

The City Record

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October 11, 2024



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Address all communications to
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City Clerk, Clerk of Council
216 City Hall

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Official Proceedings City Council

Cleveland, Ohio
Monday, October 7, 2024

The meeting of the Council was called to order at 7:02 p.m. with the President of Council, Blaine A. Griffin, in the Chair.

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

Also present were: Mayor Bibb; Chiefs Griffin, Pryor-Jones; Directors Cole, DeRosa, Drummond, Francis, Hartley, Hernandez, Keane, Martin O'Toole, Mitchell, Shute-Woodson, Williams; Senior Strategist Davis.

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

MOTION

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

Communications

File No. 1085-2024

From Jeffrey B. Marks, Secretary, Board of Control. City of Cleveland. Board of Control Resolution No. 484-24, amending Board of Control Resolution No. 377-24 regarding Ordinance No. 521-2024, establishing new Department of Parks and Recreation and associated Divisions. Received.

Department of Law
Mark Griffin, Director
Chief Legal Counsel
601 Lakeside Avenue, Room 106 Cleveland, Ohio 44114-1077
216/664-2800 • Fax: 216/664-2663 www.cleveland-oh.gov

October 4, 2024

Patricia J. Britt
Clerk of Council
Room 210 - City Hall
Cleveland, Ohio 44114

RE: Amendment to Board of Control Concurrence - Ordinance No. 521-2024

Dear Clerk Britt:

Enclosed is a certified copy of Board of Control Resolution No. 484-24, adopted September 18, 2024, amending Board of Control Resolution No. 377-24, adopted August 7, 2024, evidencing the Board's concurrence 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 of Public Works, by providing that the aforementioned discontinuance and establishment shall be effective January 1, 2025.

Thank you.

Very truly yours,

Jeffrey B. Marks
Secretary, Board of Control

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.

I hereby certify that this is a true and correct copy of Board of Control Resolution No. 484-24, adopted by the Board of Control on September 18, 2024.

Jeffrey B. Marks

Date: 4 October 2024

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

From Ohio Division of Liquor Control

File No. 1086-2024

#65215090600. New License Application, D1. Ohio Springs Inc., 6200 Brookpark Road (Ward 13). Received.

Ordinances and Resolutions

Ceremonial Resolutions

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

Resolutions of Condolence

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

Griffin	Res. No. 1087-2024	Samuel J. Thomas, Ph.D.
Conwell	Res. No. 1088-2024	Florence Geraldine Hairston
Howse-Jones	Res. No. 1089-2024	Benny Richardson
Santana	Res. No. 1090-2024	Luz Maria Rivera
Jones	Res. No. 1091-2024	Jo Ann (Davis) Dawson
Hairston	Res. No. 1092-2024	James Harland
Griffin	Res. No. 1093-2024	Scottie Lyndale Sanders
Conwell	Res. No. 1094-2024	Winnifred Denson Albert
Polensek	Res. No. 1107-2024	Dan Coughlin
Griffin	Res. No. 1108-2024	John Amos
Kazy	Res. No. 1109-2024	Pete Rose

Resolutions of Congratulations

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

Griffin & Polensek	Res. No. 1095-2024	American Limousine Services
Griffin & Polensek	Res. No. 1096-2024	Senator Jerry C. Cirino
Griffin & Polensek	Res. No. 1097-2024	O.A. Bertin Company
Griffin & Polensek	Res. No. 1098-2024	Raymond Guarino
Gray	Res. No. 1099-2024	Second New Hope Baptist Church

Resolutions of Recognition

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

Starr	Res. No. 1100-2024	University Settlement
Starr	Res. No. 1101-2024	Nor-Am Cold Storage
Kazy	Res. No. 1102-2024	Cleveland Down Syndrome Day
Kazy	Res. No. 1103-2024	Credessa Croce
Kazy	Res. No. 1104-2024	Mary Kidd
Kazy	Res. No. 1105-2024	Olivia DePiore
Kazy	Res. No. 1106-2024	Katherine Koenig

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, October 7, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

[Ord. No. 1077-2024](#)

[Ord. No. 1078-2024](#)

[Ord. No. 1079-2024](#)

[Ord. No. 1080-2024](#)

[Ord. No. 1081-2024](#)

Ordinance No. 1077-2024

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

An emergency ordinance authorizing the Director of Port Control to enter into an amendment to the Lease By Way of Concession No. 67743 with BAA USA, Inc. dba Fraport Cleveland, LLC for the lease, management, design, and construction of retail merchandise, food, beverage, and service concessions for the Department of Port Control facilities to extend the termination date of the agreement 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 Port Control is authorized to enter into an amendment to the Lease By Way of Concession No. 67743 (the “Lease”) with BAA USA, Inc. dba Fraport Cleveland, LLC (“Fraport”) for the lease, management, design, and construction of retail merchandise, food, beverage, and service concessions for the Department of Port Control facilities to extend the termination date of the Lease for a period of one (1) year and add a provision requiring that Fraport shall ensure that each new concessionaire it brings to Cleveland Hopkins International Airport is to enter into labor peace agreements with each labor union that requests one. All other terms and conditions of the Lease By Way of Concession shall remain the same.

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

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

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

Ordinance No. 1078-2024**By Council Members:** McCormack

An emergency ordinance authorizing the Director of the Department of Public Works, Division of Recreation to enter into a grant agreement with Ohio City Incorporated to provide program support for Near West Recreation youth programs.

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, Division of Recreation is authorized to enter into a grant agreement with Ohio City Incorporated to provide program support for Near West Recreation youth programs, as set forth in Ohio City Incorporated's grant proposal. This grant agreement shall be entered into for the 2024-2025 program year.

Section 2. The agreement shall be certified in an amount not to exceed \$75,000.00 and from Fund 01001, Dept. 7004, Subfund/Approp. 630, Object Code 6380.

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

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

Ordinance No. 1079-2024

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts without competitive bidding with Windstream Communications, LLC dba Kinetic Business by Windstream for telecommunication service lines for primary and backup communications for SCADA control, security cameras, and telephones at various locations which are outside of Cuyahoga County and beyond the AT&T service area; and to authorize payment of monthly charges to Windstream, for a period up to three years, for the Division of Water, 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 this Council determines that the within services are non-competitive and cannot be secured from any source other than Windstream Communications, LLC dba Kinetic Business by Windstream (“Windstream”). Therefore, the Director of Public Utilities is authorized to make one or more written contracts with Windstream on the basis of its proposal effective August 30, 2024, for telecommunication service lines for primary and backup communications for SCADA control, security cameras, and telephones at locations which are outside of Cuyahoga County and beyond the AT&T service area, for a period up to three years, in an amount not to exceed \$60,000. The agreement will include the City’s obligation to pay monthly charges.

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

Section 3. That the costs of the contract or contracts and applicable subscription and service fees authorized by this ordinance shall be paid from Fund No. 52 SF 001. (RQS 2002, RL 2024-104)

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

Ordinance No. 1080-2024

By Council Members: Polensek, McCormack and Griffin

An emergency ordinance to supplement the Codified Ordinances by amending Section 433.07 as amended by Ordinance No. 1279-15, passed April 24, 2017, related to street racing.

WHEREAS, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, or safety in that the recent countless instances of reckless driving, street racing, stunt driving and street takeovers occurring in the City requires that the City amend the Codified Ordinances to correspond with anticipated changes in state law and provide additional tools to combat street racing, stunt driving and street takeovers; now, therefore,

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

Section 1. That the Codified Ordinances are supplemented by amending Section 433.07 as amended by Ordinance No. 1279-15, passed April 24, 2017, to read as follows:

Section 433.07 Street Racing, Stunt Driving and Street Takeover and Racing Prohibited

(a)As used in this section,:

(1)"~~s~~ "Street racing" means the operation of two (2) or more vehicles from a point side by side at accelerating speeds in a competitive attempt to outdistance each other, or the operation of one (1) or more vehicles over a common selected course, from the same point to the same point, wherein timing is made of the participating vehicles involving competitive accelerations or speeds. ~~Persons rendering assistance in any manner to such competitive use of vehicles shall be equally charged as the participants.~~ The operation of two (2) or more vehicles side by side either at speeds in excess of prima facie lawful speeds established by Section 433.03 of these Codified Ordinances or Section 4511.21 of the Revised Code as applicable, RC 4511.21(B)(1)(a) through (B)(8) or a substantially equivalent municipal ordinance, or rapidly accelerating from a common starting point to a speed in excess of the prima facie lawful speeds shall be prima facie evidence of street racing.

(2)"Burnout" means a maneuver performed while operating a vehicle whereby the vehicle is kept in a stationary position, but the wheels of the vehicle are spun, which may cause the tires of the vehicle to become heated and emit smoke from the friction.

(3)"Doughnut" means a maneuver performed while operating a vehicle whereby the front or rear of the vehicle is rotated around the opposite set of wheels in a continuous motion, which may cause a circular skid-mark pattern of rubber on the

driving surface, or the tires of the vehicle to become heated and emit smoke from the friction, or both.

(4)"Drifting" means a maneuver performed while operating a vehicle whereby the vehicle is driven in a manner that causes a controlled, sideways skid during a turn, with the front wheels pointing in a direction that is the opposite of the direction of the turn.

(5)"Wheelie" means a maneuver performed while operating a vehicle whereby the front wheel or wheels of the vehicle are raised off of the ground or whereby two wheels that are on the same side of the vehicle are raised off of the ground.

(6)"Stunt driving" means performing or engaging in burnouts, doughnuts, drifting, or wheelies, or allowing a passenger to ride either partially or fully outside of the vehicle while operating that vehicle.

(7)"Street takeover" means blocking or impeding the regular flow of vehicle or pedestrian traffic on a public road, street, or highway or on private property that is open to the general public for the purpose of street racing or stunt driving.

(b) No person shall participate in street racing, stunt driving, or street take over upon any public road, street or highway, or on private property that is open to the general public in this City.

(c) Whoever violates this section is guilty of street racing, stunt driving, or street takeover, a misdemeanor of the first degree. In addition to any other sanctions, the court shall suspend the offender's driver's license, commercial driver's license, temporary instruction permit, probationary license or nonresident operating privileges for not less than thirty (30) days or more than three (3) years. No judge shall suspend the first thirty (30) days of any suspension of an offender's license, permit or privilege imposed under this division.

(d) Persons rendering assistance in any manner to street racing, stunt driving, or street takeover shall be equally charged as the participants.

(e) This section does not apply to the competitive operation of vehicles on public or private property in accordance with a Special Event permit issued pursuant to these Codified Ordinances or when otherwise authorized by ordinance of Council.

(RC 4511.251)

(f) In addition to any other penalties imposed by law, any vehicle component used in a violation of division (b) of this section is an instrumentality, shall be subject to seizure as contraband, and is subject to forfeiture under Chapter 2981 of the Revised Code. "Instrumentality" has the same meaning as in Section 2981.01 of the Revised Code. "Vehicle component" means any motor vehicle part or accessory specifically adapted for use in street racing, stunt driving or street takeover. Vehicle components include, but are not limited to, steering wheels, wheels and tires, and mufflers.

Section 2. That existing Section 433.07 as amended by Ordinance No. 1279-15, passed April 24, 2017, is repealed.

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

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

Ordinance No. 1081-2024**By Mayor Bibb**

An emergency ordinance to discontinue the Division of Information Technology and Services, the Office of Information Technology Planning, and the Office of Urban Analytics and Innovation by repealing various sections of the Codified Ordinances of Cleveland, Ohio, 1976; to establish the Department of Innovation and Technology; to enact new Sections 148.01 to 148.03; to repeal Section 127.12; and to amend Section 171.40, of the codified ordinances, relating to the foregoing changes.

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

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

Section 1. That the Division of Information Technology and Services and, upon the concurrence of the Board of Control, as required by Section 77 of the Charter of the City of Cleveland (“Charter Section 77”), the Office of Information Technology Planning and the Office of Urban Analytics and Innovation are discontinued.

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

Section 123.09, as enacted by Ordinance No. 859-2022, passed September 19, 2022, and

Sections 127.44, 127.45 and 127.451, as amended by Ordinance No. 148-03, passed June 10, 2002,

are repealed.

Section 3. That Section 127.12 of the Codified Ordinances of Cleveland, Ohio, as amended by Ordinance No. 215-2012, passed May 21, 2012, is repealed.

Section 4. That, upon concurrence of the Board of Control, as required by Charter Section 77, the Department of Innovation and Technology is established.

Section 5. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Sections 148.01 to 148.03 to read as follows:

**CHAPTER 148
DEPARTMENT OF INNOVATION AND TECHNOLOGY**

Section 148.01 Establishment of the Department of Innovation and Technology

There is established a Department of Innovation and Technology to be controlled and administered by a Director of Innovation and Technology subject to the provisions of the Charter and ordinances of the City, and to the direction of the Mayor.

Section 148.02 Duties of the Director of Innovation and Technology

The Director of Innovation and Technology shall:

- (a) Evaluate the City's information technology needs;
- (b) Implement information systems, plans, policies, and standards for use by departments of City government as requested by the Mayor or the Directors of the departments;
- (c) Oversee an annual information systems budget;
- (d) Manage the City's telecommunications and network environment, equipment, and customer services (including the telephone exchange);
- (e) Operate a centralized, non-emergency hotline and website for residents, visitors, and businesses to report non-emergency issues in a streamlined way and to access City services and information; ~~and~~
- (f) Monitor and assess program and service delivery to the residents and businesses by tracking and improving performance of departments of City government through the incorporation of efficient, effective, and economically sound process improvement methods to ensure high levels of accountability, compliance, and quality control;
- (g) Conduct audit and compliance programs to ensure customer and quality service and efficiency through technology, conduct quality control programs to inspect service requests received from the public, and conduct performance improvement programs to recommend and facilitate process improvement models; and
- (h) Perform all other duties pertaining to the Department which may be required of him or her by ordinance or by the Mayor.

Section 148.03 Standard and Requirement Contracts for Various Telecommunications Purposes and Payment of Recurring Fees.

- (a) The Director of Innovation and Technology is authorized to enter into one or more standard purchase or requirement contracts for purchase, rental agreements, or leases with or without an option to purchase when the Director determines there is a financial advantage, duly let to the lowest and best bidder for various

telecommunication commodities, goods, utilities, equipment, or services, including but not limited to, telephone lines, circuits, and services necessary to update and improve telecommunications and network infrastructure including materials, supplies, parts, repair, services, labor, support, maintenance, installation, design, circuit repair, demarcation site relocation, and other related services.

(b) The Director is authorized to pay ongoing recurring telecommunication-related subscription and service fees.

(c) That under Section 108(b) of the Charter, the purchases authorized by this section may be made through cooperative arrangements with other governmental agencies. The Director of Innovation and Technology 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.

