~(2) —Storage of materials regulated by and in compliance with state or federal environmental law;~~

~~(3)(2)~~ Storage of materials being actively used in normal business processes. The burden is on the owner, operator, or party in control to show that the materials are in active use;

~~(4)(3)~~ Storage of materials that are not regulated substances and that are stored by an entity that is in the commercial storage business as a part of that business.

Section 396.03 Notification, Facility Closure Plan, Clean-up, and Fee Requirements

(a) No later than ~~sixty (60)~~ fifteen (15) days before closing or vacating a facility the owner, operator, or party in control of the facility shall submit to the Fire Chief a written notice that the facility will be closed or vacated, accompanied by a check or money order payable to the “City of Cleveland” for the sum of two hundred fifty dollars (\$250.00). Copies of the notice shall also be submitted to the Director of Economic Development, the Commissioner of Environment, and the ~~Commissioner~~ Director of Building and Housing.

(b) The notice shall designate a contact person who works or resides in Cuyahoga County and who shall be available both before and after closing or vacating the facility, until the time that the property is transferred to another owner, operator, or party in control. The contact person shall provide access to the facility to City employees and agents to inspect the facility for the purpose of ascertaining compliance with this chapter. The contact person shall respond to requests for information regarding the facility exercising reasonable diligence; however, the designation of a contact person does not preclude a City employee or agent from requesting information from or making notifications directly to the owner, operator, ~~or~~ party in control, or generator.

(c) The notice shall include the address and telephone number of the principal office or residence of the owner, as well as the operator or party in control, and the address and telephone number of the contact person.

(d) The notice shall include the date on which the facility proposes to close or be vacated and shall include any plans for transfer of the property to another owner, operator, or party in control, if known.

(e) A person or entity acquiring title to or control over any facility which is closed or vacant shall comply with the notice requirements of this section within ~~sixty (60)~~ fifteen (15) days after acquiring title or control and the facility closure plan requirements not later than thirty (30) days after acquiring title or control.

(f) Facility closure plan. Not less than 30 days prior to closing or vacating a facility, the owner, operator, party in control, or generator shall submit to the Fire Chief for review and approval, if appropriate, a facility closure plan. The plan shall meet the following requirements:

(1) Demonstrates that the hazardous substances that are stored, dispensed, handled or used in the facility will be removed, transported, treated, or disposed of in a manner that complies with the provisions of this Fire Code, including permit requirements for removal.

(2) Demonstrates that the methods for removal, transport, treatment and disposal will meet Federal and State law requirements, and will eliminate the need for further maintenance and any threat to public health or safety.

(3) Contains a description that sets forth the procedure for cleaning equipment, removing contaminated soil, sampling and analysis methods for soils, and criteria for determining the extent of decontamination required to meet the requirements of Federal and State law and this Fire Code.

(4) Contains a compliance schedule and a timetable to achieve full compliance with the provisions of this Fire Code.

Whenever a change in an operation or design occurs that will affect the closure or time frame for closure, then the owner, operator, person in control, or generator must

first submit a written request for a change in the plan that must include a copy of an amended closure plan. The request for modification and amended closure plan shall be submitted thirty (30) days prior to any date in the original plan that will be affected by the modification. An amended plan must be approved by the Fire Chief.

(g) Every owner, operator, or party in control of a closed or vacated facility shall treat, remove, or dispose of all hazardous substances at the regulated facility in accordance with Federal and State law and this Fire Code within sixty (60) days of closing or vacating the facility unless another timetable is provided in a facility closure plan approved by the Fire Chief.

(h) In addition to any other remedy under this Chapter, the Fire Chief may issue abatement orders to the owner, operator, person in charge, or generator to remedy any hazardous or dangerous condition, or orders to conduct the necessary tests to determine the sources of hazardous substances, within the time limit stated in such order, when necessary to prevent any threat to the public health or safety from the hazardous substances at the facility, including for failure to submit a facility closure plan in accordance with division (f) above.

Section 396.05 Building, Structure or Outdoor Location to be Secured Against Unauthorized Entry; Warning Signs

(a) Before closing or vacating a facility, the owner, operator, or party in control of the facility shall secure against unauthorized entry each building or structure at the facility and each outdoor location by one (1) or more of the following methods:

- (1) Boarding or locking windows, doors and other potential means of entry;
- (2) Providing security personnel to patrol the facility on a twenty-four (24) hours-a-day, seven (7) days-a-week basis;
- (3) Providing secure fencing;
- (4) Providing lighting and a surveillance system;
- (5) Using any other method or methods that are approved by the Fire Chief or the Fire Chief's designee.

(b) The owner, operator, or party in control shall post about each building, structure, or outdoor location in publicly-visible locations warning signs that prohibit trespassing and, if applicable, state that the facility may contain regulated substances that may endanger public health or safety if released into the environment or may constitute a fire hazard. The signs shall be constructed to withstand weathering, be firmly affixed to secure against removal in an approved manner, and consist of all of the following: 1. White reflective background with red letters; 2. Durable material; 3. Numerals shall be Roman or Latin numerals, as required, or alphabet letters; 4. The width and height of

the letter shall be 6 inches by 6 inches (152 mm by 152 mm); 5. The height or width of each Maltese cross wing area shall be 11 / 8 inches (29 mm) and have a stroke width of 1 / 2 inch (13 mm); 6. The center of the Maltese cross, a circle or oval, shall be 3 inches (76 mm) in diameter and have a stroke width of 1 / 2 inch (6 mm); and 7. All Roman numerals and alphabetic designations, shall be 11 / 4 inch (32 mm) height and have a stroke width of 1 / 4 inch (6 mm).

(c) The owner, operator, or party in control shall continue to ensure that the facility is secured against unauthorized entry by maintaining the security measures and the warning signs until the facility is transferred to another owner, operator, or party in control. All fire protection systems shall remain in service and be maintained as required by the Ohio Fire Prevention Code.

(d) Promptly after discovering, or after receiving notice from the Fire Division, whichever is earlier, that any of the entry barriers or warning signs installed pursuant to this section have been damaged, lost, or removed, the owner, operator, or party in control shall repair or replace them.

(e) A person or entity acquiring title to or control over a facility which is closed or vacant shall comply with the requirements of this section immediately upon acquiring title or control.

Section 396.07 Authority of City Where Responsible Party Fails to Act

(a) If the owner, operator or party in control fails to undertake the security and posting measures required by this chapter, the City may undertake those actions without further notice. Any costs incurred by the City in doing so shall be recoverable as costs under Section 3103.09 of the Codified Ordinances.

(b) If the conditions at a facility, including a fire, spill, leak or emission of a hazardous material at the facility, constitute an imminent and substantial threat to public health or safety, or are causing or contributing to, or are threatening to cause or contribute to, air or water pollution or soil contamination, then the Fire Chief, the Commissioner of Environment, or the ~~Commissioner~~ Director of Building and Housing may take such remedial actions as are necessary to protect the public health, safety, or the environment. These actions include without limitation extinguishing fires, demolishing buildings or structures, boarding or otherwise securing property, placarding the property with warning signs, and removing equipment, materials, or substances, and contracting with environmental professionals to take remedial actions on behalf of the City.

(c) Costs to Be Paid by Property Owner.

(1) Any and all expenses or costs, including, but not limited to, attorneys fees', costs of inspection, administrative and support staff, property maintenance costs, court costs, title search fees, process server fees, skip tracing expenses, and costs of

collection or prosecution, including discovery and deposition expenses, incurred under this section relating to remediation necessary to protect the public health, safety, or the environment or the demolition, repair, alteration, securing or boarding of a building or structure or for abating any other nuisance shall be paid by the owner of such building or structure, except when such expenses or costs are incurred with respect to a government or school building owned by a governmental entity or political subdivision and is funded by federal money.

(2) Any and all owners of a building or structure who appear in the chain of title from the time the facility becomes subject to regulation under this Fire Code for the use, handling, storage, or removal of hazardous substances to closure of the regulated facility shall be jointly and severally responsible for all costs and expenses incurred relating to the demolition and all costs and expenses of prosecution or collection related thereto.

(3) If within thirty (30) days from the date the Director of Public Safety sends a statement of charges and costs incurred to the last known address of the property owner or the tax mailing address listed at the Cuyahoga County Recorder's office and its successor in interest as the custodian of the real property tax records for Cuyahoga County, the owner fails to pay for the costs of remediation, removal, repair, alteration, securing or boarding or of inspections of violations that have not been remedied, the Director may certify the amount to the Commissioner of Assessments and Licenses, including collection agency fees. The Commissioner of Assessments and Licenses may make written return to the County Auditor of the action under this section with a statement of the charges for services, the amount paid for the performing of labor and a proper description of the premises. Certification to the County Auditor is for the purpose of making expenses and costs a lien upon the lands, to be collected as other taxes and returned to the City with the General Fund, with special accounting under RC 715.261.