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

Section 6. That Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 325-2022, passed April 11, 2022, is amended to read as follows:

Section 171.40 Use of City Credit Cards

(a) *Authorization.*

(1) A credit card held by the Clerk of Council may be used to pay the following work-related expenses of the Clerk, member of Council, and Council staff:

A. Transportation expenses while traveling on City business;

B. Lodging expenses while traveling on City business;

C. Food expenses while traveling on City business;

D. Food expenses as authorized by ordinance of Council;

E. Registration, tuition or enrollment expenses for meetings, seminars, conferences, or retreats;

F. Office supplies; and

G. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(2) A credit card held by the Director of Law, or his or her designee, may be used to pay the following work-related expenses:

- A. Filing, registration, or related fees required by any court, board or tribunal;
- B. Any other cost assessed by a court, government office in the United States, board or tribunal other than judgments or settlements;
- C. Any cost of obtaining records, transcripts and other documents from a court reporter, or a government office related to a legal matter; and
- D. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(3) A credit card held by the Port Control Director, or his or her designee, may be used to pay the following work-related expenses:

- A. Emergency commodity purchases in which a credit card is the only method of payment acceptable to the vendor;
- B. Food expenses as authorized by ordinance of Council;
- C. Registration, professional licenses, tuition or enrollment expenses for meetings, seminars, conferences, or retreats;
- D. Advertising and public notice expenses;
- E. Computer software maintenance including web-page renew expenses;
- F. Filing fees for land property splits; and
- G. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(4) A credit card held by the Finance Director's designee may be used to pay the following work-related expenses:

- A. Transportation expenses while traveling on City business;
- B. Lodging expenses while traveling on City business;
- C. Food expenses while traveling on City business;
- D. Food expenses as authorized by ordinance of Council;
- E. Registration, professional licenses, tuition or enrollment expenses for meetings, seminars, conferences, retreats or other similar events; and

- F. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.
- (5) A credit card held by the Commissioner of Purchases and Supplies, or his or her designee, may be used to pay the following work-related expenses:
- A. Business licenses, registrations, and subscriptions;
 - B. Tuition and/or enrollment expenses for meetings, seminars, or conferences;
 - C. Transportation expenses while traveling on City business;
 - D. Lodging expenses while traveling on City business; and
 - E. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.
- (6) A credit card held by the Chief Financial Officer of the Department of Public Utilities, or his or her designee, may be used to pay the following work-related expenses:
- A. Business licenses, registrations, and other professional dues and subscriptions;
 - B. Tuition and/or enrollment expenses for meetings, seminars, or conferences;
 - C. Training expenses and training supplies;
 - D. Professional services, program promotions, and participation fees;
 - E. Equipment, supplies, software and maintenance;
 - F. Memberships;
 - G. Advertising and public notices;
 - H. Parking in City facilities, taxes, and food; and
 - I. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.
- (7) A credit card held by the Judge of the Cleveland Housing Court, or his or her designee, may be used to pay the following work-related expenses:
- A. Transportation expenses while traveling on Court business;

- B. Lodging expenses while traveling on Court business;
 - C. Food expenses while traveling on Court business;
 - D. Food expenses as authorized by the Judge of the Cleveland Housing Court;
 - E. Registration, tuition or enrollment expenses for meetings, seminars, conferences, or retreats;
 - F. Supplies and equipment; and
 - G. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.
- (8) A credit card held by the Finance Department project coordinator (travel coordinator), or his or her designee, may be used to pay the following work-related expenses:
- A. Transportation expenses while traveling on City business;
 - B. Lodging expenses while traveling on City business;
 - C. Food expenses while traveling on City business;
 - D. Food expenses as authorized by ordinance of Council;
 - E. Registration, professional licenses, tuition or enrollment expenses for meetings, seminars, conferences, or retreats; and
 - F. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.
- (9) A credit card held by the ~~Commissioner of Information Technology and Services, or his or her designee, of the Finance Department~~ Director of Innovation and Technology, or her or her designee, may be used to pay the following work-related expenses:
- A. Registration, professional licenses, tuition or enrollment expenses for meetings, seminars, conferences, or retreats and other similar events in connection with City business;
 - B. Advertising and public notices;
 - C. Web-page renewal, social media and other similar expenses; and
 - D. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(10) A credit card held by the Secretary to the Mayor, or his or her designee, may be used to pay the following work-related expenses:

- A. Registration, professional licenses, tuition or enrollment expenses for meetings, seminars, conferences, or retreats and other similar events in connection with City business; and
- B. Advertising and public notices;
- C. Food expenses as authorized by ordinance of Council;
- D. Office supplies;
- E. Web-page renewal, social media and other similar expenses; and
- F. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

(11) A credit card held by the Public Safety Director, or his or her designee, may be used to pay the following expenses related to recruitment:

- A. Food expenses as authorized by ordinance of Council;
- B. Web-page renewal, social media and other similar expenses; and
- C. Other ordinary and necessary expenses of the City in which a credit card is the only method of payment acceptable to the vendor.

Use of a City credit card for uses other than those listed in division (a) of this section shall be considered an unauthorized use. Any items not on these lists may be approved at the Finance Director's discretion.

Use of a City credit card in a manner inconsistent with any restriction or control placed on the card by the Director of Finance shall be considered an unauthorized use.

(b) No late charges or finance charges shall be allowed as an allowable expense on a City credit card unless authorized by the Director of Finance.

(c) Any debt incurred as a result of the use of a credit card under this section shall be paid from moneys appropriated in the budget to specific appropriation line items of the appointing authority for work-related expenses listed in division (a) of this section.

(d) Use of any credit card under division (a) of this section shall be limited to the amount appropriated in a specific appropriation line item for the permitted use or uses designated in division (a) and not otherwise encumbered.

(e) If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond of the officer or employee to reimburse the City Treasury for the amount charged to the City beyond the authorized amount or the amount of unauthorized use. If the card is issued to the office of an appointing authority, the appointing authority is liable in person and upon any official bond of the appointing authority for the amount charged to the City beyond the authorized amount or for the amount of unauthorized use.

(f) Any time a City credit card authorized for use under this section is used for more than the amount appropriated and not otherwise unencumbered or is used for an unauthorized use, the City Treasury shall be reimbursed for any amount spent beyond the appropriated, otherwise unencumbered amount, or for the amount of unauthorized use, in the following manner:

- (1) If the card is issued in the name of a specific officer or employee, that officer or employee is liable in person and upon any official bond of the officer or employee for reimbursing the City Treasury for any amount charged on the card beyond the appropriated, otherwise unencumbered amount or for the amount of the unauthorized use.
- (2) If the card is issued in the name of the office of the appointing authority, the appointing authority is liable in person and upon any official bond of the appointing authority for reimbursement for any amount charged on the card beyond the appropriated, otherwise unencumbered amount or for the amount of the unauthorized use.

(g) Whenever any officer or employee who is authorized to use a City credit card or the office of any other county appointing authority suspects the loss, theft, or possibility of unauthorized use of the card, the officer or employee shall notify the Director of Finance, Division of Treasury, Division of Internal Audit, Division of Financial Reporting and Control and either the officer's or employee's appointing authority immediately and in writing.

(h) If the Director of Finance determines there has been a credit card expenditure beyond the appropriated, otherwise unencumbered or the authorized amount or if the Director of Finance determines that there has been unauthorized use of a credit card, and if the Director of Finance determines that the City Treasury should be reimbursed for credit card expenditures beyond the appropriated, otherwise unencumbered or the authorized amount, or for the amount of the unauthorized use, the Director of Finance shall give written notice to the officer or employee or appointing authority of liability to the City Treasury in accordance with this section. If, within thirty (30) days after issuance of the written notice, the City Treasury is not reimbursed for the amount shown on the written notice, the Director of Law shall recover that amount from the officer or employee or appointing authority who is liable under this section by civil action in any court of appropriate jurisdiction.

(i) Use of a City credit card for any use other than those permitted under division (a) of this section is a violation of RC 2913.21.

(j) The Director of Finance may revoke credit card privileges and reclaim the credit cards as the Director deems necessary.

Section 7. That Section 171.40 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 325-2022, passed April 11, 2022, is repealed.

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

Section 9. That any references contained in the Codified Ordinances of Cleveland, Ohio, 1976, to the “Division of Information Technology and Services” and the “Commissioner of Information Technology and Services” shall be amended to read “Department of Innovation and Technology” and “Director of Innovation and Technology” consistent with this ordinance.

Section 10. That the Clerk of Council is authorized when publishing the Codified Ordinances of Cleveland, Ohio, 1976, and amendments thereto, to change all references from the “Division of Information Technology and Services” and the “Commissioner of Information Technology and Services” to read “Department of Innovation and Technology” and “Director of Innovation and Technology” consistent with this ordinance.

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

Section 12. That, under this ordinance, the following changes to the following sections of the Codified Ordinances of Cleveland, Ohio: the enactment of new Sections 148.01, 148.02 and 148.03; the repeal of Sections 127.12, 123.09, 127.44, 127.45, and 127.451; and the amendment to and the repeal of existing of Section 171.40, shall take effect and be in force January 1, 2025, provided that the Board of Control’s concurrence required in Sections 1 and 4 of this ordinance occurs before such date; otherwise, they shall take effect and be in force on the date specified in such concurrence.

Section 13. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ordinances and Resolutions

First Reading Emergency Ordinances Read in Full and Passed

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

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

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

These ordinances were read for the first time on Monday, October 7, 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. 1082-2024

Ordinance No. 1082-2024

By Council Members: Griffin, Conwell, Hairston, Kazy, McCormack, Polensek, Santana, Spencer and Howse-Jones ((by departmental request)

An emergency ordinance to amend Section 171.30 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 561-2021, passed July 14, 2021, relating to holidays.

WHEREAS, this Council authorizes four (4) consecutive hours of paid time off for eligible full-time annual rate and hourly rate employees to provide employees additional convenience to exercise their voting privileges on general election day occurring on the first Tuesday after the first Monday each November; and

WHEREAS, this additional paid time off will not be subject to any conditions related to the act of voting; 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 Section 171.30 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 561-2021, passed July 14, 2021, is amended to read as follows:

Section 171.30 Holidays

(a) All full-time annual rate and hourly rate employees, except hourly rate craft employees paid on the basis of building trades prevailing wages, shall be exempted from work and be paid for the following named holidays:

New Year's Day (January 1);

Martin Luther King, Jr. Day (Third Monday in January);

Presidents' Day (Third Monday in February);

Good Friday (Friday before Easter);

Memorial Day (Fourth Monday in May);

Juneteenth National Independence Day (June 19);

Independence Day (July 4);

Labor Day (First Monday in September);

Thanksgiving Day (Fourth Thursday in November);

Christmas Day (December 25).

(b) All full-time annual rate and hourly rate employees, except hourly rate craft employees paid on the basis of building trades prevailing wages, shall be exempted from work for four (4) consecutive hours, as determined by the appointing authority or designee of each such employee, and be paid for those four (4) hours on the following day:

General Election Day (First Tuesday after the first Monday each November)

The eligibility of City employees in a union-represented bargaining unit is subject to the terms of the City's collective bargaining agreements and the requirements of RC Chapter 4117.

~~(b)~~(c) In addition to the foregoing named holidays, such employees shall be exempted from work and be paid for two (2) personal holidays each calendar year. The scheduling of such personal holidays shall be subject to the approval of the appointing authority of each such employee.

Section 2. That existing Section 171.30 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 561-2021, passed July 14, 2021, is repealed.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 1.

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

Voting Nay: Bishop.

Absent: None.

Ordinances and Resolutions

First Reading Emergency Resolutions Referred

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

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

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

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

These resolutions were read for the first time on Monday, October 7, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on a resolution below to read it:

Res. No. 1084-2024

Resolution No. 1084-2024

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

An emergency resolution declaring the intent to vacate a portion of Bronson Court, S.E., and a portion of East 12th Street.

WHEREAS, this Council is satisfied that there is good cause to vacate a portion of Bronson Court S.E. and a portion of East 12th Street, as described; 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 this Council declares its intent to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being all the portion of Bronson Court S.E. (16.5 feet wide) extending Easterly, from the Easterly line of East 12th Street (16.5 feet wide), to the Westerly line of East 13th Street (16.5 feet wide) and all that portion of East 12th Street (16.5 feet wide), extending southerly from the southerly line of Bronson Court S.E. (16.5 feet wide), to the northerly line of Carnegie Avenue (99 feet wide) as dedicated in the Church & Rose Allotment of part of Two Acre Lots Nos. 140 and 141 in the Original Two Plat of Cleveland as recorded in Volume 2 of Maps, Page 36 of Cuyahoga County Map Records.

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

Section 2. That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Capital Projects; City Planning Commission; Finance; and Law; Committees on Municipal Services and Properties; and Development Planning and Sustainability.

Ordinances and Resolutions

First Reading Emergency Resolutions Read in Full and Adopted

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

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

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

These resolutions were read for the first time on Monday, October 7, 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. 1083-2024

Resolution No. 1083-2024**By Council Members:** Starr

An emergency resolution supporting the Citizens Not Politicians-Citizens Redistricting Commission Initiative, which would transfer the power of drawing legislative and congressional maps from politicians and lobbyists to the citizens of Ohio; and urging Ohioans and Cleveland citizens to support this Issue 1 citizen-lead ballot initiative to end partisan gerrymandering in Ohio for a freer, more democratic state.

WHEREAS, the drawing of legislative and congressional maps, or the redistricting process, has historically been controlled by politicians and lobbyists, leading to districts that serve political interests rather than the people of Ohio and Cleveland; and

WHEREAS, extreme gerrymandering prevents Ohioans and Cleveland citizens from having the fair representation they deserve, allowing politicians to manipulate and rig district boundaries to secure their own power and diminish the influence of individual voters; and

WHEREAS, gerrymandering takes power away from the people of Ohio and Cleveland, allowing representatives to choose their voters rather than voters choosing their representatives, thereby undermining the foundational principles of free and fair elections that produce democratic governance; and

WHEREAS, the Citizens Redistricting Commission Initiative proposes a more transparent and fair process by placing the responsibility of redistricting in the hands of a 15-member independent commission composed of Ohio citizens, rather than politicians and lobbyists; and

WHEREAS, Issue 1 citizen-lead ballot initiative requires the Citizens Redistricting Commission to operate under an open and independent process; and

WHEREAS, the Citizens Redistricting Commission Initiative seeks to create legislative and congressional maps that reflect the true will of the people, ensuring that every Ohioan's vote carries equal weight in determining their representation; and

WHEREAS, empowering citizens to be part of the redistricting process will strengthen Ohio's democracy, enhance the integrity of our elections, and restore trust in our political system; and

WHEREAS, Issue 1 is endorsed by a broad spectrum of Ohio citizens, including Republicans, Independents, and Democrats; and

WHEREAS, this Council supports the Citizens Not Politicians-Citizens Redistricting Commission Initiative and urges citizens to support Issue 1, because it serves the best

interests of Ohioans and Cleveland citizens, will bring fairness and transparency to the redistricting process, and will protect the fundamental right of all Ohioans to have a meaningful and impactful vote;

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

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

Section 1. That this Council supports Citizens Not Politicians-Citizens Redistricting Commission Initiative, which would transfer the power of drawing legislative and congressional maps from politicians and lobbyists to the citizens of Ohio; and urging Ohioans and Cleveland citizens to support this Issue 1 citizen-lead ballot initiative to end partisan gerrymandering in Ohio for a freer, more democratic state.

Section 2. That this Council directs the Clerk of Council to transmit copies of this Resolution to, State Representative Terrence Upchurch, Ohio House Minority Leader Allison Russo, all members of the Ohio General Assembly whose districts include the City of Cleveland, Governor Mike DeWine, and Citizens Not Politicians.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 17. Nays 0.

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

Voting Nay: None.

Absent: None.