(4) Notwithstanding the method of collection set forth in this division, the Director of Law, in the Director's sole discretion, may take any action necessary to collect the costs of remediation, demolition, boarding, or other nuisance abatement from the owner or other responsible party, including but not limited to filing of legal proceedings, referring the amount due to outside counsel by the Law Director for collection action, including filing civil complaints, and initiating post judgment execution actions.

(d) Civil Actions. Whenever the Fire Chief finds that any person has violated or is violating any provision of this chapter, or has failed to remove or abate any other condition that is a threat to public health or safety under this chapter, the Fire Chief, in addition to any other remedies or penalties available under this chapter, may order in writing that the violation cease immediately, and such person violating or who has violated a provision of this chapter shall pay a civil penalty of no more than one thousand dollars (\$1,000.00) per day of violation.

~~(e) — The owner, operator, or party in control of a facility where a remedial action is undertaken by the City if liable to the City for the total cost of the remedial action, including the costs of inspections related to the remedial action, in addition to any other liabilities imposed by law.~~

~~(d) — The owner, operator, or party in control of a facility who has been found guilty of a violation of this chapter may be required to repay to the City any direct cash grant subsidy, where there was no initial obligation of repayment to the City, and the grant was received from the City through its Department of Economic Development after the effective date of this chapter. The repayment shall be made by order of the Court after notice and a hearing.~~

Section 2. That Sections 396.01, 396.03, 396.05, and 396.07 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 2020-A-96, passed December 14, 1998, are repealed.

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

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

Ordinance No. 988-2024

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept a grant from Living Cities to support an implementation of strategies associated with the Affirmatively Furthering Fair Housing Equity Plan 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 the Director of Community Development is authorized to apply for and accept a grant in the amount of \$50,000, and any other funds that may become available during the grant term from Living Cities to conduct the Affirmatively Furthering Fair Housing Equity Plan initiative; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary and award letter for the grant contained in the file described below.

Section 2. That the summary and award letter for the grant, **File No. 988-2024-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 8006, RLA 2024-92)

Section 3. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, the Director of Public Safety may make purchases and/or obtain services under the grant agreement through cooperative arrangements with other governmental agencies. The Director of Community Development may sign all documents and do all things that are necessary to make the purchases and/or obtain such services, and may enter into one or more contracts with the vendors and/or consultants selected through that cooperative process. The contracts shall be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

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

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

Ordinance No. 989-2024

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more agreements with the State of Ohio, Department of Transportation to provide general routine maintenance and repair of a portion of State Route 176, for a period of one year.

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

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

Section 1. That the Director of Public Works is authorized to enter into one or more agreements with the State of Ohio, Department of Transportation, to provide services necessary for general routine maintenance and repair of a portion of State Route 176, from mile marker 10.13 to mile marker 13.93, including but not limited to, litter pick-up, mowing, vegetation control, pothole patching, crack sealing, pavement markings, lane striping, storm sewer cleaning, ditch operations, drainage repairs, road, bridge and shoulder sweeping, sign repair, overhead lighting maintenance and guardrail repair, for a period of one year.

Section 2. That the costs of the agreement or agreements authorized shall be paid from Fund No. 11 SF 401 and other funds approved by the Director of Finance, RQS 7016, RL 2024-95.

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

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

Ordinance No. 990-2024

By Council Members: Conwell, Hairston 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 on East 105th Street and Churchill Avenue to The NRP Group, or its designee, for purposes of residential development.

WHEREAS, the Director of Community Development has requested the sale of certain City-owned property to The NRP Group, or its designee (the "Redeveloper"), no longer needed for the City's public use and located on East 105th Street and Churchill Avenue for purposes of affordable residential development; 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 120-01-114

LEGAL DESCRIPTION OF PARCEL "B-1"

SITUATED IN THE CITY OF CLEVELAND, COUNTY OF CUYAHOGA, AND STATE OF OHIO, AND KNOWN AS BEING PART OF ORIGINAL ONE HUNDRED LOT 386, FURTHER KNOWN AS BEING PARCEL "B-1" AS SHOWN BY THE PLAT OF LOT SPLIT RECORDED IN A.F.N. 202112100338 OF CUYAHOGA COUNTY RECORDS, AND CONTAINING 1.2656 ACRES (55,131 S.F.) OF LAND AS APPEARS BY SAID PLAT, BE THE SAME, MORE OR LESS, BUT SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD.

PPN: 120-01-114

Address: Churchill Avenue, Cleveland, Ohio 44106

Section 2. That by and at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to sell the above-described property to the Redeveloper at a price not less than the appraised value of \$1,800.00, which is determined to be fair market value.

Section 3. That the conveyance shall be made by official quitclaim 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 Community Development is authorized to execute any documents as may be necessary to effectuate the purposes of this ordinance.

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

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

Ordinance No. 991-2024

By Council Members: McCormack

An emergency ordinance to amend Section 514.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 243-11, passed May 9, 2011, and Sections 514.01, 514.02, and 514.07, enacted by Ordinance No. 884-10, passed August 18, 2010, relating to temporary occupancy permits for streetscape amenities in the public right-of-way and fees for bicycle rack permits.

WHEREAS, Chapter 514 of the Codified Ordinances of Cleveland, Ohio 1976, provides permit requirements and regulations for issuance of temporary public right-of-way occupancy permits for streetscape amenities, including bicycle racks;

WHEREAS, this Council and the City of Cleveland is striving to promote high level of bicycle use for transportation and recreations through the passage of the Complete and Green Streets Ordinance No 370-2022, passed June 6, 2022; and

WHEREAS, the City has adopted a Climate Action Plan that includes goals to increase bicycle ridership and improve safety; and

WHEREAS, the City wants to encourage more Clevelanders to ride bikes and businesses to provide bicycle racks for their use;

WHEREAS, in furtherance of these purposes, this Council wants to prospectively exempt from permit application and renewal fees the placement of only bicycle racks;

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

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

Section 1. That Section 514.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 243-11, passed May 9, 2011, and Sections 514.01, 514.02 and 514.07, as enacted by Ordinance No. 884-10, passed August 18, 2010, are amended to read as follows:

Section 514.04 Permit Fee, Issuance and Duration

(a) An application for a permit shall be accompanied by a fee of one hundred and fifty dollars (\$150.00), plus ten dollars (\$10.00) for each individual amenity for which a permit is desired.

(b) On approval of the application by the Director of Capital Projects, the Director of the City Planning Commission, the Secretary of the Landmarks Commission, and any

other Director that the Director of Capital Projects deems applicable, and in compliance with the Council notification provision described below, the Director of Capital Projects shall issue a permit under this chapter.

(c) No permit shall be issued until the members of Council of the wards affected have been provided with written notice by the Director of Capital Projects and until the expiration of thirty (30) days from the date of this notice, unless the period of thirty (30) days is expressly waived by the Council members in writing.

(d) Permits shall be valid for not more than a twelve (12) month period. No permit shall extend beyond March 31st of any year. Permits may be renewed, on a form provided by the Director, provided all the requirements of this chapter are met, and no changes have been made from the previous approved application. The permit renewal fee shall be one hundred dollars (\$100.00), plus ten dollars (\$10.00) for each individual amenity. If there are changes to the application, a new application must be made under this application and the appropriate permit fee shall accompany the application.

(e) No permit application fee or renewal fee shall be required under the provisions of this Section for placement of only bicycle racks.

Section 514.01 Definitions

When used in this chapter, the following words shall have the following meanings:

(a) “Director” means the Director of Capital Projects ~~Public Service~~, or the Director’s designee.

(b) “Permit” means a temporary public right-of- way occupancy permit authorized under this chapter.

(c) “Permittee” means the person authorized to occupy an area of the public right-of-way.

(d) “Right-of-way” means any sidewalk, court, alley, street or other area dedicated or otherwise designated for public use and held by the City.

(e) “Streetscape amenities” means any item placed within the public right-of-way, including but not limited to: banners, benches, planters, public art, directional signs, bicycle racks, trash containers, railings, decorative fencing, curbing, pavers, planting beds, planting bed irrigation, hanging baskets, special district signage, and seasonal decorations.

(f) “Unobstructed walk” means a clear, continuous paved surface free of tree grates, elevator grates and all vertical obstructions.

Section 514.02 Temporary Public Right-of-Way Occupancy Permits

Notwithstanding any codified ordinance to the contrary, the Director of Capital Projects Public Service is authorized to issue temporary public right-of-way occupancy permits revocable at the will of Council authorizing the placement of various streetscape amenities at permitted locations on sidewalks, courts, alleys, streets or other public rights-of-way in the City, subject to the provisions of this chapter. A separate encroachment permit for such items shall not be required.