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, October 7, 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. 934-2024](#)

[Ord. No. 943-2024](#)

[Ord. No. 939-2024](#)

[Ord. No. 945-2024](#)

[Ord. No. 941-2024](#)

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

[Ord. No. 942-2024](#)

[Ord. No. 1008-2024](#)

Ordinance No. 934-2024

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

An emergency ordinance authorizing the Director of Public Safety to enter into one or more agreements with the United States Navy, or its designee, to display two bells and any other memorabilia of the United States naval warship, the USS Cleveland, for a period or periods not to exceed a total of five years, with one or more options to renew not to exceed a total of ten years, exercisable by the Director of Public Safety.

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

1. In the title, line 6, after “USS Cleveland” insert “(CL-55 and C-19)”; and strike lines 8, 9, and 10 in their entirety and insert: “one or more options to renew with each renewal period not to exceed five years, exercisable by the Director of Public Safety.”.
2. In the first whereas clause, line 1 after “Cleveland” insert “(CL-55)”; and strike line 2 in its entirety and insert “February 7, 1947; and”.
3. Strike the third whereas clause in its entirety and insert:

“WHEREAS, the USS Cleveland (C-19) warship, was decommissioned on or about November 1, 1929; and

WHEREAS, part of the USS Cleveland’s (CL-55) inventory was a bronze bell inscribed “U.S.S. Cleveland 1942; and

WHEREAS, part of the USS Cleveland’s (C-19) inventory was a bronze bell that depicts on one side Commodore Perry transferring his flag from the USS Lawrence to the USS Niagara with raised lettering reading “WE HAVE MET THE ENEMY AND THEY ARE OURS” and depicts on another side Lieutenant O’Keefe, the British Commandant of Marines, tendering Commodore Barclay’s sword to Commodore Perry with raised lettering reading “IF VICTORY IS TO BE ATTAINED. I WILL ATTAIN IT” along with raised lettering on the lower rim of the bell reading “TO THE CRUISER CLEVELAND BY THE CITIZENS OF CLEVELAND”; and”.

4. In Section 1, line 3, strike “warship, the USS Cleveland” and insert “warships, the USS Cleveland (CL-55) and the USS Cleveland (C-19),”; and in line five, strike “not to exceed a total of ten years” and insert “with each renewal period not to exceed five years”.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read third time in full.

Passed. Yeas 17. Nays 0.

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

Voting Nay: None.

Absent: None.

Ordinance No. 939-2024

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 the International Association of Chiefs of Police to conduct training through a Faculty Development Workshop and to provide mentoring and instruction through Leadership in Police Organization training, for the Division of Police, Department of Public Safety.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read third time in full.

Passed. Yeas 17. Nays 0.

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

Voting Nay: None.

Absent: None.

Ordinance No. 941-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of hazmat suits, for the Division of Emergency Medical Service, Department of Public Safety, for a term of one year, with two one-year options to renew, exercisable by the Director of Public Safety.

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

1. In Section 2, in lines, 1, 2, 3, and 4, strike “be paid from the fund or funds to which are credited the proceeds from the sale of bonds authorized by Ordinance No. 666-2024, passed July 10, 2024, if issued for this purpose, and shall also be charged against the proper appropriation accounts” and insert “not exceed \$288,000 and shall be paid from Fund No. 20 SF 721”.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read third time in full.

Passed. Yeas 17. Nays 0.

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

Voting Nay: None.

Absent: None.

Ordinance No. 942-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of medical stair chairs, for the Division of Emergency Medical Service, Department of Public Safety, for a term of one year, with two one-year options to renew, exercisable by the Director of Public Safety.

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

1. In Section 2, in lines, 1, 2, 3, and 4, strike “be paid from the fund or funds to which are credited the proceeds from the sale of bonds authorized by Ordinance No. 666-2024, passed July 10, 2024, if issued for this purpose, and shall also be charged against the proper appropriation accounts” and insert “not exceed \$220,000 and shall be paid from Fund No. 20 SF 721”.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read third time in full.

Passed. Yeas 17. Nays 0.

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

Voting Nay: None.

Absent: None.

Ordinance No. 943-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of patient ventilators, for the Division of Emergency Medical Service, Department of Public Safety, for a term of one year, with two one-year options to renew, exercisable by the Director of Public Safety.

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

1. In Section 2, in lines, 1, 2, 3, and 4, strike “be paid from the fund or funds to which are credited the proceeds from the sale of bonds authorized by Ordinance No. 666-2024, passed July 10, 2024, if issued for this purpose, and shall also be charged against the proper appropriation accounts” and insert “not exceed \$540,000 and shall be paid from Fund No. 20 SF 721”

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

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

The rules were suspended. Yeas 17. Nays 0.

Read third time in full.

Passed. Yeas 17. Nays 0.

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

Voting Nay: None.

Absent: None.

Ordinance No. 945-2024

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of turnout gear, for the Division of Fire, Department of Public Safety, for a term of one year, with two one-year options to renew, exercisable by the Director of Public Safety.

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

1. In Section 2, in lines, 1, 2, 3, and 4, strike “be paid from the fund or funds to which are credited the proceeds from the sale of bonds authorized by Ordinance No. 666-2024, passed July 10, 2024, if issued for this purpose, and shall also be charged against the proper appropriation accounts” and insert “not exceed \$225,000 and shall be paid from Fund No. 20 SF 721”.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read third time in full.

Passed. Yeas 17. Nays 0.

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

Voting Nay: None.

Absent: None.

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.

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

1. In Section 1, at amended Section 396.01(d), lines 2 and 3, strike “Chapter” and insert “chapter” in both places.
2. In Section 1, at amended Section 396.03(f), line 1, after “Not less than” insert “thirty”; in division (f)(1), line 3, strike “this Fire Code” and insert “Title XI – Fire Prevention Code of the Codified Ordinances (“this Fire Code”)”; and in division (h), line 1, strike “Chapter” and insert “chapter”.
3. In Section 1, at amended Section 396.05(b), line 10, strike “11 / 8 inches” and insert “1 1/8 inches”; in line 12, strike “6 mm” and insert “13 mm”; and in line 13, strike “11 / 4 inch” and insert “1 ¼ inches”; and in division (c), line 5, strike “Prevention”.
4. In Section 1, at amended Section 396.07(d), line 1, italicize “Civil Actions”.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read third time in full.

Passed. Yeas 17. Nays 0.

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

Voting Nay: None.

Absent: None.

Ordinance No. 1008-2024

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

An emergency ordinance to amend Contract No. PS 2023-0119 with Axon Enterprise, Inc., to consolidate various contracts with Axon for purchases and services for the various divisions of the Department of Public Safety.

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

1. In the fourth whereas clause, line 2, strike “March 31, 2025” and insert “December 31, 2025”; and in line 3, after “Safety” insert “, in an amount not to exceed \$5,473,248.44 for each renewal year”.
2. In Section 2, line 4, strike “March 31, 2025” and insert “December 31, 2025”; and in line 5, after “Safety” insert “, in an amount not to exceed \$5,473,248.44 for each renewal year”.
3. Insert new Section 3 to read as follows:
 1. “Section 3. That the Director of Public Safety shall provide all members of the Safety Committee quarterly reports relating to the implementation and performance of the Axon contract.”.
4. Renumber existing Section 3, 4, and 5 to new “Section 4”, “Section 5” and “Section 6”.

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

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

The rules were suspended. Yeas 17. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 1.

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

Voting Nay: Howse-Jones.

Absent: None.

Official Proceedings Adjournment City Council

Cleveland, Ohio
Monday, October 7, 2024

MOTION

On the motion of Council Member Gray, the absence of Council Member Jenny Spencer is hereby authorized. Seconded by Council Member Maurer.

The Council Meeting adjourned at 8:10 p.m. to meet on Monday, October 14, 2024, at 7:00 p.m. in the Council Chamber.

Patricia J. Britt
City Clerk, Clerk of Council

Council Committee Meetings

Monday, October 7, 2024

2:00 p.m.

Finance, Diversity, Equity and Inclusion Committee

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

Tuesday, October 8, 2024

9:30 a.m.

Development, Planning and Sustainability Committee

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

Wednesday, October 9, 2024

10:00 a.m.

Transportation and Mobility Committee

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

Authorized Absence: Gray

Board of Control

Wednesday, October 9, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, October 9, 2024, at 3:01 p.m. with Director Mark Griffin presiding.

Members Present: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara, Acting Director Vanover

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

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

Tyson Mitchell, Director
Office of Equal Opportunity

Tiffany White Johnson, Commissioner
Division of Purchases & Supplies

Tomasz Kacki, Paralegal
Law Department

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:10 p.m.

Vishnu Ganglani
Acting Secretary – Board of Control

File No. 1085-2024

From Jeffrey B. Marks, Secretary, Board of Control. City of Cleveland. Board of Control Resolution No. 484-24, amending Board of Control Resolution No. 377-24 regarding Ordinance No. 521-2024, establishing new Department of Parks and Recreation and associated Divisions. Received.

Department of Law
Mark Griffin, Director
Chief Legal Counsel
601 Lakeside Avenue, Room 106 Cleveland, Ohio 44114-1077
216/664-2800 • Fax: 216/664-2663 www.cleveland-oh.gov

October 4, 2024

Patricia J. Britt
Clerk of Council
Room 210 - City Hall
Cleveland, Ohio 44114

RE: Amendment to Board of Control Concurrence - Ordinance No. 521-2024

Dear Clerk Britt:

Enclosed is a certified copy of Board of Control Resolution No. 484-24, adopted September 18, 2024, amending Board of Control Resolution No. 377-24, adopted August 7, 2024, evidencing the Board's concurrence 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 of Public Works, by providing that the aforementioned discontinuance and establishment shall be effective January 1, 2025.

Thank you.

Very truly yours,

Jeffrey B. Marks
Secretary, Board of Control

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.

I hereby certify that this is a true and correct copy of Board of Control Resolution No. 484-24, adopted by the Board of Control on September 18, 2024.

Jeffrey B. Marks

Date: 4 October 2024

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. 520-24

Adopted 10/09/24

By Interim Director Hartley

BE IT RESOLVED by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 664-2022, passed by the Cleveland City Council on August 17, 2022, as amended by Ordinance No. 1143-2022, passed November 21, 2022, and further amended by Ordinance No. 636-2024, passed on June 3, 2024, Gradient A Human Equity Think Tank LLC is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to provide a customized and collaborative approach to delivery of outreach into specific community zones, engagement of residents in specified zones in solution making, and recommendations for a citywide violence prevention strategic blueprint, for a term of one year.

BE IT FURTHER RESOLVED that the Director of Finance is authorized to enter into contract with Gradient A Human Equity Think Tank LLC, based on its proposal dated September 17, 2024, which contract shall be prepared by the Director of Law, shall provide for the furnishing of the professional services described in the proposal, for a fee not to exceed \$255,000 for the one-year term, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

BE IT FURTHER RESOLVED that the employment of the following subcontractor by Gradient A Human Equity Think Tank LLC for services to be performed under the above-authorized contract is approved:

Akida Business Consulting LLC	(MBE/FBE/CSB)	\$125,400	49%
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Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 521-24

Adopted 10/09/24

By Director Francis

BE IT RESOLVED by the Board of Control of the City of Cleveland that the employment of the following subconsultant by EnviroScience, Inc. under City Contract No. PS2024*0169 to provide professional mandatory environmental analytical and regulatory services, for the Department of Port Control, authorized by Ordinance No. 692-2021, as amended by ordinance No. 327-2024, passed by the Council of the City of Cleveland on October 11, 2021 and April 15, 2024, respectively, and Board of Control Resolution No. 214-24, adopted May 1, 2024, is approved.

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
The Center for Toxicology and Environmental Health	Non-certified	\$5000.00

Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 522-24

Adopted 10/09/24

By Director DeRosa

WHEREAS, Ordinance No. 827-2024, passed September 16, 2024 by the Council of the City of Cleveland authorizes the Commissioner of Purchases and Supplies and the Mayor, by and at the direction of the Board of Control, to sell City-owned real property located on the northwest corner of Delora Avenue and Fulton Road to (PPN: 012-18-111) for purposes of residential development, found and determined to be not needed for City public use and more fully described in the ordinance, to Civic Builders, LLC, at a price not less than the appraised value of \$3,700, which has been determined to be fair market value; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that under Ordinance No. 827-2024, passed September 16 , 2024 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies and the Mayor are directed to sell City-owned real property located on the northwest of Delora Avenue and Fulton Road (PPN: 012-18-111) for purposes of residential development, as more fully described in the ordinance, to Civic Builders LLC, at a price not less than the appraised value of \$3,700 taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deeds of conveyance.

Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 523-24

Adopted 10/09/24

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. 110-21-080 and 110-21-081 located at 11403 Fairport Avenue and 11407 Fairport 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, Almond Group Inc. proposed to the City to purchase and develop the parcels for new housing development; 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 purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Almond Group Inc. for the sale and development of Permanent Parcel Nos. 110-21-080 and 110-21-081 located at 11403 Fairport Avenue and 11407 Fairport 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 \$5,068.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 524-24

Adopted 10/09/24

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. 143-13-051 located at 16624 Lipton 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, Sonya M. Broady and Darnell Broady, Jr. have proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Sonya M. Broady and Darnell Broady, Jr., for the sale and development of Permanent Parcel No. 143-13-051 located at 16624 Lipton 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: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 525-24

Adopted 10/09/24

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. 138-16-002 located on Miles Avenue; and

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

WHEREAS, Valerie Hamilton has proposed to the City to purchase and develop the parcel for Parking; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 3 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;
2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Valerie Hamilton, for the sale and development of Permanent Parcel No. 138-16-002 located on Miles Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$4,725.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 526-24

Adopted 10/09/24

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. 107-14-186 located at 1356 East 91st Street, Cleveland, Ohio 44106; 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, Crystal King has proposed to the City to purchase and develop the parcel for Side Yard Expansion; and

WHEREAS, the following conditions exist:

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

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Crystal King, for the sale and development of Permanent Parcel No. 107-14-186 located at 1356 East 91st Street, Cleveland, Ohio 44106, 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: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 527-24

Adopted 10/09/24

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. 120-01-004 located at 10520 Superior 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, Light Reign Artisan Co. LLC has proposed to the City to purchase and develop the parcel for Commercial/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 purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland with Light Reign Artisan Co. LLC, for the sale and development of Permanent Parcel No. 120-01-004 located at 10520 Superior Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$2,238.60, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 528-24

Adopted 10/09/24

By Director Cole

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that under the authority of Ordinance 634-2024, passed by the Cleveland City Council on July 10, 2024, MOD Network, LLC is selected from a list of firms determined after a full and complete canvass by the Director of Human Resources, as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City, to provide Professional Content and training services necessary to design, develop, and deliver a comprehensive training program for HR Leads University for a period of one year, with two, one-year options to renew.

BE IF FURTHER RESOLVED that the Director of Human Resources is authorized to enter into a contract with MOD Network, LLC based upon its proposal dated August 19, 2024, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal, for a fee not to exceed \$75,000.00, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 529-24

Adopted 10/09/24

By Director Mitchell

WHEREAS, under the authority of Ordinance No. 1549-11, passed by the Cleveland City Council on November 21, 2011, the City of Cleveland, through the Director of the Office of Equal Opportunity, entered into City Contract No. PS2012000000059 with AskReply, Inc., dba B2Gnow, for the acquisition of one or more licenses for a contract compliance and certification monitoring system, including designing, installing, integrating, training, and maintenance for a period of one year, for the Office of Equal Opportunity; and

WHEREAS, division (c) of Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, ("C.O.") authorizes a director to execute one or more license agreements for software needed to implement or maintain a previously acquired software system directly with the software licensing firm; and

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

WHEREAS, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with B2Gnow to renew the necessary software licenses and to obtain software support and maintenance services for the contract compliance and certification monitoring system, for one year starting April 1, 2024; now, therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid for license fees and for maintenance and support services to be performed under the contract with B2Gnow for the service year starting April 1, 2024, shall not exceed \$200,000.00, with current commitments of \$160,729.86.

Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 530-24

Adopted 10/09/24

By Director McNair

WHEREAS, that under the authority of Section 183.021(b)(2) and (4) of Codified Ordinances of the City of Cleveland (1976) ("C.O."), the Commissioner of Purchases and Supplies, when directed by the Director of Economic Development, is authorized to sell property in the Industrial-Commercial Land Bank at a purchase price determined to be fair market value by the Board of Control;

WHEREAS, the City and Bridgeport Group LLC ("Bridgeport") have agreed to enter an Option Agreement to Acquire Real Property (the "Agreement"), under which the City will grant Bridgeport a one-year option to purchase two parcels, Permanent Parcel Numbers 126-11-009 and 126-11-010, currently held in the Industrial-Commercial Land Bank, for an option fee of \$12,500;

WHEREAS, Bridgeport desires the parcels to assemble a development site on Opportunity Corridor, where it plans to build and operate a 230,000 SF medical cold storage facility that will create 120 new FTE positions at the facility, with a total payroll of nearly \$8 million by 2029;

WHEREAS, should Bridgeport exercise the option and acquire the parcels, the Agreement provides that the purchase price would equal the appraised value, as determined by a City-approved appraiser;

WHEREAS, the Agreement will supplement an incentive package being offered to Bridgeport by the City; now therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that under C.O. Section 183.021(b)(2) and (4), the option price of \$12,500 for Permanent Parcel Numbers 126-11-009 and 126-11-010, located between East 93rd Street and Quincy Avenue at 10601 Arthur Avenue, is determined to be fair market value.

Yeas: Directors Griffin, Keane, Francis, Williams, Drummond, Hernandez, Cole, McNair, McNamara

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Schedule of the Board of Zoning Appeals

**Monday, October 28, 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 25, 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/UCB8ql0Jrhm_pYIR1OLY68bw/

**Calendar No. 24-164: 2065 West 47th Street
Ward 3 – Kerry McCormack**

House of Champions, owner, proposes to erect a 2,903 square foot building to be used as single-family house and meeting/education/skill center for up to 24 children 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 337.03, which states that a Two-Family residential district allows uses as regulated in a One Family District. Per 337.02(g)(3)(B)(C)(G), recreation or community center use, daycare use, and charitable institution use are permitted if they are at least 20 feet from the adjoining premises in a residential district, and if adequate yard space and other safeguards to preserve the neighborhood are, provided, and if such building and use are appropriately designed and will meet a community need without adversely affecting the neighborhood. Proposed use is within 30 feet of adjoining premises in residential district.
2. Division (c)(1) of Section 358.04, which states that The Board of Zoning Appeals approval is required for 3 feet high chain-link fence in Front Yard & Side street Yard.

**Calendar No. 24-165: 3571 East 71st Street
Ward 12 – Rebecca Maurer**

FBE, Inc, owners, proposes to erect a two-story frame, single-family residence with attached garage in an A1 One-Family Residential district. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Division (b)(2)(B) of Section 357.09 which states that the required interior side yard is 10 feet, and the appellant is proposing 6.23 feet.

**Calendar No. 24-170: 2075 Murray Hill Road
Ward 6 – Blaine Griffin**

Lena G. LLC., owner, propose to install a six-feet-tall fence in a C1 Multi-Family Residential. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.04 which states that no fence shall be higher than its distance from a residence building on an adjoining lot; fence line is within 2 feet of neighbor's house.

**Calendar No. 24-171: 1354 West 69th Street
Ward 15 – Jenny Spencer**

Maxwell Connor, owner propose to install a six-feet-tall fence in a B1 Two-Family Residential. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.04 which states that fences in actual front yards shall not exceed 4 feet in height and shall be at least 50% open; proposed fence is 6-feet-tall and solid. No fence shall be higher than its distance from a residence building on an adjoining lot; proposed fence is less than six feet from building on adjacent parcel. A fence running generally parallel to and adjacent to a building on the same property shall be located no closer than 3 feet to the closest wall of such building; proposed fence is closer than 3 feet to house on subject parcel.

**Calendar No. 24-174: 3238 Lorain Avenue
Ward 3 – Kerry McCormack**

JC Woodford LLC., owner, proposes to change use from office to beauty shop and tattoo shop in Local Retail Zoning District and a Pedestrian Retail Overlay District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 343.01 which states that a Tattoo shop is not permitted in a Local Retail Business District; it is first permitted in General Retail District if not less than 1,000 feet from a residential district, school, library, day care center, and church or another tattoo shop per divisions (b)(1) and (2) of Section 347.12. The proposed use is located less than 1,000 feet from a Two-Family District (at the rear across Penn Court) Note: CPC approval is required.

The following case has been withdrawn

Calendar No. 24-173: 12200 Fairhill Avenue**Ward 6 – Blaine Griffin**

Steps to Wellness Inc, owners, proposes to establish use as a Mental Health Center for opioid treatment and peer support in a Multi-family Residential District. The owner appeals for relief from the strict application of the following section of the Cleveland Codified Ordinances:

1. Section 337.08, which states that a Mental Health Center is not a permitted use in a Multi-Family Residential District but is first permitted in an Institutional Research Center per section 340.02.

Report of the Board of Zoning Appeals

Monday, October 7, 2024

At the meeting of the Board of Zoning Appeals on Monday, October 7, 2024, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED**:

Calendar No. 24-153: 3840 St. Clair Avenue

Michelle Zamlen, owner, proposes an application for use as restaurant in General Industry Zoning District.

Calendar No. 24-154: 1515 East 123rd Street

MAUV, LLC, owner, proposes to erect a three-story frame, three-family residence on the front half of shared lot with rear three-story frame irregular-shaped single-family residence with 4 car detached concrete parking space in a D1 Multi-Family Residential District.

Calendar No. 24-155: 1517 East 123rd Street

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.

Calendar No. 24-156: 2906 Monroe Avenue (Granted conditionally)

Monroe Properties Cle, LLC, owner, proposes to erect a two-story frame, single-family residence in a B1 Two-Family Residential District.

Calendar No. 24-157: 2910 Monroe Avenue (Granted conditionally)

Monroe Properties Cle, LLC, owner, proposes to erect a two-story frame, single-family residence in a B1 Two-Family Residential District.

Calendar No. 24-160: 3701 Siam Avenue

Jessica Pleasant, owner, proposes to erect a three-story frame, two-family residence with 20 feet by 20 feet, detached garage in a B1 Two-Family Residential District.

Calendar No. 24-162: 865 Jefferson Avenue (Granted conditionally)

Tim McDonough, owner, proposes to erect a four-story frame, two-family residence with attached garage 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. 21-138: Kimberly Thomas

756 East 105th Street. November 18, 2024.

No cases were ratified on Monday, October 7, 2024.

Agenda of the Board of Building Standards and Building Appeals

Wednesday, November 6, 2024 - revised

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

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

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PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:

https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

BUILDING:

Docket A-118-24	2527 East 82nd Street	WARD: 6 (Blaine A. Griffin)
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Karder Investments Ltd., Owner of the R-2 Residential-Non-transient; Apartments Shared Egress; Two-Story Masonry Walls/Wood Floors Structure, appeals from a **NOTICE OF VIOLATION – FAILURE TO OBTAIN A LEAD SAFE CERTIFICATE FOR A RESIDENTIAL RENTAL UNIT**, dated April 25, 2024, appellant is requesting six months to complete abatement of the violations.

Docket A-119-24	3328 Euclid Avenue	WARD: 7 (Stephanie D. Howse-Jones)
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Stockbridge Four LLC, Owner of the R-2 Residential-Non-transient; Apartments Shared Egress; Two and Half-Story Masonry Structure, appeals from a **NOTICE OF**

VIOLATION – EXTERIOR MAINTENANCE, dated May 8, 2024, appellant is requesting 90 days to complete abatement of the violations.

Docket A-121-24

11304 Parklawn Avenue

WARD: 9
(Kevin Conwell)

Anz2126 LLC, Owner of the R-2 Residential-Non-transient; Apartments Shared Egress; Two-Story Masonry Structure, appeals from a **NOTICE OF VIOLATION – FAILURE TO OBTAIN A LEAD SAFE CERTIFICATE FOR A RESIDENTIAL RENTAL UNIT**, dated April 25, 2024, the appellant is requesting 90 days to complete abatement of the violations.

Docket A-123-24

11730 Lorain Avenue

WARD: 11
(Danny Kelly)

Khalil Rasheed and Ibraheem Rasheed, Owner of the M-Mercantile-Retail Shops, Carry-Out Food Shops; One-Story Masonry Walls/Wood Floors Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE**, dated May 16, 2024, the appellant is requesting 120 days to complete abatement of the violations.

Docket A-125-24

3904 Martin Luther King Jr. Drive

WARD: 2
(Kevin Bishop)

Pamela Hubbard, Owner of the MXD Mixed Uses-Multiple Uses In One Building; Two-Story Masonry Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE**, dated May 1, 2024, the appellant is requesting six months days to complete abatement of the violations.

HOUSING:

Docket A-37-24

3822 Newark Avenue

WARD: 14
(Jasmin Santana)

Jamie Scaggs, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached; Wood Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated January 26, 2024; appellant is requesting six months to complete abatement of the violations.

Docket A-38-24

903 East 146th Street

WARD: 10
(Anthony T. Hairston)

Molmor LLC, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE**, dated January 24, 2024; the appellant is requesting six months to complete abatement of the violations.

Docket A-41-24 3504 Independence Road WARD: 12
(Rebecca Maurer)

Hype Investing LLC, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE**, dated January 23, 2024; the appellant is requesting eight months to complete abatement of the violations.

Docket A-42-24 3434 West Boulevard WARD: 11
(Danny Kelly)

3434 West Blvd LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two and Half-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE & NO PERMIT**, dated January 30, 2024, & February 6, 2024; the appellant is requesting 120 days to complete abatement of the violations.

Docket A-104-24 9707 Pierpont Avenue WARD: 9
(Kevin Conwell)

Debra Taylor Smith, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**,, dated April 9, 2021, appellant is requesting six months to one year to complete abatement of the violations.

Docket A-107-24 2609 Hood Avenue WARD: 13
(Kris Harsh)

RDG Properties LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS**, dated April 17, 2024, appellant is requesting for time to complete abatement of the violations.

Docket A-109-24 7305 Montgomery Avenue WARD: 5
(Richard A. Starr)

Charlene Pruitt, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated April 12, 2024, appellant is requesting time to complete abatement of the violations.

Docket A-114-24 9608 Steinway Avenue WARD: 4
(Deborah A. Gray)

Kimberly L. Morris, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – HAZARDOUS**

CONDITIONS, NO PERMIT, EXTERIOR MAINTENANCE, INTERIOR MAINTENANCE, dated April 29, 2024 & July 25, 2024, appellant is requesting one year and six months to complete abatement of the violations.

Docket A-115-24 110 02 Notre Dame WARD: 6
(Blaine A. Griffin)

Mark Campbell, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated May 3, 2024, the appellant is requesting 60 days to complete abatement of the violations.

Docket A-116-24 16511 Burnside Avenue WARD: 8
(Michael D. Polensek)

Earl M. Foster, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated April 19, 2024, appellant is requesting 60 days to complete abatement of the violations.

Docket A-117-24 2221 East 76th Street-FRONT WARD: 5
(Richard A. Starr)

Family Dynamics, LLC, Owner of the Three Dwelling Units; Three-Family Residence; Two and Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**,, dated March 25, 2024, appellant is requesting six months to complete abatement of the violations.

Docket A-120-24 730 East 96th Street WARD: 10
(Anthony T. Hairston)

Zainab G. Evans, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**,, dated March 25, 2024, the appellant is requesting six months to one year to complete abatement of the violations.

Docket A-122-24 10318 Kinsman Road WARD: 4
(Deborah A. Gray)

Curtis Henderson, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated May 10, 2024, the appellant is requesting six months to one year to complete abatement of the violations.

Docket A-124-24 423 West Schaaf Road WARD: 13
(Kris Harsh)

Diane Stuczynski, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated May 2, 2024, the appellant is requesting time to complete abatement of the violations.

Time Extension – Housing:

Docket A-39-24

12721 Firsby Avenue

WARD: 11
(Danny Kelly)

Stephen Arisco, Owner of the One Dwelling Unit Single-Family Residence One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR MAINTENANCE**, dated September 13, 2023; appellant is requesting for additional time under A-272-23 until February 8, 2024, to complete abatement of the violations.

BRIDGE:

Docket A-327-23

65 Madison Cleveland, OH AKA At West 112 Street City Bridge

WARD: 11
(Danny Kelly)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:562 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-327-23 closed non-compliant without prejudice.

Docket A-328-23

66 Stanton Cleveland, OH AKA East of East 79 Street City Bridge

WARD: 5
(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:565 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-328-23 closed non-compliant without prejudice.

Docket A-329-23

67 Steinway Cleveland, OH AKA East of Buckeye City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:566 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-329-23 closed non-compliant without prejudice.

Docket A-330-23

69 Mayfield Cleveland, OH AKA At East 117 Street City Bridge

WARD: 9
(Kevin Conwell)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:569 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-330-23 closed non-compliant without prejudice.

Docket A-331-23

70 University Cleveland, OH AKA East of Scranton Road City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:570 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-331-23 closed non-compliant without prejudice.

Docket A-332-23

71 West Cleveland, OH AKA South of Baltic Road City Bridge

WARD: 15
(Jenny Spencer)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:571 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-332-23 closed non-compliant without prejudice.

Docket A-333-23**72 West 65 Cleveland, OH AKA South of Clark Avenue City Bridge****WARD:14
(Jasmin Santana)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:573 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3)

Docket A-333-23 closed non-compliant without prejudice.

Docket A-334-23**73 West 65 Cleveland, OH AKA At Father Caruso City Bridge****WARD: 15
(Jenny Spencer)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:574 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-334-23 closed non-compliant without prejudice.

Docket A-335-23**74 West 76 Cleveland, OH AKA At Northerly End City Bridge****WARD: 15
(Jenny Spencer)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:575 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-335-23 closed non-compliant without prejudice.

Docket A-336-23**75 West 95 Cleveland, OH AKA City Bridge****WARD: 15
(Jenny Spencer)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:576 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated

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

Docket A-336-23 closed non-compliant without prejudice.

Docket A-338-23

76 West 117 Cleveland, OH AKA North of Berea Road City Bridge

**WARD: 16
(Brian Kazy)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:577 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3)

Docket A-338-23 closed non-compliant without prejudice.

Docket A-339-23

77 West 117 Cleveland, OH AKA South of Madison Road City Bridge

**WARD: 16
(Brian Kazy)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:578 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-339-23 closed non-compliant without prejudice.

Docket A-340-23

78 West 130 Cleveland, OH AKA South of Gilmore Avenue City Bridge

**WARD: 3
(Kerry McCormack)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:579 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-340-23 closed non-compliant without prejudice.

Docket A-341-23

79 West 130 Cleveland, OH AKA North of I-480 City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:580 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-341-23 closed non-compliant without prejudice.

Docket A-342-23

80 Willey Cleveland, OH AKA South of Train Avenue City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:582 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-342-23 closed non-compliant without prejudice.