No owner or operator of a business establishment shall occupy any portion of a public sidewalk, court, alley, street or other public right-of-way with streetscape amenities without first obtaining a permit under this chapter. Any business owner or operator occupying any portion of a public sidewalk, court, alley, street or other public right-of-way without a permit as required by this chapter shall be subject to the fines and penalties set forth in this chapter.

Section 514.07 Requirements and Conditions of Permit

- (a) Permittees and their agents shall comply with all of the requirements of this chapter and any applicable state law, while engaged in business at permitted locations.
- (b) Permittees and their agents shall be responsible for maintaining all amenities and associated equipment in good repair, free of corrosion and in a safe, sound, and nonhazardous condition.
- (c) Permittees and their agents shall be responsible for keeping the general area around the permitted location free of litter. Permittees and their agents shall maintain at least six (6) feet of unobstructed walk as required by the Director of Capital Projects Public Service, which shall be free of snow at all times, as required by Section 507.13.
- (d) No permit shall be transferable in any manner.
- (e) A permit is valid only when used at the location designated in the permit.

Section 2. That existing Section 514.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted by Ordinance No. 243-11, passed May 9, 2011, and Sections 514.01, 514.02 and 514.07, as enacted by Ordinance No. 884-10, passed August 18, 2010, are repealed.

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

Referred to Directors of Capital Projects; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; Transportation and Mobility; and Finance, Diversity, Equity and Inclusion.

Ordinances and Resolutions

Second Reading Emergency Ordinances Passed

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

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

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

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

These ordinances were read for the second time on Monday, September 16, 2024, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

Click on an ordinance below to read it:

[Ord. No. 472-2024](#)

[Ord. No. 827-2024](#)

[Ord. No. 473-2024](#)

[Ord. No. 833-2024](#)

[Ord. No. 806-2024](#)

[Ord. No. 835-2024](#)

[Ord. No. 807-2024](#)

[Ord. No. 956-2024](#)

[Ord. No. 820-2024](#)

Ordinance No. 472-2024

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.

Approved by the Directors of City Planning Commission; and Law; Committee on Development Planning and Sustainability.

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Ordinance No. 473-2024**By Council Members:** Gray**An emergency ordinance designating Second New Hope Baptist Church (former St. Margaret of Hungary Catholic Church) as a Cleveland Landmark.**

Approved by the Directors of City Planning Commission; and Law; Committee on Development Planning and Sustainability.

Motion by Council Member Maurer to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kelly.**The rules were suspended. Yeas 14. Nays 0.****Read third time in full.****Passed. Yeas 14. Nays 0.****Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.****Voting Nay: None.****Absent: Bishop, Howse-Jones, Santana.**

Ordinance No. 806-2024

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept funds from the Ohio Department of Public Safety, Emergency Management Agency to reimburse Cleveland for costs incurred for eclipse-related events occurring between April 6 through April 9, 2024.

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

1. In Section 1, line 3, after “Agency,” insert “in the approximate amount of \$89,000.”.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Ordinance No. 807-2024

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Attorney General for the Law Enforcement Diversion Program.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Ordinance No. 820-2024

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts with Case Western Reserve University for data collection and analysis for the Cleveland Police Crisis Intervention Team Co-Responder Program, for the Department of Public Safety, for a period or periods not to exceed a total of one year.

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

1. Insert new Section 3a to read as follows:

“Section 3a. That the Director of Public Safety shall provide to the Clerk of Council quarterly and annual reports submitted by Case Western Reserve University for distribution to each Council Member.”.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Ordinance No. 827-2024

By Council Members: Harsh, 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 on the northwest corner of Delora Avenue and Fulton Road to Civic Builders, LLC, for purposes of residential development.

Approved by the Directors of Capital Projects; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Ordinance No. 833-2024

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

An emergency ordinance authorizing the Director of Building and Housing, on behalf of the Office of Sustainability, to apply for and accept a sub-grant or sub-award from the University of Cincinnati for the Resilient and Efficient Codes Implementation Grant, otherwise known as the Building Performance Standards Grant; authorizing the director to employ one or more professional consultants, computer software developers, or vendors to acquire software licenses and develop software to implement the grant; and to enter into various written standard purchase and requirement contracts needed to implement the grant.

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

1. Insert a new Section 7a to read as follows:

“Section 7a That the Director of Building and Housing shall provide all members of Council a semi-annual report regarding the effectiveness of this grant.”.

2. In Section 8, line 3, strike “”and other funds approved by the Director of Finance”.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Ordinance No. 835-2024

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

An emergency ordinance authorizing the Executive Director of the Community Police Commission to enter into one or more contracts with the United Black Fund of Greater Cleveland for grant management services, for a period of one year with one option to renew for an additional year, exercisable by the Executive Director of the Community Police Commission.

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

1. In the title, in lines 7, 8, and 9; and in Section 1, line 6, strike “exercisable by the Executive Director of the Community Police Commission” and insert “exercisable through additional legislative authority”.
2. Insert new Section 2a to read as follows:

“Section 2a. That the Executive Director of the Community Police Commission shall provide all members of Council a quarterly report from the United Black Fund of Greater Cleveland regarding the groups that are funded and their status.”.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 12. Nays 2.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kelly, Maurer, McCormack, Polensek, Spencer, Starr.

Voting Nay: Kazy, Slife.

Absent: Bishop, Howse-Jones, Santana.

Ordinance No. 956-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to pay monthly fees to ABM Industry Groups, LLC dba ABM Parking Services for the use of up to forty parking spaces in its garage attached to 205 St. Clair Avenue for City employees of various departments and Council, for a term of one year, with two one-year options to renew, exercisable by the Director of Finance.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Ordinances and Resolutions

Second Reading Emergency Resolutions Adopted

A resolution is an informal enactment stating a decision or expressing the opinion of Council regarding a particular item of business, an event, issue or person. Resolutions are used by Council to recognize dignitaries and community members and their accomplishments.

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

Typically, legislation cannot be adopted until it has been read on three separate days. However, this requirement is dispensed with a two-thirds vote by the Council, placing the legislation "under suspension." Once under suspension, the legislation can be adopted after the second reading.

These resolutions were read for the second time on Monday, September 16, 2024, the rules were suspended, and the legislation was adopted by an affirmative two-thirds vote of all members elected to Council.

Click on a resolution below to read it:

[Res. No. 948-2024](#)

[Res. No. 949-2024](#)

[Res. No. 950-2024](#)

Resolution No. 948-2024**By Council Members:** Conwell**An emergency resolution strongly encouraging County Executive Chris Ronayne to implement the InsideOut Dad program in the county jail.**

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

Motion by Council Member Maurer to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kelly.**The rules were suspended. Yeas 14. Nays 0.****Read third time in full.****Passed. Yeas 14. Nays 0.****Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.****Voting Nay: None.****Absent: Bishop, Howse-Jones, Santana.**

Resolution No. 949-2024

By Council Members: Griffin (by departmental request)

An emergency resolution requesting the County Fiscal Officer to make advances during the year 2025, pursuant to Section 321.34, Ohio Revised Code.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Resolution No. 950-2024

By Council Members: Griffin (by departmental request)

An emergency resolution accepting the amounts and rates as determined by the Cuyahoga County Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer.

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

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

The rules were suspended. Yeas 14. Nays 0.

Read third time in full.

Passed. Yeas 14. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop, Howse-Jones, Santana.

Official Proceedings Adjournment City Council

Cleveland, Ohio
Monday, September 16, 2024

MOTION

On the motion of Council Member Maurer, the absences of Council Members Kevin L. Bishop, Stephanie D. Howse-Jones and Jasmin Santana are hereby authorized.
Seconded by Council Member Kelly.

The Council Meeting adjourned at 7:54 p.m. to meet on Monday, September 23, 2024, at 7:00 p.m. in the Council Chamber.

Patricia J. Britt
City Clerk, Clerk of Council

Council Committee Meetings

Monday, September 16, 2024

9:30 a.m.

Health, Human Services and the Arts Committee

Present: Conwell, Chair; Maurer, Vice Chair, Harsh, Slife, Starr

Authorized Absence: Howse-Jones, Gray

2:00 p.m.

Finance, Diversity, Equity and Inclusion Committee

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

Authorized Absence: Santana

Also Present: Slife, Starr

Wednesday, September 18, 2024

10:00 a.m.

Transportation and Mobility Committee

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

Authorized Absence: Santana

Thursday, September 19, 2024

10:00 a.m.

Utilities Committee

Present: Kazy, Chair; Spencer, Vice Chair, Bishop, Gray, Harsh, Kelly

Authorized Absence: Polensek

Also Present: Jones

Board of Control

Wednesday, September 18, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, September 18, 2024, at 3:02 p.m. with Acting Director Michele Comer presiding.