Approval of Resolutions

Docket/s:

A-11-24	Leslie C. King
A-89-24	Willard K. Nash
A-87-24	Que/Wei Truong
A-90-24	Prince Robinson
A-91-24	Shirley Green
A-92-24	Harry & Raliegth Timmins
A-93-24	A&M Financial Services
A-99-24	Michael Ramirez
A-102-24	Edgewater LLC
A-103-24	Catherine Perciado
A-105-24	Essential Wealth Investors LLC
A-106-24	Heather Carey
A-110-24	A Clean House LLC
A-112-24	Rebecca Adkins
A-113-24	Mae Johnson
A-183-24	1555 E. 118 LLC

Approval of Minutes

October 23, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

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

Date: October 7, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire and/or both on Wednesday, November 6, 2024, at approximately 9:30 a.m.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-37-24	3822 Newark	T. Barisic
A-38-24	903 East 146	K. Lanum
A-39-24	12721 Firsby	K. Lanum
A-41-24	3504 Independence	K. Lanum
A-42-24	3434 West Blvd	C. Davis
A-104-24	9707 Pierpoint	F. Zekaj
A-107-24	2609 Hood	J. Barkas
A-109-24	7305 Montgomery	M. Santillo
A-114-24	9608 Steinway	R. Derrett
A-115-24	11002 Notre Dame	G. Conwell
A-116-24	16511 Burnside	B. McClure
A-117-24	2221 East 76	J. Carrao
A-118-24	2527 East 82	W. Battle
A-119-24	3328 Euclid	K. Lanum
A-120-24	730 East 96	C. Ohmer
A-121-24	11304 Parklawn	W. Battle
A-122-24	10318 Kinsman	A. Arnold
A-123-24	11730 Lorain	C. Davis
A-124-24	423 West Schaaf	S. Lang
A-125-24	3904-06 MLK Jr.	M. Santillo

Agenda of the Board of Building Standards and Building Appeals

Wednesday, August 14, 2024 - revised

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

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

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PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:

https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

LEAD BUILDING:

Docket A-394-23	3003 Archwood Avenue	WARD: 14 (Jasmin Santana)
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Veronica Lodge Holdings LLC, Owner of the Multi Family Residence; Forty-One Dwelling Units; Three-Story Wood/Timber Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION**, dated November 16, 2023; appellant is requesting the board to remand this exam to B&H with the demand that he redo the Units; Mr. Redic did at no cost to the client and provide ample time to perform this action, 45 days is the ask.

Docket A-398-23	1412 West 110th Street	WARD: 15 (Jenny Spencer)
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Syracuse Management, Owner of the Multi Family Residence; Seventeen Dwelling Units;-Story Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated November 6, 2023; appellant is requesting the board to overturn the findings of the B & H deficiency letter dated November 6, 2023 and direct the department to issue a 2 year certification as required by CCO 365.04.

Docket A-400-23

7006 Detroit Avenue

WARD: 15
(Jenny Spencer)

7006 Detroit Road LLC, Owner of the Twenty-One Dwelling Units; Apartments Three-Story Wood/Timber Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated December 5, 2023; appellant is requesting a hearing to point out errors in B&H review and interpretation of CCO 365.04.

Docket A-410-23

3173 West 38th Street

WARD: 14
(Jasmin Santana)

Anastasia/Vladimir Levitansky, Owner of the Four Dwellings Units; Multi Family Residence; Two-Story Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated December 5, 2023; appellant is requesting a hearing to point out errors in B&H review and interpretation of CCO 365.04.

Docket A-8-24

1415-1419 West 101st Street

WARD: 11
(Danny Kelly)

1415-1419 West 101 LLC, Owner of the Twenty Dwellings Units; Multi Family Residence; Three-Story Wood/Timber Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated December 28, 2023; appellant is requesting the board require B&H to allow retesting of any failed components/Units; without requiring a complete retesting of all units.

Docket A-44-24

55 Public Square

WARD: 3
(Kerry McCormack)

55 Public Square LLC, Owner of the MXD Mixed Uses- Multiple Uses in One Building Fireproofed Steel Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated January 29, 2024; appellant is requesting a hearing to address the results of the inspection.

Docket A-48-24

4027 Rocky River Drive

WARD: 17
(Charles J. Slife)

28 Riverside LLC, Owner of the R-2 Residential-Non-transient Apartments (Shared Egress) Twenty-Eight Dwelling Units; Three-Story Metal Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated February 6, 2024; appellant is requesting a hearing.

Docket A-49-24**10 017 Lake Avenue****WARD: 15
(Jenny Spencer)**

Hampton House LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) High-Rise Building Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS**, dated February 6, 2024; appellant appeals are regarding grouping of buildings to obtain a lower number of overall Units; tested.

Docket A-61-24**10507 Lake Avenue****WARD: 15
(Jenny Spencer)**

Lake West Apartments, Owner of the R-2 Residential-Non-transient Apartments (Shared Egress) High-Rise Building Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS**, dated February 6, 2024; appellant appeals are regarding grouping of buildings to obtain a lower number of overall Units; tested.

Docket A-62-24**10109 Lake Avenue****WARD: 15
(Jenny Spencer)**

Parkway Manor Apartments, Owner of the R-2 Residential-Non-transient Apartments (Shared Egress) High-Rise Building Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS**, dated February 6, 2024; appellant appeals are regarding groupings of buildings to obtain a lower number of overall Units; tested.

Docket A-63-24**12022 Mayfield Road****WARD: 6
(Blaine Griffin)**

12022 Mayfield LLC, Owner of the R-2 Residential-Non-transient Apartments (Shared Egress) Building Wood/Timber Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated February 6, 2024; appellant is requesting the documents to be reviewed and the decision to be reversed.

Docket A-83-24**99 W. St. Clair Street****WARD: 3
(Kerry McCormack)**

99 W. St. Clair Owner LLC, Owner of the Two hundred Dwelling Units; Multi - Family Residence; Twenty-Story Fireproofed Steel Frame Structure, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION FINDINGS & REPORT**, dated March 14, 2024; appellant urges the board to re-evaluate the findings of the deficiency report considering the evidence presented and consider the need for a more consistent and fair assessment framework.

LEAD HOUSING:

Docket A-244-23

8018 Dorver Avenue

WARD: 2
(Kevin L. Bishop)

Keith Ford, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated August 29, 2023; appellant is requesting a hearing.

Docket A-245-23

15219 Utopia Avenue

WARD: 8
(Michael D. Polensek)

Sold Simple Property, Solutions LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated July 13, 2023; appellant is requesting a hearing.

Docket A-245-23 has been **WITHDRAWN** per the appellate request.

Docket A-246-23

3318 West 48th Street

WARD: 14
(Jasmin Santana)

Ryan Brouwer, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Wood Frame/Siding/Masonry Veneer Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT & INSPECTION FINDINGS**, dated August 31, 2023; appellant is asking the board to order B&H to allow any retesting as described OAC 3701-32-12(E)(3).

Docket A-392-23

3336 W. 110th Street

WARD: 11
(Danny Kelly)

Gregg Plute, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF DEFICIENT INSPECTION FINDINGS**, dated November 8, 2023; appellant is requesting the board to order B&H to allow a retest for the one feature that failed inspection and not the entire Property, once again.

Docket A-409-23

562 East 128th Street

WARD: 10
(Anthony Hairston)

Stone International Services, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated December 6, 2023; appellant is requesting a hearing to point out errors in the review and interpretation of CCO 365.04.

Docket A-45-24

3629 East 49th Street

WARD: 12
(Rebecca Maurer)

Sama Investments LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated January 30, 2024; appellant is requesting for time to complete abatement of the violations.

Approval of Resolutions

Docket/s:

Approval of Minutes

July 31, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

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

Date: May 2, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, August 14, 2024, at approximately 9:30 a.m.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-394-23	3003 Archwood	J. Freyermuth
A-398-23	1412 West 110	J. Freyermuth
A-400-23	7006 Detroit	J. Freyermuth
A-410-23	3173 West 38	J. Freyermuth
A-8-24	1415-1419 West 101	J. Freyermuth
A-44-24	55 Public Square	J. Freyermuth
A-48-24	4027 Rocky River	J. Freyermuth
A-49-24	10017 Lake	J. Freyermuth
A-61-24	10507 Lake	J. Freyermuth
A-62-24	10109 Lake	J. Freyermuth
A-63-24	12022 Mayfield	J. Freyermuth
A-83-24	99 West St. Clair	J. Freyermuth
A-244-23	8018 Dorver	J. Freyermuth
A-245-23	15219 Utopia	J. Freyermuth
A-246-23	3318 West 48	J. Freyermuth
A-392-23	3336 West 110	J. Freyermuth
A-409-23	562 East 128	J. Freyermuth
A-45-24	3629 East 49	J. Freyermuth

Report of the Board of Building Standards and Building Appeals

Monday, July 17, 2024

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

Docket A-394-24 – RE: Appeal of Veronica Lodge Holdings LLC, Owner of the Multi-Family Residence; Forty-One Dwelling Units; Three-Story Wood/Timber Frame Structure, located on the premises known as **3003 Archwood Avenue**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION, dated November 16, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant Veronica Lodge Holdings through his designee, PbFree Ohio LLC, in settlement of Docket A-394-23, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-398-23 – RE: Appeal of Syracuse Management, Owner of the Multi-Family Residence; Seventeen Dwelling Units; Story Frame Structure, located on the premises known as **1412 West 110th Street**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT, dated November 6, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant Syracuse Management through his designee, PbFree Ohio LLC, in settlement of Docket A-398-23, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-400-23 – RE: Appeal of 7006 Detroit Road LLC, Owner of the Twenty-One Dwelling Units; Apartments; Three-Story Wood/Timber Frame Structure, located on the premises known as **7006 Detroit Avenue**, appeals from **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated December 5, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and 7006 Detroit Road LLC through his designee, PbFree Ohio LLC, in settlement of Docket A-400-23, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-410-23 – RE: Appeal of Anastasia/Vladimir Levitansky, Owner of the Four Dwellings Units; Multi Family Residence; Two-Story Frame Structure, located on the premises known as **3173 West 38th Street**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated December 5, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant Anastasia/Vladimir Levitansky through his designee, PbFree Ohio LLC, in settlement of Docket A-410-23, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-8-24 – RE: Appeal of 1415-1419 West 101 LLC, Owner of the Twenty Dwellings Units;, Multi-Family Residence; Three-Story Wood/Timber Frame Structure, located on the premises known as **1415-1419 West 101st Street**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated **December 28, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **1415-1419 West 101 LLC** through his designee, PbFree Ohio LLC, in settlement of Docket **A-8-24**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-44-24 – RE: Appeal of 55 Public Square LLC, Owner of the MXD Mixed Uses- Multiple Uses in One Building; Fireproofed Steel Frame Structure, located on the premises known as **55 Public Square**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT**, dated January 29, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **55 Public Square LLC** through his designee, PbFree Ohio LLC, in settlement of Docket **A-44-24**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-48-24 – RE: Appeal of 28 Riverside LLC, Owner of the R-2 Residential-Non-transient Apartments (Shared Egress); Twenty-Eight Dwelling Units; Three-Story Metal Frame Structure, located on the premises known as **4027 Rocky**

River Drive, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORT, dated February 6, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **28 Riverside LLC** through his designee, PbFree Ohio LLC, in settlement of Docket **A-48-24**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-49-24 – RE: Appeal of Hampton House LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress); High-Rise Building Frame Structure, located on the premises known as **10017 Lake Avenue**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated February 6, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **Hampton House LLC** through his designee, PbFree Ohio LLC, in settlement of Docket **A-49-24**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-61-24 – RE: Appeal of Lake West Apartments, Owner of the R-2 Residential-Non-transient Apartments (Shared Egress); High-Rise Building Frame Structure, located on the premises known as **10507 Lake Avenue**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated February 6, 2024**, of the Director of the Department of Building and Housing, requiring compliance

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

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **Lake West Apartments** through his designee, PbFree Ohio LLC, in settlement of Docket **A-61-24**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-62-24 – RE: Appeal of Parkway Manor Apartments, Owner of the R-2 Residential-Non-transient Apartments (Shared Egress); High-Rise Building Frame Structure, located on the premises known as **10109 Lake Avenue**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated February 6, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **Parkway Manor Apartments** through his designee, PbFree Ohio LLC, in settlement of Docket **A-62-24**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-63-24 – RE: Appeal of 12022 Mayfield LLC, Owner of the R-2 Residential-Non-transient Apartments (Shared Egress); Building Wood/Timber Frame Structure, located on the premises known as **12022 Mayfield Road**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated February 6, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **12022 Mayfield LLC** through his designee, PbFree Ohio LLC, in settlement of Docket **A-63-24**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-83-24 – RE: Appeal of 99 W. St. Clair Owner LLC, Owner of the Two hundred Dwelling Units; Multi -Family Residence; Twenty-Story Fireproofed Steel Frame Structure, located on the premises known as **99 W. St. Clair Street**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated March 14, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **99 W. St. Clair Owner LLC** through his designee, PbFree Ohio LLC, in settlement of Docket **A-83-24**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-244-23 – RE: Appeal of Keith Ford, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, located on the premises known as **8018 Dorver Avenue**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated August 29, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

Docket A-244-23 has been **WITHDRAWN** per the appellate request.

* * *

Docket A-245-23 – RE: Appeal of Sold Simple Property Solutions LLC, Owner of the Two Dwelling Units; Two- Family Residence; Two and a Half-Story Frame Property, located on the premises known as **15219 Utopia Avenue**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated July 13, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

Docket A-245-23 has been **WITHDRAWN** per the appellate request.

* * *

Docket A-246-23 – RE: Appeal of Ryan Brouwer, Owner of the Two Dwelling Units,, Two-Family Residence; Two and a Half-Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as **3318 West 48th Street**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated August 31, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **Ryan Brouwer** through his designee, PbFree Ohio LLC, in settlement of Docket **A-246-23**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-392-23 – RE: Appeal of Gregg Plute, Owner of the One Dwelling Unit Single Family Residence; Two-Story Frame Property, located on the premises known as **3336 West 110th Street**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated November 8, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **Gregg Plute** through his designee, PbFree Ohio LLC, in settlement of Docket **A-392-23**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is REMANDED to the Department of Building and

Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-409-23 – RE: Appeal of Stone International Services, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Wood Frame/Siding/Masonry Veneer Frame Property, located on the premises known as **562 East 128th Street**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS, dated December 6, 2023**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a settlement agreement between the City of Cleveland and Appellant **Stone International Services** through his designee, PbFree Ohio LLC, in settlement of Docket **A-409-23**, the appellant agrees to withdraw their pending appeal, in consideration of the City allowing the resubmission of lead reports within the stipulated timeframe, with the provision for the city to grant an extension if justified by sufficient reason, both parties agree that this settlement agreement is only binding for the subject matter appeal for this property; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

Docket A-45-24 – RE: Appeal of Sama Investments LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property appeals, located on the premises known as **3629 East 49th Street**, appeals from a **NOTICE OF DEFICIENT LEAD INSPECTION REPORTS**, dated January 30, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until September 14, 2024, complete abatement of the violation; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

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

* * *

APPROVAL OF RESOLUTIONS

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

DOCKETS:

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

APPROVAL OF MINUTES

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

July 31, 2024

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

Patrick Gallagher
Chairperson

Public Notice

Media Advisory

Media Contact: Media@ClevelandCityCouncil.org

Cleveland City Council Conducting Community Meetings to Collect Feedback on Redistricting
Cleveland City Council must cut two seats ahead of the 2025 municipal elections to population decline

CLEVELAND, OH (Oct. 7, 2024) - Cleveland City Council is eager to hear community members' thoughts about the upcoming Redistricting process. The Redistricting consultants include Bob Dykes Triad Research Group, Dr. Mark Salling, a prominent demographer and former Cleveland State University professor of Urban Affairs, and Kent Whitley, an urban planner, political consultant, and community organizer. The consultants will host three community meetings on October 15, 16, and 17 to share redistricting goals, collect community feedback, and ask residents to share their own maps.

It is believed this is the first Cleveland City Council to see public feedback on the reapportionment process.

The consultants will host meetings near downtown and the city's east and west sides at the following locations.

DATE	LOCATION	ADDRESS	TIME
October 15, 2024	Jerry Sue Thornton Center, Cuyahoga Community College	2500 East 22 nd Street, Cleveland, Ohio	5:30 – 7:00 p.m.
October 16, 2024	Glenville Neighborhood Resource & Recreation Center	680 East 113 th Street, Cleveland, Ohio	5:30 – 7:00 p.m.
October 17, 2024	Estabrook Neighborhood Resource & Recreation Center	4125 Fulton Road, Cleveland, Ohio	5:30 – 7:00 p.m.

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, September 30, 2024.

Click on a piece of legislation below to read it:

[Ord. No. 637-2024](#)

[Ord. No. 1058-2024](#)

[Ord. No. 795-2024](#)

[Ord. No. 1063-2024](#)

[Ord. No. 796-2024](#)

[Ord. No. 1064-2024](#)

[Ord. No. 797-2024](#)

[Ord. No. 1065-2024](#)

[Ord. No. 809-2024](#)

[Ord. No. 1066-2024](#)

[Ord. No. 814-2024](#)

[Ord. No. 1067-2024](#)

[Ord. No. 815-2024](#)

[Ord. No. 1070-2024](#)

[Ord. No. 938-2024](#)

[Res. No. 831-2024](#)

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

[Res. No. 1059-2024](#)

[Ord. No. 1057-2024](#)

[Res. No. 1060-2024](#)

Ordinance No. 637-2024

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

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with Cleveland Housing Investment Fund, LLC, or its designee, to provide development assistance to provide partial funding of the Cleveland Housing Investment Fund.

WHEREAS, the Cleveland Housing Investment Fund, LLC, wholly owned by Local Initiatives Support Corporation (LISC) and managed by LISC Fund Management, or its designee, seeks to fund a housing investment fund to make \$100,000,000 available for the Cleveland Housing Investment Fund (“CHIF”) for low-cost loans to developers for the acquisition, rehabilitation and new construction of mixed-income affordable housing and for housing preservation in the City of Cleveland; and

WHEREAS, the City of Cleveland is committing \$18,000,000 towards the CHIF and LISC will continue to work with the private sector to raise the additional \$82,000,000; and

WHEREAS, the funds under the CHIF will be used to provide low-cost loan capital to developers and for a loan loss reserve; and

WHEREAS, this Council finds that the projects described in this Ordinance have been reviewed by the Housing Advisory Board on May 8, 2024, in compliance with the Ohio Constitution and statutory requirements and will enhance the availability of adequate housing in the City and will improve the economic and general well-being of the people of the City and it is in the public interest and a proper public purpose for the City to provide and/or assist in providing housing for individuals and families; and

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

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

Section 1. That the Director of Community Development is authorized to enter into an agreement with CHIF, LLC, or its designee, provide development assistance in the form of a grant to provide partial funding of the CHIF, as described in the legislative summary placed in **File No. 637-2024-B**.

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

Section 3. That the costs of the grant shall not exceed \$18,000,000 and shall be paid from Fund Nos. 10 SF 400 and 01-9997-6985. (RQS 8006, RL 2023-32, RQS 8006, RL 2023-55, and RQS 8006, RL 2024-68)

Section 4. That the agreement shall provide that a seven (7) person Project Review Committee (“Committee”) is created to review and approve request for grants awarded under this ordinance. The Committee shall consist of seven (7) members. Five (5) of the seven (7) members will have voting privileges and two (2) will be non-voting members.

Two (2) voting Committee members and two (2) alternate members shall be LISC appointees; two (2) voting members and two (2) alternate members shall be appointed by Cleveland City Council; and one (1) voting member and one (1) alternate member shall be appointed by the Mayor. Alternate members shall vote only when the voting members are unavailable. The two (2) non-voting members shall be appointed as follows: One (1) member shall be appointed by the Mayor and one (1) shall be jointly appointed by City Council and the Mayor.

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 30, 2024.

Effective October 2, 2024.

Ordinance No. 795-2024

By Council Members: 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).

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

Section 1. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lorain Avenue and the centerline of West 50th Street;

Thence, southerly along the centerline of West 50th Street to its intersection with the easterly prolongation of the southerly of a parcel of land known as being Sublot No. 268 in Taylor and Hoyt Subdivision of part of Original Brooklyn Township Lot Nos. 48 and 49 as shown by the recorded plat in Volume 1 of Maps, Page 20 of Cuyahoga County Records also more commonly known as Permanent Parcel Number (PPN) 006-19-029;

Thence, westerly along the southerly line thereof to its intersection with the easterly line of a parcel of land known as being Sublot No. 275 and the Northerly five feet from front to rear of Sublot No. 276 in the Taylor and Hoyt Allotment of part of Original Brooklyn Township Lots Nos. 48 and 49, as shown by the recorded plat of said Allotment in Volume 1 of Maps, Page 20 of Cuyahoga County Records also more commonly known as PPN 006-19-042;

Thence, southerly along the easterly line of said parcel to its intersection with the southerly line of a parcel of land known as being the southerly thirty-five (35) feet of Sublot No. 276 in the Taylor & Hoyt Allotment of part of Original Brooklyn Township Lot Nos. 48 and 49, as shown by the recorded plat in Volume 1 of Maps, Page 20 of Cuyahoga County Records also more commonly known as PPN 006-19-041;

Thence, westerly along the said southerly line and its westerly prolongation to its intersection with the centerline of West 52nd Street;

Thence, northerly along the centerline of West 52nd Street to its intersection with the centerline of Lorain Avenue;

Thence, easterly along the centerline of Lorain Avenue to its intersection with the centerline of West 50th Street and the point of origin;

And as identified on the attached map shall be changed to a 'Limited Retail Business' District, a 'G' Area District and a '2' Height District.

Section 2. That a Specific Mapped Building Setback of zero (0) feet from the property line shall be established along the easterly side of West 52nd Street between the southerly side of Lorain Avenue and the southerly line of a parcel known as being PPN 006-19-041 as shown on the attached map;

And;

That a Specific Mapped Building Setback of zero (0) feet from the property line shall be established along the southerly side of Lorain Avenue between West 52nd Street and West 50th Street as shown on the attached map;

And;

That a Specific Mapped Building Setback of zero (0) feet from the property line shall be established along the westerly side of West 50th Street between the southerly side of Lorain Avenue and the southerly line of a parcel known as being PPN 006-19-030 as shown on the attached map

And as identified on the attached map, the zero foot Specific Mapped Building Setback from the property line is hereby established on the Building Zone Maps of the City of Cleveland.

Section 3. That the Pedestrian Retail Overlay District between the southerly side of Lorain Avenue between West 52nd Street and West 50th Street is hereby removed as identified on the attached map and is hereby removed from the Building Zone Maps of the City of Cleveland.

Section 4. In accordance with Section 333.02 of the Cleveland Zoning Code, within a period of six (6) months from the effective date of this zoning map amendment or within such extension period approved by the Planning Commission, the only allowable building permits issued for the property described in Section 1 through 3 in this legislation shall be for the construction of the Development as presented in the attached Approved Site Development Plan.

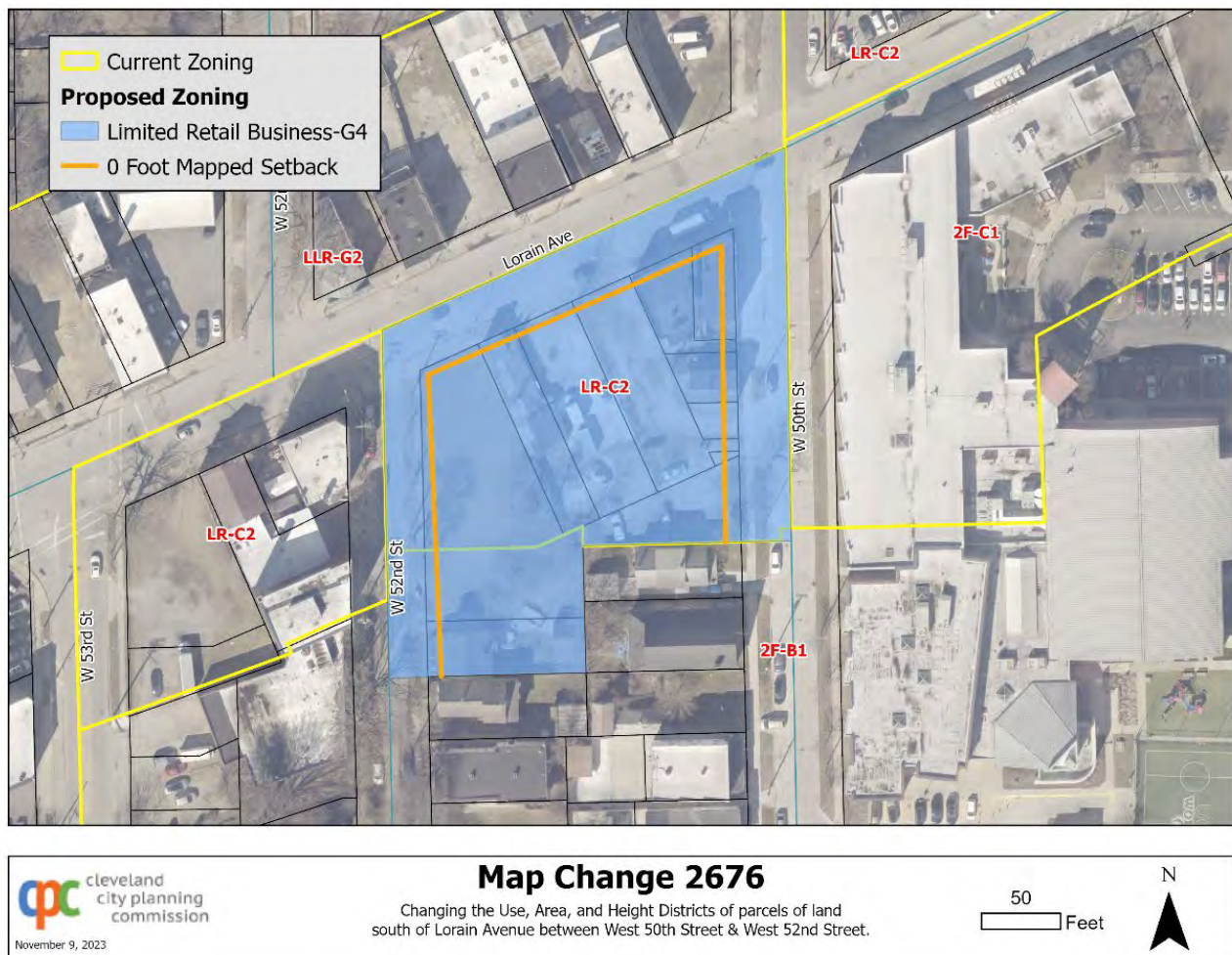
Section 5. In accordance with Section 333.02 of the Cleveland Zoning Code, if a building permit for such Development is not issued within six (6) months from the effective date of this zoning map amendment or within such extension period approved by the Planning Commission, this zoning map amendment approval shall be void and the zoning shall revert to the classifications that existed prior to the approval of this zoning map amendment.

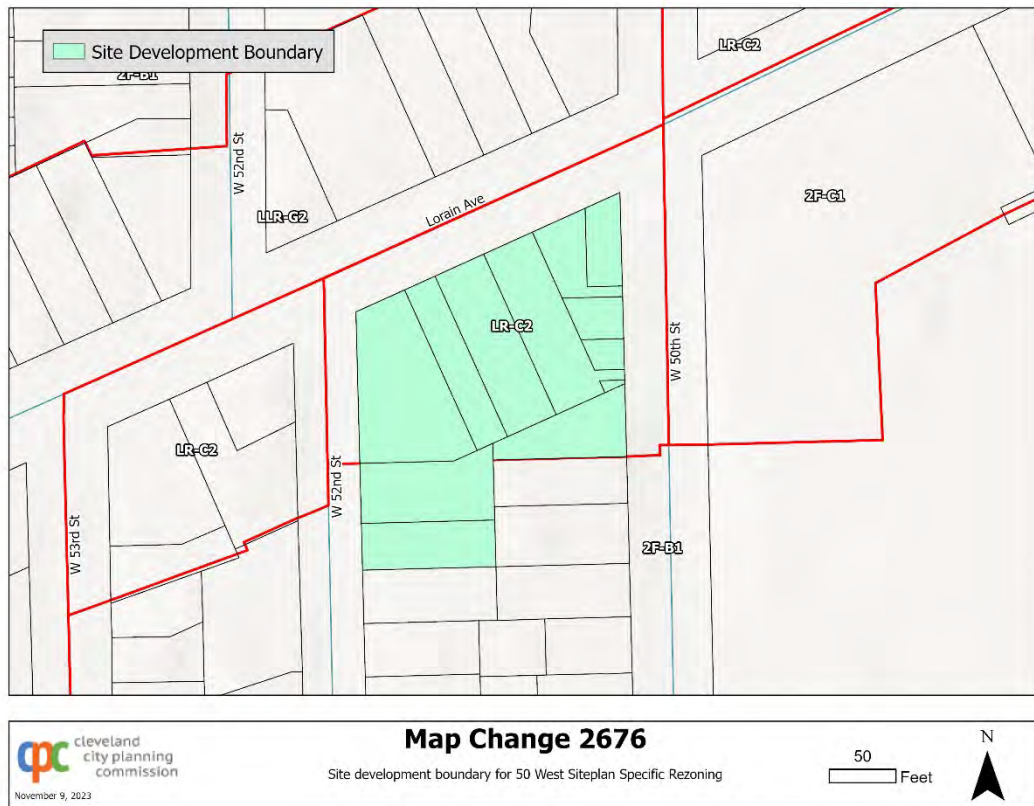
Section 6. That the change of zoning of lands described in Section 1 through 3 shall be identified as Map Change No. 2676, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the