Members Present: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Absent: Mayor Bibb, Interim Director Hartley

Others Present: Tyson Mitchell, Director
Office of Equal Opportunity

Keshia Chambers, Assistant Director
Mayor's Office of Capital Projects

Tiffany White Johnson, Commissioner
Division of Purchases & Supplies

Andre Reynolds, Finance
Project Coordinator

Tomasz Kacki, Paralegal
Department of Law

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:08 p.m.

Jeffrey B. Marks
Secretary – Board of Control

Resolution No. 481-24

Adopted 9/18/24

By Director Keane

PUBLIC IMPROVEMENT CONTRACT**BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND** that the bid of

SONA Construction, LLC.

for the public improvement of Windows Repair and Replacement, all items, under the authority of Ordinance No. 274-2022, passed April 11, 2022, upon a unit price for the improvement in the aggregate amount of \$869,940.50 for the Division of Water, Department of Public Utilities, received on August 15, 2024, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

BE IT FURTHER RESOLVED by the Board of Control of the City of Cleveland that the employment of the following subcontractors by SONA Construction, LLC. for the above-mentioned public improvement is approved:

<u>Subcontractors</u>	<u>Work</u>	<u>Percentage</u>
Integrity Environmental Development, LLC (MBE)	\$134,000.00	15.40%
East-West Construction, Co., Inc. (MBE)	\$100,000.00	11.50%
Mike's Painting LLC (Non-certified))	\$350,000.00	0.00%

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 482-24

Adopted 9/18/24

By Director DeRosa

WHEREAS, under the authority of Ordinance No. 489-2023 passed by the Council of the City of Cleveland on June 5, 2023 and Resolution Nos. 449-23 adopted by this Board of Control on September 13, 2023, the City, through its Director of Capital Projects, entered into City Contract No. Pl2023*041 with R.J Platten Contracting Co., to perform the design-build services necessary to implement the 2023 Back to Basics Playground Improvements in the total amount of \$8,174,651.10; and

WHEREAS, the City requires additional design-build services to be implemented in the three parks under the Back to Basics Playground Improvements under Contract No. PS2023*041 in the amount of \$858,000.00; and

WHEREAS, R J Platten Contracting Co., has proposed by its November 22, 2023, February 6, 2024, and May 15, 2024 letters to perform the above-mentioned additional services; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that the City, through its Director of Capital Projects, is authorized to enter into a first modification to Contract No. Pl2023*041 with R.J. Platten Contracting Co., for additional design-build services for an additional amount not to exceed \$858,000.00, thereby increasing the total compensation under the contract to \$9,032,651.10.

BE IT FURTHER RESOLVED that the employment of the following subcontractors for the services to be performed under the above-authorized first modification is approved:

Garcia Surveyors, Inc.	MBE	\$40,000.00
Tech Ready Mix Concrete	MBE/CSB/LPE	\$150,000.00
North Coast Paving Co.	CSB/LPE	\$199,240.00
Ramos Trucking Stone Supply	MBE/CSB/FBE/LPE (60% supplier)	\$54,724.80
Ramos Trucking	FBE/CSB/MBE/LPE	\$91,800.00
Petty Group	MBE/CSB/LPE	\$129,920.00
DWA Gametime	N/A	\$2,481,880.00
Terrasoft Recreation	N/A	\$1,249,000.00
Snider Recreation, Inc.	CSB/LPE	\$1,066,132.00

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird,
Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin
O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 483-24

Adopted 9/18/24

By Director Margolius

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

BOA Concrete and Construction LLC.

for an estimated quantity of labor and materials to remove snow and ice, all items, for the Department of Public Health, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with an option to renew for one additional year, received on June 13, 2024, under the authority of Section 181.101 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity, not to exceed \$45,760.00, is affirmed and approved as the lowest and best bid, and the Director of Public Health is requested to enter into a **REQUIREMENT** contract for the goods and/or services necessary for the specified items.

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

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird,
Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin
O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 484-24

Adopted 9/18/24

By Director Williams

WHEREAS, by its Resolution No. 377-24, adopted August 7, 2024, this Board of Control, as required by Sections 77 and 79 of the City Charter, concurred in the discontinuance of the Divisions of Recreation and Park Maintenance and Properties and the Office of Special Events and Marketing, and in the establishment of the Department of Parks and Recreation, and the Office of Administration, Office of Special Events and the Divisions of Urban Forestry, Public Auditorium, Recreation, and Park Maintenance, under the terms and conditions set forth in Ordinance No. 521-2024, passed by Cleveland City Council July 10, 2024; and

WHEREAS, Resolution No. 377-24 omitted reference to the effective date of the above-mentioned discontinuance of certain divisions in the Department of Public Works and the establishment of the Department of Parks and Recreation and of certain divisions in that department; now, therefore,

BE IT RESOLVED by the BOARD OF CONTROL of the CITY OF CLEVELAND that the third paragraph of Resolution No. 377-24, adopted by this Board on August 7, 2024, is amended to read as follows:

"BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that this Board concurs in the discontinuance of the Divisions of Recreation and Park Maintenance and Properties and the Office of Special Events and Marketing, and in the establishment of the Department of Parks and Recreation, and the Office of Administration, Office of Special Events and the Divisions of Urban Forestry, Public Auditorium, Recreation, and Park Maintenance in the Department, such discontinuance and establishment to be effective January 1, 2025, under the terms and conditions set forth in Ordinance No. 521-2024, passed by Cleveland City Council July 10, 2024."

BE IT FURTHER RESOLVED that all other provisions of Resolution No. 377-24 not expressly amended as stated above shall remain unchanged and in full force and effect.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 485-24

Adopted 9/18/24

By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel Nos. 120-13-065, 120-13-067 and 120-13-068 located at 1394 East 125th Street, 1386 East 125th Street and 1380 East 125th Street; and

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

WHEREAS, Hood Homes Development Group LLC has proposed to the City to purchase and develop the parcels for New Residential Development - Single-Family; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 9 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Hood Homes Development Group LLC, for the sale and development of Permanent Parcel Nos. 120-13-065, 120-13-067 and 120-13-068 located at 1394 East 125th Street, 1386 East 125th Street and 1380 East 125th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$1,500.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 486-24

Adopted 9/18/24

By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 005-10-089 located at 3086 West 111th Street; and

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

WHEREAS, Carlos Pietri-Garcia has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 11 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Carlos Pietri-Garcia for the sale and development of Permanent Parcel No. 005-10-089 located at 3086 West 111th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 487-24

Adopted 9/18/24

By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 107-02-063 located on Ida Avenue; and

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

WHEREAS, Brittney Green has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 9 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Brittney Green for the sale and development of Permanent Parcel No. 107-02-063 located on Ida Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 488-24

Adopted 9/18/24

By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 012-05-129 located at 4487 West 45th Street; and

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

WHEREAS, Jonathan Louis Hecker has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 13 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Jonathan Louis Hecker for the sale and development of Permanent Parcel No. 012-05-129 located at 4487 West 45th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 489-24

Adopted 9/18/24

By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 016-09-042 located at 3324 West 56th Street; and

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

WHEREAS, Justin Henton has proposed to the City to purchase and develop the parcel for Green Development - Playground, Open space, Agricultural Green space, etc.; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 13 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Justin Henton, for the sale and development of Permanent Parcel No. 016-09-042 located at 3324 West 56th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$3,013.50, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 490-24

Adopted 9/18/24

By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 116-14-086 located at 716 East 162nd Street; and

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

WHEREAS, Lee Thomas has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 8 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Lee Thomas for the sale and development of Permanent Parcel No. 116-14-086 located at 716 East 162nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Resolution No. 491-24

Adopted 9/18/24

By Director Hernandez

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

WHEREAS, under the Program, the City has acquired Permanent Parcel No. 103-21-089 located at 2170 East 35th Street; and

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

WHEREAS, Wiston Zuniga has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 8 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Wiston Zuniga for the sale and development of Permanent Parcel No. 103-21-089 located at 2170 East 35th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Comer, Directors Keane, Francis, Acting Director Laird, Directors Margolius, Drummond, Hernandez, Cole, McNair, McNamara, Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley

Schedule of the Board of Zoning Appeals

**Monday, October 7, 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 October 4, 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. 24-153: 3840 St. Clair Avenue
Ward 7 – Stephanie Jones**

Michelle Zamlen, owner, proposes an application for use as restaurant in General Industry Zoning District. The owner appeal for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Division (f) of Section 349.04, which states that 10 Parking spaces are required based on 1 for each 4 seats (maximum seating capacity); no parking proposed.

**Calendar No. 24-154: 1515 East 123rd Street
Ward 9 – Kevin Conwell**

MAUV, LLC, owner, proposes to erect a three-story frame, three-family residence on front half of shared lot with rear, three-story frame, irregular-shaped, single-family residence with four-car detached concrete parking space in a D1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (a) of Section 355.04, which states that a total Maximum Gross Floor Area of 4,000 square feet is permitted and the appellant is proposing 1,342 square feet for the rear dwelling and 3,261 square feet for the front dwelling. The Minimum Lot Area required is 8,400 square feet and the appellant is proposing 4,000 square feet.

2. Division (a) of Section 357.04, which states that the required Front Yard is 17 feet, and the appellant is proposing zero for the rear dwelling only.
3. Division (b)(2) of Section 357.09, which states that the Minimum Distance for Required Interior Side Yard is 7 feet, and the appellant is proposing 3 feet for front dwelling only. The total width of Interior Side Yards shall not be less than 14 feet, and the appellant is proposing 13 feet for the front dwelling only.
4. Division (a) of Sections 357.15, which states the distance between front dwelling and rear dwelling shall not be less than 40 feet, and the appellant is proposing 32 feet.
5. Division (a) of Sections 357.08, which states that the Required Rear Yard is 20 feet, and the appellant is proposing 3 feet for the rear dwelling only.
6. Division (b) of Section 341.02, which states City Planning approval is required prior to the issuance of a building permit.

**Calendar No. 24-155: 1517 East 123rd Street
Ward 9 – Kevin Conwell**

MAUV, LLC, owner, proposes to erect a three-story frame, irregular-shaped, single-family residence with four-car detached concrete parking space on the rear half of a lot shared with a three-story three-family residence in a D1 Multi-Family Residential. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (a) of Section 355.04, which states that a total Maximum Gross Floor Area of 4,000 square feet is permitted and the appellant is proposing 1,342 square feet for the rear dwelling and 3,261 square feet for the front dwelling. The Minimum Lot Area required is 8,400 square feet, and the appellant is proposing 4,000 square feet.
2. Division (a) of Section 357.04, which states that the required Front Yard is 17 feet, and the appellant is proposing zero for the rear dwelling only.
3. Division (b)(2) of Section 357.09, which states that the Minimum Distance for Required Interior Side Yard is 7 feet, and the appellant is proposing 3 feet for front dwelling only. The total width of Interior Side Yards shall not be less than 14 feet, and the appellant is proposing 13 feet for the front dwelling only.
4. Division (a) of Sections 357.15, which states the distance between front dwelling and rear dwelling shall not be less than 40 feet, and the appellant is proposing 32 feet.
5. Division (a) of Sections 357.08, which states that the Required Rear Yard is 20 feet, and the appellant is proposing 3 feet for the rear dwelling only.

6. Division (b) of Section 341.02, which states City Planning approval is required prior to the issuance of a building permit.

Calendar No. 24-156: 2906 Monroe Avenue

Ward 3 – Kerry McCormack

Monroe Properties Cle, LLC, owner, proposes to erect a two-story frame, single-family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b) of Section 355.04, which states that the Minimum Lot Area shall not be less than 4,800 square feet, and the appellant is proposing 3,080 square feet.
2. Division (b)(1) of Section 357.08, which states that the required Rear Yard shall not be less than 26 feet, and the appellant is proposing 4 feet.

Calendar No. 24-157: 2910 Monroe Avenue

Ward 3 – Kerry McCormack

Monroe Properties Cle, LLC, owner, proposes to erect a two-story frame, single-family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b) of Section 355.04, which states that the Minimum Lot Area shall not be less than 4,800 square feet, and the appellant is proposing 3,080 square feet.
2. Division (b)(1) of Section 357.08, which states that the required Rear Yard shall not be less than 26 feet, and the appellant is proposing 4 feet.

Calendar No. 24-160: 3701 Siam Avenue

Ward 3 – Kerry McCormack

Jessica Pleasant, owner, proposes to erect three-story frame, two-family residence with 20feet by 20 feet detached garage in a B1 Two-Family Residential District. The owners appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (b) of Section 355.05, which states that existing lot of record for two-family residence is less than 4,800 square feet, and the appellant is proposing 3,815 square feet.
2. Division (b) of Section 355.04, which states that the maximum Gross Floor Area shall not be greater than 50% of the lot size, or in this case 1,908 square feet, and the appellant is proposing 3,059 square feet.
3. Division (b)(2)(C) of Section 357.09, which states that the minimum distance between main buildings on adjoining lot is 6 feet, and the appellant is proposing 5 feet and 3 inches.

4. Division (b) of Section 341.02, which states that City Planning Design Review approval is required before issuance of permit.

Calendar No. 24-162: 865 Jefferson Avenue

Ward 3 – Kerry McCormack

Tim McDonough, owner, proposes to erect a four-story frame two-family residence with attached garage in 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. Division (6)(A)(2) of Section 337.23, which states that all accessory attached garages shall be located on rear half of lot.
2. Division (b) of Section 355.04, which states that the maximum Gross Floor Area shall not exceed 50 percent of lot size or in this case 825 square feet, and the appellant is proposing 3,373 square feet. This code section also states that the minimum lot area required is 6,000 square feet, and the lot is 1,650 square feet.
3. Division (b)(1) of Section 357.08, which states that the required rear yard shall not be less than 20 feet, and the appellant is proposing 4 feet.

Postponed from September 16, 2024

Calendar No. 24-138: 756 East 105th Street

Ward 9 – Kevin Conwell

Kimberly Thomas, owner, proposes to establish use as Residential Facility (Group Home) for 12 occupants in Local Retail Zoning District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Division (g) of Section 337.08, which states that a residential facility, as defined in Chapter 325 of the Zoning Code, for six to 16 persons may be permitted as a conditional use. The City Planning Commission shall approve a residential facility as a conditional use in a Multi-Family District only when the residential facility is located not less than 1,000 feet from another residential facility and only if the City Planning Commission determines that the conditional use meets the following zoning and architectural criteria: Proposed Residential facility is within 1000 feet of residential facility buffer. (1) the architectural design and site layout of the home and the location, nature and height of any walls, screens, and fences are compatible with adjoining land uses and the residential character of the neighborhood, as may be specified in applicable Zoning Code regulations for Multi-Family Districts; and (2) the use complies with all applicable yard, parking and sign regulations in this Zoning Code for Multi-Family Districts.
2. Section 343.01, which states that all uses permitted in the Multi-Family District and as regulated in that district, thus, large residential facility requires CPC and BZA approval.

POSTPONED AT THE REQUEST OF THE CITY TO ALLOW TIME FOR CPC REVIEW.

Report of the Board of Zoning Appeals

Monday, September 16, 2024

At the meeting of the Board of Zoning Appeals on Monday, September 16, 2024, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED**:

Calendar No. 24-112: 3368 East 113th Street (Granted Conditionally)

South Shore Homes Inc, owner, proposes to establish use as Residential Facility (Group Home) for 16 occupants in a B1 Two-Family Zoning Districts.

Calendar No. 24-136: 522 Literary Road

Todd Burger & Kristie Beck, owners, propose to erect a two-story addition and attached garage to existing residence in a B1 Two-Family Residential District.

Calendar No. 24-137: 6719 Sebert Avenue (Granted Conditionally)

Kevin Travick Sr, owner, proposes to erect two-story frame, single-family residence with a two-bay attached garage behind existing single-family residence on same lot in a B1 Two-Family.

Calendar No. 24-142: 2315 East 100th Street

The City Cleveland Land Reutilization, owner, and BR Knez, prospective purchaser, propose to erect a new two-story frame, single-family residence with detached garage in a B1 Two-Family Residential District.

Calendar No. 24-143: 2311 East 100th Street

The City Cleveland Land Reutilization, owner, and BR Knez, prospective purchaser, propose to erect a new two-story frame, single-family residence with detached garage in a B1 Two-Family Residential District.

Calendar No. 24-144: 2319 East 100th Street

The City Cleveland Land Reutilization, owner, and BR Knez, prospective purchaser, propose to erect a new two-story frame, single-family residence with detached garage in a B1 Two-Family Residential District.

Calendar No. 24-145: 3934 West 1st Street (Granted Conditionally)

Annie's Properties LLC, owner, proposes to install an 8-foot-tall fence in a C1 General Retail Business District.

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

The following appeals were **WITHDRAWN**: **None**

The following appeals were **DISMISSED**: **None**

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

The following cases were **POSTPONED:**

Calendar No. 24-138: Kimberly Thomas

756 E. 105 Street. October 7, 2024.

Calendar No. 24-141: Tricia Zak

14601 Coit Road. October 14, 2024.

The following cases were heard by the Board of Zoning Appeals on Monday September 9, 2024, the decisions were adopted and approved on Monday, September 16, 2024:

Calendar No. 24-100: 12200 Street Clair Avenue

New Step LLC, owner, proposes to establish use as a convenient store in a C1 Local Retail Business District.