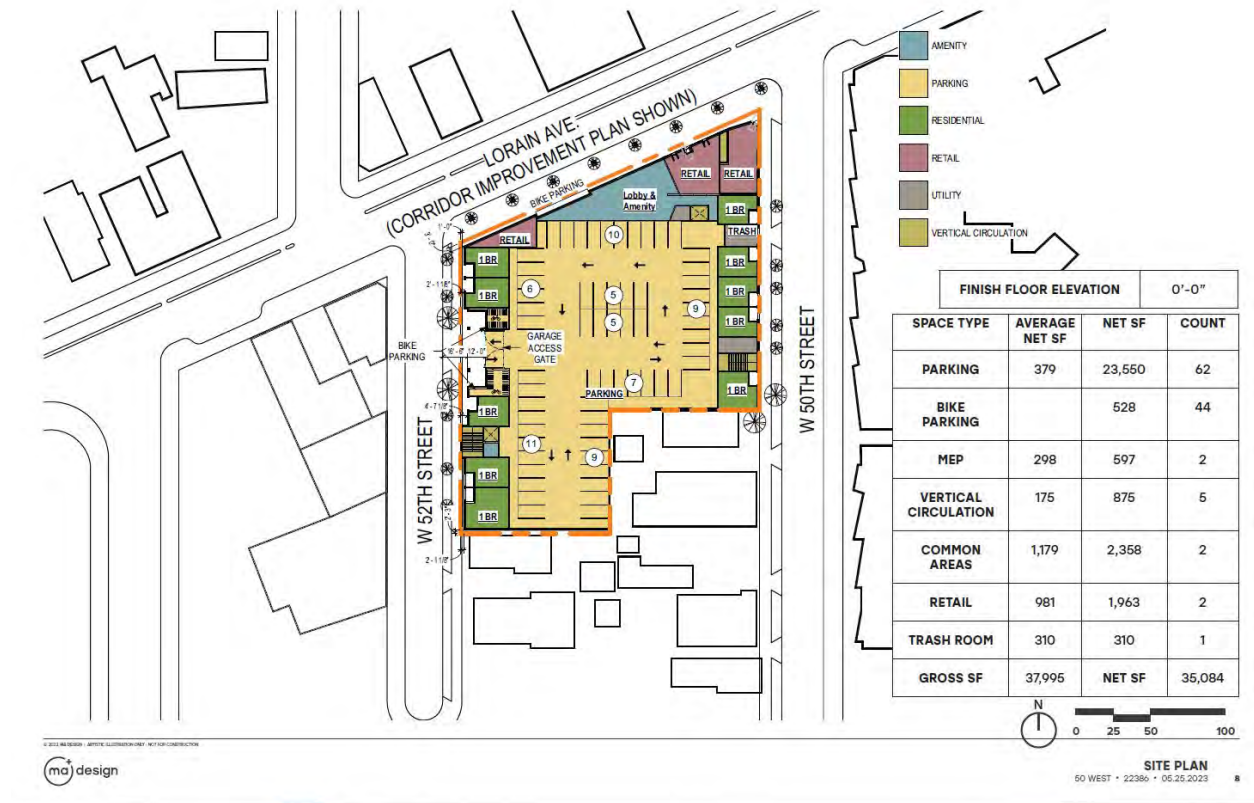
office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 7. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

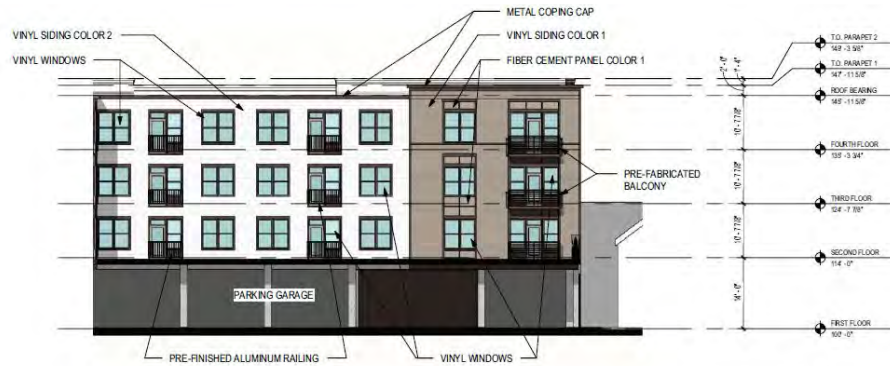
Zoning Change Map



Approved Site Development BoundaryApproved Site Development Plan as approved by Landmarks Commission



west elevation - amenity deck
1/16" = 1'-0"



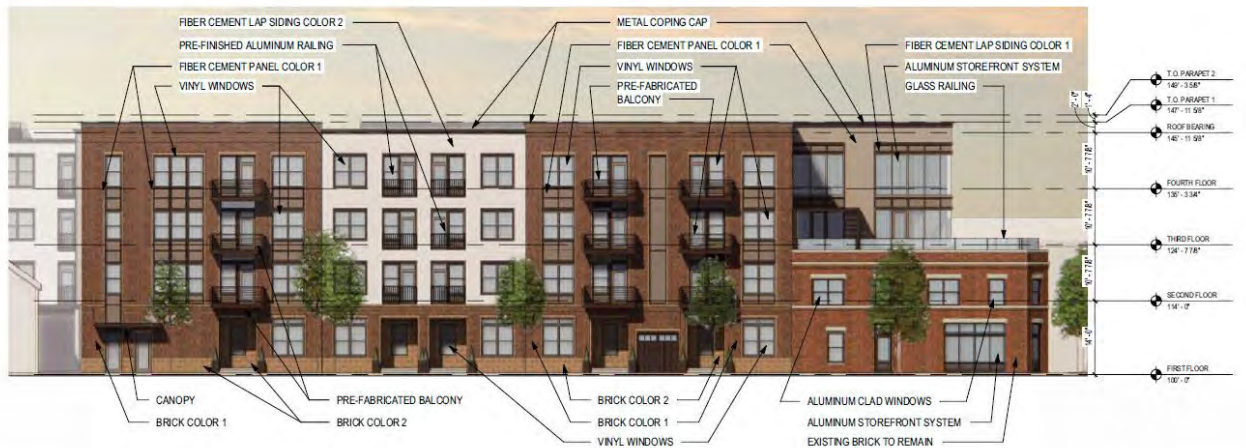
east elevation - amenity deck
1/16" = 1'-0"

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EXTERIOR ELEVATION
50 WEST • 22386 • 05.25.2023

25



east elevation
1/16" = 1'-0"

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EAST ELEVATION
50 WEST • 22386 • 05.25.2023

24



south elevation

1/16" = 1'-0"

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SOUTH ELEVATION

50 WEST • 22386 • 05.25.2023

23



west elevation

1/16" = 1'-0"

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WEST ELEVATION

50 WEST • 22386 • 05.25.2023

22



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NORTH ELEVATION
50 WEST • 22386 • 05.25.2023

21

Passed September 30, 2024.

Effective October 30, 2024.

Ordinance No. 796-2024**By Council Members:** 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).

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

Section 1. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use Districts of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lorain Avenue and the centerline of West 147th Street;

Thence, northerly along the centerline of West 147th Street to its intersection with the westerly prolongation of the most northerly line of a parcel of land known as being Sublot No. 46 in Fodor Subdivision No. 1 of Part of Original Rockport Township Section No. 2, as shown by the recorded plat in Volume 150 of Maps, Page 34 of Cuyahoga County Records also more commonly known as Permanent Parcel Number (PPN) 024-30-041;

Thence, easterly along said westerly prolongation to its intersection with the westerly line of a parcel of land known as being Sublot No. 8 in the Flynn Subdivision of part of Original Rockport Township Section Nos. 12 and 19 and shown by the recorded plat in volume 136 of Maps, Page 25 of Cuyahoga County Records also known as PPN 024-30-035;

Thence, northerly along westerly line of said parcel and its northerly prolongation to its intersection with the centerline of Bartter Avenue;

Thence, northeasterly along the centerline of Bartter Avenue to its intersection with the northerly prolongation of the easterly line of a parcel of land known as 024-30-001;

Thence, southerly along said easterly line and its southerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence, southwesterly along the centerline of Lorain Avenue to its intersection with West 147th Street and the point of origin;

And as identified on the attached map shall be changed to a 'Multi-Family Residential' District, a 'F' Area District and a '2' Height District.

Section 2. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection of the centerline of Lorain Avenue and the centerline of West 147th Street;

Thence, southwesterly along the centerline of Lorain Avenue to its intersection with the southerly prolongation of the westerly line of a parcel of land known as being part of Original Rockport Township Section No. 12 recorded in Volume 1743, Page 584 of Cuyahoga County Records also known as PPN 024-28-007;

Thence, northerly along said westerly line to its intersection with the northerly line thereof;

Thence, easterly along said northerly line and its easterly prolongation to its intersection with the centerline of West 147th Street;

Thence, southerly along the centerline of West 147th Street to its intersection with the centerline of Lorain Avenue and the point of origin;

And as identified on the attached map shall be changed to a 'Local Retail Business' District, a 'D' Area District and a '2' Height District.

Section 3. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use Districts of parcels of land bounded and described as follows:

Beginning at the intersection of the centerline of West 150th (formerly Warren Road) and the centerline of Lorain Avenue;

Thence, northerly along the centerline of West 150th Street to its intersection with the westerly prolongation of the northerly line of a parcel of land known as being Sublot 50, in a Re-Subdivision, of part of A. E. Meade's Subdivision, of part of Original Rockport Township, Section No. 12, as shown by the recorded plat in Volume 121 of Maps, Page 38 of Cuyahoga County Map Records and more commonly known as Permanent Parcel Number (PPN) 024-28-001;

Thence, easterly along the westerly prolongation of aforementioned line to the easterly line of PPN 024-28-084;

Thence, northerly along the easterly line and its northerly prolongation to its intersection with the southerly line of a parcel of land known as being Sublot No. 4 in the Attica Subdivision of part of Original Rockport Township Section No. 12, as shown by the recorded plat in Volume 62, Page 6 of Cuyahoga County Records and more commonly known as PPN 024-28-041;

Thence, easterly along the southerly line of said line and its easterly prolongation to its intersection with the centerline of West 148th Street;

Thence, northerly along said centerline of West 148th Street to its intersection with the westerly prolongation of the southerly line of a parcel of land known as being Sublot No.83 in The Attica Subdivision of part of Original Rockport Township Section No.12, as shown by the recorded plat in Volume 62 of Maps, Page 6 of Cuyahoga County Records and more commonly known as PPN 024-28-040;

Thence, easterly along said westerly prolongation of the aforementioned parcel to its intersection with the easterly line of the parcel thereof;

Thence, southerly along the southerly prolongation of the aforementioned easterly line to its intersection with the centerline of Lorain Avenue;

Thence, westerly along the center line of Lorain Ave to its intersection with the centerline of West 150th Street and the point of origin;

And;

Beginning at the intersection of the centerline of Lorain Avenue and the northerly prolongation of the westerly line of a parcel of land known as being Parcel “D” in the Lot Split & Consolidation Plat for Cleveland, OH Center, LLC, being part of the Original Township Section No. 12 as shown by the recorded plat in Auditor’s File Number (AFN) 202203070297 of Cuyahoga County Records and known also more commonly as PPN 027-27-023;

Thence, southerly along said westerly line to its intersection with the southerly line thereof;

Thence, easterly along said southerly line to its intersection with the easterly line thereof;

Thence, northerly along said easterly line and its northerly prolongation to its intersection with the centerline of Lorain Avenue;

Thence, southwesterly along the centerline of Lorain Avenue to its intersection with the northerly prolongation of the westerly line of PPN 027-27-023 and the point of origin;

And as identified on the attached map shall be changed to a ‘Limited Retail Business’ District, a ‘D’ Area District and a ‘2’ Height District.

Section 4. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection the centerline of Lorain Avenue and the southerly prolongation of the most westerly line of a parcel of land conveyed to Merton B. Bartter and Lens. F. Bartter, by deed dated May 21, 1903 and recorded in Volume 861, Page 541 of Cuyahoga County Records (PPN 024-30-002);

Thence, northerly along the southerly prolongation of the westerly line of said parcel and its northerly prolongation to its intersection with the northerly line of a parcel of land conveyed to the United States Postal Service, by deed dated September 24, 1987 and recorded in Cuyahoga County Map Records and known as being PPN 024-31-091;

Thence, easterly along the northerly line and its easterly prolongation to its intersection with the westerly line of a parcel of land known as being part of the Original Rockport Township Section No. 12 and also known as PPN 024-31-093;

Thence, northerly along said line and its northerly prolongation to its intersection with the easterly prolongation of the southerly line of a parcel of land known as being Sublot No. 139 and part of Sublot No. 138 in Vineyard Villas Subdivision, part of Original Rockport Township Section No. 12, as shown by the recorded plat in Volume 83 of Maps, Page 22 of Cuyahoga County Records and known more commonly as PPN 024-31-112

Thence, westerly along said southerly line to its intersection with the easterly line thereof;

Thence, northerly along said easterly line to its intersection with the northerly line thereof;

Thence, easterly along the northerly line thereof and its easterly prolongation to its intersection with the easterly line of a parcel of land known as being Section 20 in Rockport Township, Township 7 North, Range 14 West and more commonly known as PPN 021-11-017;

Thence, southwesterly along said line to its intersection with southwesterly line thereof;

Thence, southeasterly along said line and its southeasterly prolongation to its intersection with the southeasterly line of a parcel of land known as being a parcel of land conveyed by deed to the Greater Cleveland Regional Transit Authority as recorded by Auditor's File Number (AFN) 00506010 on Volume 77472, Page 69 of Cuyahoga County Records on November 24, 1987 and more commonly known as PPN 024-30-003;

Thence, southwesterly along said southeasterly line and its southwesterly prolongation to its intersection with the centerline of Lorain Avenue;

Thence, southwesterly along the centerline of Lorain Avenue to its intersection with the southerly prolongation of the easterly line of the aforementioned PPN 024-30-002 and the point of origin;

And;

Beginning at the intersection of the westerly line of a parcel of land known as being a parcel of land conveyed to WPE LLC by deed as recorded in AFN 2018111090522 on Cuyahoga County Map Records on November 9, 2018 PPN 027-27-012 and the northerly line thereof;

Thence, northeasterly along said northerly line to its intersection with the easterly line thereof;

Thence, southwesterly along said easterly line and its southwesterly prolongation to its intersection with the southerly line of a parcel of land conveyed to Excel Mort Corp by deed as recorded by AFN 200009190966 on September 19, 2000 in Cuyahoga County Map Records and more commonly known as PPN 027-28-013;

Thence, easterly along said northerly line to intersection with the southeasterly line thereof;

Thence, southwesterly along said line to its intersection with the southwesterly line thereof;

Thence, northwesterly along said southerly line to its intersection with the southeasterly line of PPN 027-27-012;

Thence, southwesterly along said southeasterly line to its intersection with the westerly line thereof;

Thence, northerly along said westerly line to its intersection with the northerly line thereof and the point of origin;

And as identified on the attached map shall be changed to a 'Limited Retail Business' District, a 'G' Area District and a '2' Height District.