Calendar No. 24-130: 4214 Apple Avenue

Derek Maxfield, owner, proposes to erect a one-story frame detached gable garage in a B1 Two Family Residential District.

Calendar No. 24-131: 6501 Denison Avenue (Granted Conditionally)

Rasheeda Properties, owner, proposes to install a six-feet-high privacy fence in a C2 General Retail Business District.

Calendar No. 24-133: 1945 West 45th Street (Granted Conditionally)

Zachary Young, owners, proposes to erect a 26 feet by 22 feet, attached garage with second floor, open deck attached to existing, single-family residence in a B1 Two-Family Residential District.

Calendar No. 24-139: 6110 West Clinton Avenue

Jacob Murphy, owners, proposes to change the use of a two-family residence to a three-family residence in B1 Two-Family Residential District.

Public Notice

The Development, Planning and Sustainability (Zoning) Committee will meet Tuesday, September 24, 2024, at 9:30 a.m. to hear the following legislation:

Ord. No. 795-2024

By Council Member McCormack

An ordinance changing the Use, Area and Height Districts of parcels of land south of Lorain Avenue between West 52nd Street and West 50th Street; and subjecting an area titled the Site Development Boundary to Section 333.02 of the Cleveland Zoning Code; and attaching the Approved Site Development Plan (Map Change 2676).

Ord. No. 796-2024

By Council Member Slife

An ordinance changing the Use, Area and Height Districts of parcels of land north and south of Lorain Avenue between West 150th Street and the Norfolk Southern Railroad and extending the Pedestrian Retail & Urban Form Overlay Districts (Map Change 2677).

Ord. No. 797-2024

By Council Member Harsh

An ordinance establishing a zero (0) foot Mapped Building Setback along the easterly and westerly sides of Pearl Road between Germain Avenue and Archmere Avenue (Map Change 2678)

Public Notice

The Development, Planning and Sustainability (Zoning) Committee will meet Tuesday, October 1, 2024, at 9:30 a.m. to hear the following legislation:

Ord. No. 791-2024

By Council Members Kelly and Hairston

An ordinance changing the zoning use of a parcel of land north of Madison Avenue between West 100th Street and West 101st Street from Local Retail to General Retail as identified on the attached map; and removing the Pedestrian Retail Overlay District designation for the same parcel of land (Map Change No. 2681).

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, September 9, 2024.

Click on a piece of legislation below to read it:

[Ord. No. 633-2024](#)

[Ord. No. 980-2024](#)

[Ord. No. 718-2024](#)

[Ord. No. 981-2024](#)

[Ord. No. 811-2024](#)

[Ord. No. 982-2024](#)

[Ord. No. 821-2024](#)

[Ord. No. 983-2024](#)

[Ord. No. 823-2024](#)

[Ord. No. 984-2024](#)

[Ord. No. 825-2024](#)

[Res. No. 951-2024](#)

[Ord. No. 832-2024](#)

[Res. No. 952-2024](#)

[Ord. No. 834-2024](#)

[Res. No. 953-2024](#)

[Ord. No. 857-2024](#)

[Res. No. 954-2024](#)

[Ord. No. 946-2024](#)

[Res. No. 955-2024](#)

[Ord. No. 947-2024](#)

Ordinance No. 633-2024

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 a vendor to install and maintain an automated teller machine terminal located in Room 122, Vital Statistics for the use and convenience of the general public, for a period of one year, with a one-year option to renew, exercisable by additional legislative authority.

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 Section 183.16 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a license agreement with a vendor, based on competitive proposals, granting the right to use and occupy City-owned property located within Cleveland City Hall for the installation and maintenance of an automated teller machine terminal located in Room 122, Vital Statistics for the use and convenience of the general public. The selection of the vendor and consideration for the license shall be made by the Board of Control on the nomination of the Director of Public Works. The license agreement shall include the requirement that the vendor selected is in compliance with City CRA requirements.

Section 2. That the term of the license agreement shall be for a period of one year, with a one-year option to renew, exercisable by additional legislative authority.

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 718-2024

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

An emergency ordinance authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on-road vehicles, apparatus, and off-road equipment, cabs, bodies and accessories, equipment, and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the Department of Public Utilities.

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

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

Section 1. That the Director of Public Works is authorized to make one or more written standard purchase and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items required for the purchase, lease, or lease with option to purchase, of various types of on-road vehicles, apparatus, and off-road equipment, cabs, bodies and accessories, equipment, and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, training, and inspections, as needed, in the estimated sum of \$9,676,500, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Utilities, as described below:

2024 Enterprise Capital Vehicle Plan

Item Number	Item Description	Division	Quantity	Estimated Cost	Extended Estimated Cost
1	Sedan	Water	1	\$35,000	\$35,000
2	SUV AWD	Water	2	\$51,500	\$103,000
3	Pickup F150	Water	4	\$50,000	\$200,000
4	Pickup F250 w/plow &	Water	1	\$65,000	\$65,000
5	Pickup F350	Water	1	\$80,500	\$80,500
6	Cargo Van T150	Water	1	\$50,000	\$50,000
7	Cargo Van T250	Water	10	\$56,150	\$561,500
8	Cargo Van T350	Water	1	\$62,000	\$62,000
9	Pipe Truck Type A	Water	5	\$285,000	\$1,425,000
10	Tandem Axle Dump	Water	3	\$310,500	\$931,500
11	Backhoe/Trailer	Water	3	\$213,000	\$639,000

12	ATV Gator w/ plow	Water	2	\$25,000	\$50,000
13	Mower – 72”	Water	2	\$25,000	\$50,000
14	Bobcat	Water	1	\$89,000	\$89,000
				CWD TOTAL	\$4,341,500
15	Crew Dump Truck	WPC	2	\$190,000	\$380,000
16	Backhoe w/ Trailer	WPC	1	\$285,000	\$285,000
17	Tandem Axle Dump Truck	WPC	1	\$250,000	\$250,000
18	Sewer Cleaning Equipment	WPC	3	\$575,000	\$1,725,000
19	SUV AWD Explorer	WPC	4	\$50,000	\$200,000
20	Knuckle Boom Truck	WPC	1	\$390,000	\$390,000
21	Cement Mixer	WPC	2	\$7,000	\$14,000
22	Heavy Duty Pickup	WPC	1	\$85,000	\$85,000
23	Pickup Truck F450	WPC	1	\$110,000	\$110,000
				WPC TOTAL	\$3,439,000
24	Cargo Van T150	CPP	5	\$65,000	\$325,000
25	Cargo Van HD	CPP	1	\$70,000	\$70,000
26	60’ Bucket Truck	CPP	1	\$335,000	\$335,000
27	Derrick Truck	CPP	2	\$415,000	\$830,000
28	Support Vehicles	CPP	6	\$40,000	\$240,000
29	Pole Trailer (Dinky)	CPP	2	\$23,000	\$46,000
				CPP TOTAL	\$1,846,000
30	Pickup F150	Administration	1	\$50,000	\$50,000
				ADMINISTRATION TOTAL	\$50,000
				GRAND TOTAL	\$9,676,500

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 Director of Public Utilities is authorized to apply for and accept funding from the Northeast Ohio Regional Sewer District (“NEORS”) for Community Cost Share Program funding to pay for the costs of the Water Pollution Control vehicles

eligible under the program for reimbursement; that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that funds are appropriated for the purposes described in this ordinance.

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 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 4. That the costs of the standard and requirement contract or contracts shall be paid from Community Cost Share Program funding 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. (RQS 7015, RL 2024-66)

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 811-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to enter into contract without competitive bidding with Iron Mountain Incorporated dba Iron Mountain Information Management LLC for the lease of space for the storage of records, and the purchase of services related to the storage of records, for a period of one year, with four one-year options to renew, exercisable by the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court.

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 any provisions of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, is authorized to enter into a rental agreement with Iron Mountain Incorporated dba Iron Mountain Information Management LLC (“Iron Mountain”) for the rental of space for the storage of records of the Cleveland Municipal Court. The rental agreement shall be for a period of one year commencing January 1, 2025, with four one-year options to renew for an additional one-year periods, exercisable by the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court.

Section 2. That the rental agreement shall be prepared by the Director of Law.

Section 3. That it is determined that the within commodities are non-competitive and incidental to the lease of space authorized by this ordinance and cannot be secured from any source other than Iron Mountain. Therefore, the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, is authorized to make a written requirement contract with Iron Mountain for miscellaneous services related to the storage of records, such as the provision of storage boxes, filing, file retrieval, file delivery, faxing, photocopying, data entry, the destruction of records, and other file request services, for a period of one year, with four one-year options to renew for an additional one-year periods, exercisable by the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, and cancelable on thirty days written notice by the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Director of Finance, on behalf of the Clerk of the Cleveland Municipal Court.

Section 4. That the cost of the rental agreement and related services and the other contract or contracts authorized by this ordinance 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. (RQS 0116, RL 2024-50)

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 821-2024

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

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with The Cleveland Cultural Gardens Federation to co-sponsor the 2024 One World Day.

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

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

Section 1. That the Director of Public Works is authorized to enter into an agreement with The Cleveland Cultural Gardens Federation to co-sponsor the 2024 One World Day scheduled for August 25, 2024. The agreement shall provide, among other things, that the City will provide educational programming and activities celebrating the many cultures that are present in the City of Cleveland, and in addition, covering golf cart expenses and additional security.

Section 2. That the cost of the agreement shall not exceed \$10,000 and shall be paid from funds approved by the Director of Finance. (RQS 7004, RL 2024-110)

Section 3. That the agreement shall be prepared by the Director of Law.

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

Passed September 9, 2024.

Effective September 13, 2024.

Ordinance No. 823-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Human Resources to employ one or more consultants or one or more firms of consultants to provide professional services for pre-employment background screening and criminal checks for the Department of Human Resources for a one-year period, with two one-year options to renew, exercisable by the Director of Human Resources.

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 Human Resources is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to administer pre-employment background screening and criminal records checks, for the Department of Human Resources, for a one-year period, with two one-year options to renew, exercisable by the Director of Human Resources.

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

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 Human Resources 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 authorized shall be paid from Fund No. 01-0402-6320. (RQS 0402, RL 2024-78)

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 825-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants, computer software developers, or vendors to acquire licenses or develop and implement one or more risk management software systems and provide services to install, design, train, implement, test, maintain, support and other related services, for a term of one year, with two one-year options to renew, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to employ by contract or contracts one or more consultants, computer software developers, or vendors or one or more firms of consultants, computer software developers, or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to acquire licenses or develop and implement one or more risk management software systems and provide services to install, design, train, implement, test, maintain, support and other related services, for a term of one year, with two one-year options to renew, exercisable by the Director of Finance.

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

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

Section 3. That the cost of the contract or contracts authorized shall not exceed \$650,000 and shall be paid from Fund No. 11 SF 006 and other funds approved by the Director of Finance. (RQS 0117, RL 2024-83)

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 832-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance authorizing the Director of Finance to enter into an amendment to Lease Agreement No. 2017-023 with MidCity, Ltd., for the lease of office and meeting space for the Community Police Commission located at 3631 Perkins Avenue for one additional year.

WHEREAS, under Ordinance No. 1070-17, passed September 25, 2017, the Director of Finance entered into a Lease Agreement No. 2017-023 with MidCity, Ltd. for the lease of Unit 3A2 located at 3631 Perkins Avenue for the Community Police Commission, for a term of two years, with a one-year option to renew (the “Lease”); and

WHEREAS, under Ordinance No. 714-2020, passed September 23, 2020, the Lease was extended for an additional two-year period, with one option to renew for an additional year; and

WHEREAS, under Ordinance No. 979-2021, passed November 15, 2021, this Council authorized an amendment to the Lease to increase the leased space, move from Unit 3A2 to the larger Unit 4C within the facility, and to increase the rent proportionately; and

WHEREAS, under Ordinance No. 893-2023 passed September 18, 2023, the Lease was extended for an additional one year; and

WHEREAS, the City wishes to extend the Lease, as amended, for an additional year and to increase the leased space to add Suite 3CE within the facility for meeting room space; and

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

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

Section 1. That the Director of Finance is authorized to enter into an amendment to the Lease, as amended, with MidCity, Ltd. to extend the term of the Lease for an additional year and to increase the leased space to add Suite 3CE within the facility for meeting room space. All other terms and conditions of the Lease shall remain the same.

Section 2. That the rent under the amendment shall be \$38,487 annually, plus utilities and trash removal, payable from Fund No. 01-0122-6360. (RQS 0122, RL 2024-87)

Section 3. That all other terms and conditions of the Lease, as amended, shall remain the same.

Section 4. That the amendment shall be prepared by the Director of Law.

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 834-2024

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

An emergency ordinance authorizing the Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, to apply for and accept a grant from the United States Department of Agriculture, Forest Service, for the Strategic Investments in Equitable Tree Canopy Growth and Preservation Grant; to enter into various written standard purchase and requirement contracts for urban forestry services; to employ one or more professional consultants; and authorizing the appropriate Director to enter into one or more contracts with various agencies, entities, or individuals to implement the 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 Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, is authorized to apply for and accept a grant in the amount not to exceed \$3,400,000, and any other funds that may become available during the grant term from the United States Department of Agriculture, Forest Service, to implement the Strategic Investments in Equitable Tree Canopy Growth and Preservation Grant; that the appropriate Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the budget for the grant contained in the file described below.

Section 2. That the budget for the grant, **File No. 834-2024-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.

Section 3. That the Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the appropriate Director, during the grant term, for the necessary items of materials, equipment, supplies, and services needed for urban forestry services, including but not limited to, tree inventory services, maintaining and planting trees, and removing trees, stumps, and tree waste material, for the purpose of maintaining and restoring the urban tree canopy of Cleveland, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the appropriate Department. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 4. That the Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to implement the grant.

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

Section 5. That the Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability, is authorized to enter into one or more contracts with Cuyahoga County, the Board of Park Commissioners of the Cleveland Metropolitan Park District and other various agencies, entities, or individuals to implement the grant as described in the file.

Section 6. That under Section 108(b) of the Charter, the purchases and/or services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance or Director of Public Works, as appropriate, on behalf of the Office of Sustainability may sign all documents that are necessary to obtain such services and may enter into one or more contracts with the vendors and/or consultants selected through that cooperative process.

Section 7. That the costs of the requirement contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQS 0112, RLA 2024-78)

Section 8. That the cost of the contract or contracts authorized shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and other funds approved by the Director of Finance.

Section 9. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 9, 2024.

Effective September 13, 2024.

Ordinance No. 857-2024

By Council Members: McCormack

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with The Refugee Response dba Re:Source Cleveland, or designee, to provide economic development assistance to partially finance the building of The Roundstone Pavilion at the Ohio City Farm.

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

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

Section 1. That the Director of Economic Development is authorized to enter into a grant agreement with The Refugee Response dba Re:Source Cleveland, or designee, to provide economic development assistance to partially finance the building of The Roundstone Pavilion at the Ohio City Farm.

Section 2. That the costs of the grant shall not exceed \$150,000 and shall be paid from Fund No. 10 SF 400. (RQS 9501, RL 2024-93)

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

Section 4. That the contract authorized in this legislation will require the recipient of financial assistance to work with The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or circumstances relate to the duties for the particular job sought.

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 946-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance approving in its entirety the Fact-Finder's report, findings and recommendations in the matter of the City of Cleveland and the Teamsters 507 Public Utilities Supervisors.

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 having duly considered the Fact-Finder's report, findings and recommendations in the matter of the City of Cleveland and the Teamsters 507 Public Utilities Supervisors, which were received by the City on September 3, 2024, a copy of which is contained in **File No. 946-2024-A**, this Council accepts the Fact-Finder's report findings, and recommendations in their entirety.

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 947-2024

By Council Members: McCormack and Maurer

An emergency ordinance consenting and approving the issuance of a permit for the Towpath Marathon on October 5, 2024, managed by Hermes Sports & Events.

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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Towpath Marathon, October 5, 2024, managed by Hermes Sports & Events; START: on West Avenue and turn left on Columbus Road; turn right on Carter Road Bridge; turn left on Carter Road and continue to the Towpath Trail; stay on the Towpath Trail, crossing Jefferson Street, Holmden Street and Harvard/Jennings Streets; runners return and stay on the Towpath Trail; turn right on the Carter Road Bridge; turn right on Columbus Road; FINISH: follow the Towpath Trail to the finish line which is on the Towpath Trail; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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 September 9, 2024.

Effective September 13, 2024.

Ordinance No. 980-2024

By Council Members: McCormack and Spencer

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Cleveland Public Theatre for the public purpose of providing the 2023 Adult Education Program through the use of Wards 3 and 15 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Works is hereby authorized to enter into agreement with the Cleveland Public Theatre for the public purpose of providing an Adult Education program through the use of Wards 3 and 15 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000.00 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 3	\$10,000.00	G23624
Ward 15	\$10,000.00	G23624

Section 3. That the Law Department has reviewed and approved this proposal on September 9, 2024. The Department has reviewed and approved the proposal on August 30, 2024. Project shall begin as of April 1, 2023.

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

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

Passed September 9, 2024.

Effective September 13, 2024.

Ordinance No. 981-2024

By Council Members: McCormack and Spencer

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with Cleveland Public Theatre for the public purpose of providing the 2024 Adult Education Program through the use of Wards 3 and 15 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Works is hereby authorized to enter into agreement with the Cleveland Public Theatre for the public purpose of providing an Adult Education program through the use of Wards 3 and 15 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000.00 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 3	\$10,000.00	G24681
Ward 15	\$10,000.00	G24681

Section 3. That the Law Department has reviewed and approved this proposal on September 9, 2024. The Department has reviewed and approved the proposal on August 30, 2024. Project shall begin as of April 1, 2024.

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

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

Passed September 9, 2024.

Effective September 13, 2024.

Ordinance No. 982-2024

By Council Members: Jones, Bishop, McCormack, Gray, Starr, Griffin, Howse-Jones, Polensek, Conwell, Hairston, Kelly, Maurer, Harsh, Santana, Spencer, Kazy and Slife

An emergency ordinance authorizing the Director of the Department of Public Works to enter into agreement with the Hispanic Police Officers Association for the public purpose of providing the Puerto Rican Expo 2024 through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Works is hereby authorized to enter into agreement with the Hispanic Police Officers Association for the public purpose of health and cultural education by providing the Puerto Rican Expo through the use of Wards 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, and 17 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$31,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 1	\$1,000.00	G24678
Ward 2	\$1,000.00	G24678
Ward 3	\$2,500.00	G24678
Ward 4	\$1,000.00	G24678
Ward 5	\$1,000.00	G24678
Ward 6	\$1,000.00	G24678
Ward 7	\$1,000.00	G24678
Ward 8	\$1,000.00	G24678
Ward 9	\$2,000.00	G24678
Ward 10	\$1,500.00	G24678
Ward 11	\$3,000.00	G24678
Ward 12	\$2,000.00	G24678
Ward 13	\$2,500.00	G24678
Ward 14	\$5,000.00	G24678
Ward 15	\$2,000.00	G24678
Ward 16	\$1,500.00	G24678
Ward 17	\$2,000.00	G24678

Section 3. That the Law Department has reviewed and approved this proposal on September 9, 2024. The Department has reviewed and approved the proposal on August 30, 2024. Project shall begin as of June 1, 2024.

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

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

Passed September 9, 2024.

Effective September 13, 2024.

Ordinance No. 983-2024**By Council Members:** Hairston

An emergency ordinance authorizing the Director of the Department of Public Safety to enter into agreement with ICONS for the public purpose of providing the ICONS Transformation PLUS program through the use of Ward 10 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Public Safety is hereby authorized to enter into agreement with the ICONS for the public purpose of providing a violence prevention and intervention program through the use of Ward 10 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$15,000.00 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 10	\$15,000.00	G24683

Section 3. That the Law Department has reviewed and approved this proposal on August 29, 2024. The Department has reviewed and approved the proposal on August 28, 2024. Project shall begin as of July 1, 2024.

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

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

Passed September 9, 2024.**Effective September 13, 2024.**

Ordinance No. 984-2024

By Council Members: Jones, McCormack, Gray, Starr, Griffin, Howse-Jones, Polensek, Hairston, Kelly, Maurer, Harsh, Santana, Spencer, Kazy, Slife

An emergency ordinance authorizing the issuance of a Mobile Permit to Salvatore Acevedo of DigitalC to engage in mobile vending in Wards 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17.

WHEREAS, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the “Codified Ordinances”) the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

WHEREAS, this Council has considered the request of Salvatore Acevedo of DigitalC to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Salvatore Acevedo of DigitalC to engage in mobile vending in Wards 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17; 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 consents, as required by Section 675.08 of the Codified Ordinances, to allow Salvatore Acevedo of DigitalC to engage in mobile vending in the public rights of way in Wards 1, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17.

Section 2. That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

Section 3. That the privilege granted may be revoked at any time by this Council.

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 September 9, 2024.

Effective September 13, 2024.

Resolution No. 951-2024

By Council Members: Conwell

An emergency resolution objecting to a New C1 Liquor Permit at 10109 St. Clair Avenue.

WHEREAS, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Great Individuals Neighborhoods Communities Corp, DBA Great Inc., 10109 St. Clair Avenue, Cleveland, Ohio 44108, Permit No. 3339208; 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 a New C1 Liquor Permit at Great Individuals Neighborhoods Communities Corp, DBA Great Inc., 10109 St. Clair Avenue, Cleveland, Ohio 44108, Permit No. 3339208; 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 new permit and has requested that a hearing on the advisability of issuing the permit be held in Cleveland, Cuyahoga County.

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

Adopted September 9, 2024.

Effective September 13, 2024.

Resolution No. 952-2024**By Council Members:** Kazy**An emergency resolution objecting to the transfer of location of a D1, D2, D3, D3A and D6 Liquor Permit to 3670 West 130th Street.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D1, D2, D3, D3A and D6 Liquor Permit from 13429 LHB, LLC, DBA Sidetrack Cafe, 1st Fl., Basement & Patio, 13429 Lakewood Heights Blvd., Cleveland, Ohio 44107, Permit No. 6534145 to Madorsey, LLC, DBA Jefferson Bar and Grill, 3670 West 130th Street, Cleveland, Ohio 44111, Permit No. 54036700005; 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 location of a D1, D2, D3, D3A and D6 Liquor Permit from 13429 LHB, LLC, DBA Sidetrack Cafe,

13429 Lakewood Heights Blvd., Cleveland, Ohio 44107, Permit No. 6534145 to Madorsey, LLC, DBA Jefferson Bar and Grill, 3670 West 130th Street, Cleveland, Ohio 44111, Permit No. 54036700005, 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 be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing 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 September 9, 2024.

Effective September 13, 2024.

Resolution No. 953-2024**By Council Members:** McCormack**An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 721 Bolivar Road and patio excluding basement.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Finn and Feathers Cleveland, LLC., 721 Bolivar Road and patio excluding basement, Cleveland, Ohio 44115, Permit No. 2720303 to Frozen Daiquiri Bar and Restaurant, LLC, 721 Bolivar Road and patio excluding basement, Cleveland, Ohio 44115, Permit No. 29484720005; 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 D1, D2, D3, D3A and D6 Liquor Permit from Fin and Feathers Cleveland, LLC., 721 Bolivar Road and patio excluding basement, Cleveland, Ohio 44115, Permit No. 2720303 to Frozen Daiquiri Bar and Restaurant, LLC, 721 Bolivar Road and patio excluding basement, Cleveland, Ohio 44115, Permit No. 29484720005; 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 September 9, 2024.

Effective September 13, 2024.

Resolution No. 954-2024**By Council Members:** Kazy**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3038 West 117th Street.**

WHEREAS, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Riser Foods CO, DBA: 117TH & I90 Getgo 3230, 3038 West 117th Street, Cleveland, Ohio 44111, Permit No. 73935330700 to Getgo Operating, LLC, DBA: 117TH & I90 Getgo 3230, 3038 West 117th & I90, Cleveland, Ohio 44111, Permit No. 31580490100; 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 C1 and C2 Liquor Permit from Riser Foods Co, DBA: 117TH & I90 Getgo 3230, 3038 West 117th Street, Cleveland, Ohio 44111, Permit No. 73935330700 to Getgo Operating,

LLC, DBA: 117TH & I90 Getgo 3230, 3038 West 117th Street, Cleveland, Ohio 44111, Permit No. 31580490100; 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 September 9, 2024.

Effective September 13, 2024.

Resolution No. 955-2024**By Council Members:** Kazy

An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 12524 Lorain Avenue, 1st floor, patio and basement and repealing Resolution No. 867-2023 objecting to said renewal.

WHEREAS, this Council objected to the renewal of a D5 and D6 Liquor Permit to Marmel Pub, LLC, DBA M & Ms Saloon, 12524 Lorain Avenue, 1st floor, patio and basement, Cleveland, Ohio 44111, Permit No. 5546767 by Resolution No. 867-2023, adopted by the Council on August 16, 2023; and

WHEREAS, this Council wishes to withdraw its objection to the above permit and consents to said permit; and

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to Marmel Pub, LLC, DBA M & Ms Saloon, 12524 Lorain Avenue, 1st floor, patio and basement, Cleveland, Ohio 44111, Permit No. 5546767 be and the same is hereby withdrawn and Resolution No. 867-2023, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted September 9, 2024.

Effective September 13, 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

Ryan M. Puente, Deputy Chief of Staff and Chief Government Affairs Officer

Jeff Epstein, Chief of Integrated Development

Sarah N. Johnson, Chief Communications Officer

Michele Pomerantz, Chief of Education

Sonya Pryor-Jones, Chief of Youth and Family Success

Bonnie Teeuwen, Chief Operating Officer

Stephanie Wernet, Chief Innovation and Technology Officer

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 – James Hartley, Interim Director

Divisions:

Accounts – Lonya Moss-Walker, Commissioner

Assessments and Licenses – Dedrick Stephens, Commissioner

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 – _____, 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, 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/>