Section 5. Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, that the Use, Area, and Height Districts of lands bounded and described as follows:

Beginning at the intersection of the centerline of West 150th (formerly Herrington) Street and the southwesterly prolongation of the southeasterly line of a parcel of land known as being part of Original Rockport Township Section No. 9, and more commonly known as Permanent Parcel Number (PPN) 027-33-013;

Thence, northerly along the centerline of West 150th Street to its intersection with the westerly prolongation of the northerly line of a parcel of land known as being part of

Original Rockport Township Section No. 12 and more commonly known as PPN 027-27-010;

Thence, easterly along the westerly prolongation of said line and its easterly prolongation to its intersection with the easterly line of a parcel of land known as being part of Original Rockport Township Section No. 12 and PPN 027-27-011;

Thence, southerly along the easterly line of said parcel to its intersection with the northwesterly line of the parcel thereof;

Thence, northeasterly along the northwesterly line to its intersection with the northeasterly line thereof;

Thence, southeasterly along said northeasterly line to its intersection with the southeasterly line thereof;

Thence, southwesterly along said southeasterly line and its southwesterly prolongation to its intersection with the centerline of West 150th Street and the point of origin;

And;

Beginning at the intersection of the centerline of Lorain Avenue and the westerly line of a parcel of land known as being the Northwesterly 12.5 feet of Sublot No. 442 and all of Sublot No. 441 in Joseph S. Van De Boe Hagar & Co's Lenox Park Allotment of part of Original Rockport Township, Section Nos. 11 and 20, as shown by the recorded plat in Volume 23 of Maps, Page 11 of Cuyahoga County Map Records and more commonly known as PPN 027-27-001;

Thence, southerly along the westerly line of said parcel to its intersection with the southerly line thereof;

Thence, northeasterly and easterly along said southerly line and its easterly prolongation to its intersection with the southeasterly line a parcel of land conveyed to R.C. Huber and Emma M. Huber by deed filed for record April 30, 1913 and recorded in Volume 1460, Page 334 of Cuyahoga County Records and known more commonly as PPN 027-33-005;

Thence, northeasterly along said southeasterly line and its northeasterly prolongation to its intersection with the centerline of Lorain Avenue;

Thence, westerly along the centerline of Lorain Avenue to its intersection with the westerly line of the aforementioned PPN 027-27-001 and the point of origin;

And as identified on the attached map shall be changed to a 'Semi-Industrial' District, a 'G' Area District and a '2' Height District.

Section 6. That the street frontages described as follows:

The northern side of Lorain Avenue between the eastern side of Warren Road and the westerly side of West 147th Street;

And;

The easterly side of Warren Road and West 150th Street between the southerly line of a parcel of land known as being Sublot No. 50, in a Re-Subdivision of part of A.E. Meade's Subdivision of part of Original Rockport Township, Section No. 12, as shown by the recorded plat in Volume 121 of Maps, Page 38 of Cuyahoga County Records and more commonly known as PPN 024-28-084 and the northerly line of PPN 027-27-010'

And;

The easterly side of West 148th Street between the northerly line of PPN 024-28-006 and Lorain Avenue;

And;

The westerly side of West 148th Street between the northerly line of a parcel of land known as being Sublot No. 33 in the Attica Subdivision of part of Original Rockport Township, Section No. 12 as shown by the recorded plat in Volume 62 of Maps, Page 6 of Cuyahoga County Records (PPN 024-28-003) and Lorain Avenue;

And;

The westerly side of West 147th Street between the northerly line of a parcel of land known as being Sublot No. 132 in the Attica Subdivision of part of Original Rockport Township Section No. 12, as shown by the recorded plat in Volume 62 of Maps, Page 6 of Cuyahoga County Records and known more commonly as PPN 024-28-014 and Lorain Avenue;

And, as identified on the attached map, shall be established as 'Pedestrian Retail Overlay District'.

Section 7. That the street frontages described as follows:

The east side of West 147th Street between the northerly line of a parcel of land known as being Sublot No. 46 in Fodor Subdivision No. 1 of part of Original Rockport Township No. 2, as shown by the recorded plat in volume 150 of Maps, Page 34 of Cuyahoga County Records (PPN 024-30-041) and Lorain Avenue;

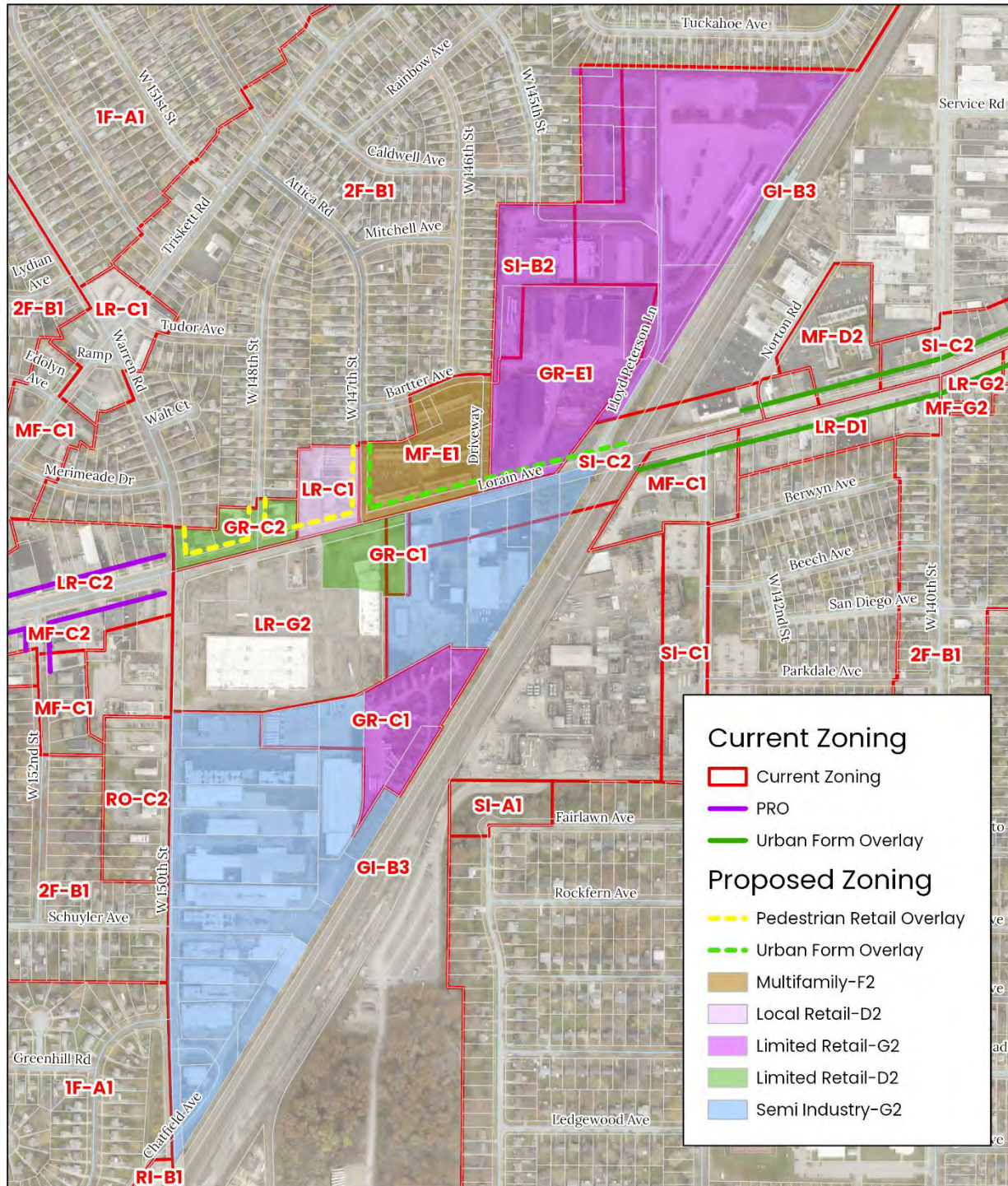
And;

The northern side of Lorain Avenue between the east side of West 147th Street and the eastern line of a parcel of land known as being Parcel “D” in the Lot Split & Consolidation Plat for Cleveland, OH Center, LLC, being part of Original Rockport Township Section No. 12, as shown by the recorded plat in AFN 202203070297 of Cuyahoga County Records (PPN 024-30-003);

And as identified on the attached map, shall be established as ‘Urban Form Overlay District’.

Section 8. That the change of zoning of lands described in Section 1 through 7 shall be identified as Map Change 2677 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

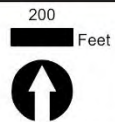
Section 9. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



March 25, 2024

Map Change 2677

Changing the Use, Area & Height Districts of parcels of land north and south of Lorain Avenue between West 140th Street and the Norfolk Southern Railroad and extending the Pedestrian Retail & Urban Form Overlay Districts.



Passed September 30, 2024.

Effective October 30, 2024.

Ordinance No. 797-2024**By Council Members:** 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).

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

Section 1. That the street frontages described as follows:

That a Mapped Building Setback of zero (0) feet from the property line shall be established along the westerly side of Pearl Road between the southerly line of Ira Avenue and the northerly line of Vandalia Avenue as shown on the attached map;

And;

That a Mapped Building Setback of zero (0) feet from the property line shall be established along the westerly side of Pearl Road between the southerly line of Vandalia Avenue and the northerly line of Archmere Avenue as shown on the attached map;

And;

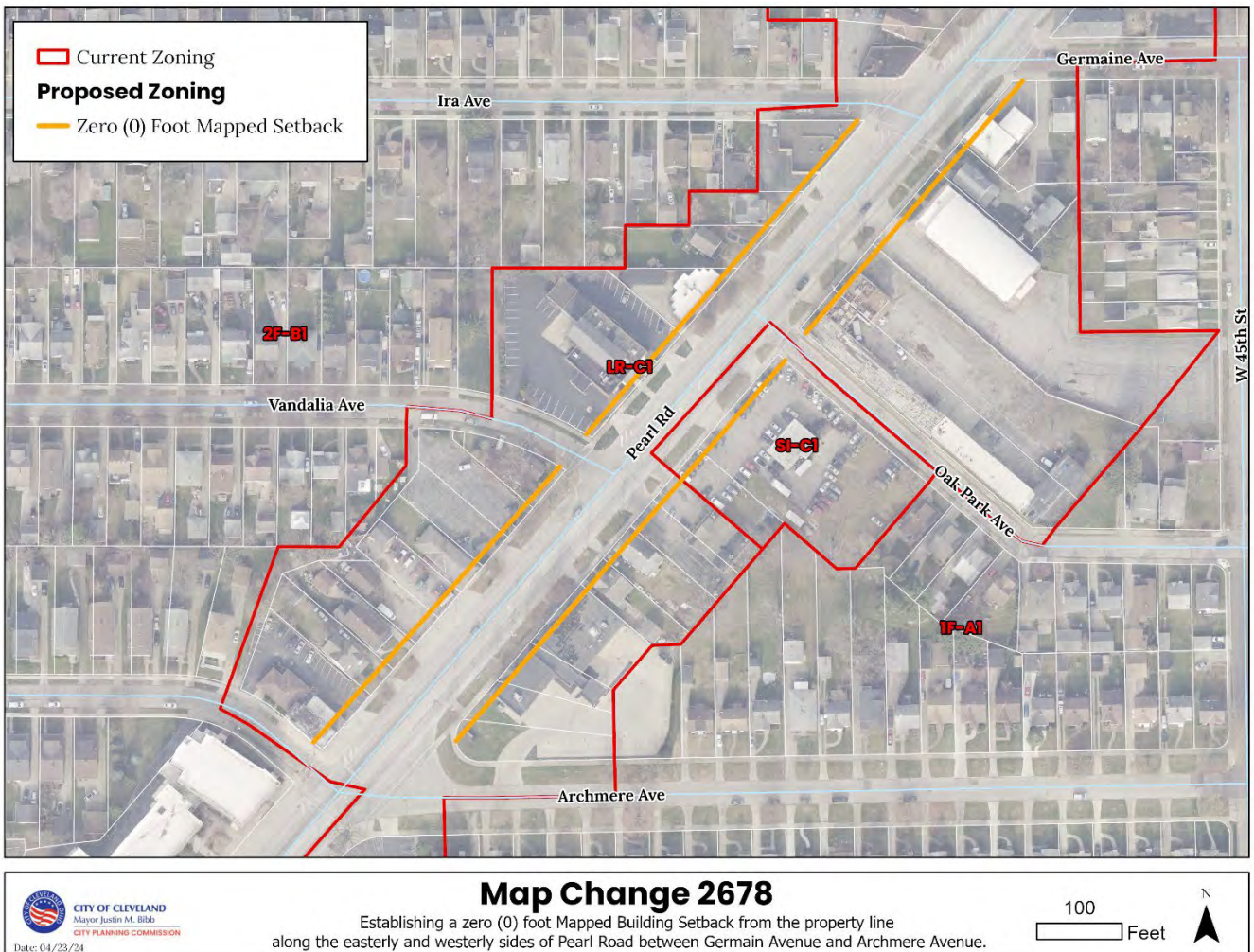
That a Mapped Building Setback of zero (0) feet from the property line shall be established along the easterly side of Pearl Road between the southerly line of Germain Avenue and the northerly line of Oak Park Avenue as shown on the attached map;

And;

That a Mapped Building Setback of zero (0) feet from the property line shall be established along the easterly side of Pearl Road between the southerly line of Oak Park Avenue and the southerly line of Archmere Avenue as shown on the attached map;

And as outlined on the attached map are hereby established on the Building Zone maps of the City of Cleveland.

Section 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Zoning Change Map

Passed September 30, 2024.

Effective October 30, 2024.

Ordinance No. 809-2024

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

An emergency ordinance to change the name of a portion of West Roadway to Sherwin Way.

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 Codified Ordinances of Cleveland, Ohio, 1976, the name of a portion of West Roadway from the northerly line of Superior Avenue (132'), extending northerly, along the westerly line of West Roadway, and 80.00 feet easterly therefrom, to the easterly prolongation of the southerly line of Frankfort Avenue (45') shall be changed to Sherwin Way.

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 30, 2024.

Effective October 2, 2024.

Ordinance No. 814-2024

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Depot on Detroit L.P. to encroach into the public right-of-way of Detroit Avenue by installing, using and maintaining a concrete stairway.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Depot on Detroit L.P., 211 N. Pennsylvania Street, Suite 3000, Indianapolis, IN 46204 (“Permittee”), to encroach into the public right-of-way of Detroit Avenue by installing, using and maintaining a concrete stairway, at the following described location:

ENCROACHMENT

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original Brooklyn Township Lot Nos. 9 and is further bounded and described as follows:

Beginning at a stone w/drill hole monument found at the intersection of the centerline of Berea Road N.W. (66 Feet Wide) and the centerline of Detroit Avenue N.W. (66 Feet Wide);

Thence North 71°43'00” West, along the centerline for said Detroit Avenue, a distance of 374.49 feet;

Thence North 63°00'00” East, a distance of 38.97 feet to the principal place of beginning of the land herein described;

Course 1: Thence North 71°55'00” West, a distance of 16.24 feet;

Course 2: Thence North 63°00'00” East, a distance of 7.55 feet to a point on the Northerly right of way for said Detroit Avenue;

Course 3: Thence South 71°43'00” East, along the Northerly right of way for said Detroit Avenue, a distance of 16.18 feet to the Southeasterly corner of Parcel “A” as shown in the Lot Split & Consolidation Plat for The Greater Cleveland Regional Transit Authority, as recorded in AFN of Cuyahoga County Records;

Course 4: Thence South 63°00'00" East, a distance of 7.47 feet to the principal place of beginning and containing 0.0020 Acres (86 Square Feet) of land. Be the same more or less, but subject to all legal highways and easements of record.

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

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachments permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structures permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment locations.

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 30, 2024.

Effective October 2, 2024.

Ordinance No. 815-2024

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Flats South Cleveland LLC to encroach into the public right-of-way of West 4th Street by installing, using and maintaining a wooden stairway and wooden ADA accessible ramp with metal guardrails and handrails.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Flats South Cleveland, 3311 Richmond Road, Beachwood, Ohio 44122 ("Permittee"), to encroach into the public right-of-way of West 4th Street by installing, using and maintaining a wooden stairway and wooden ADA accessible ramp with metal guardrails and handrails at the following described location:

ENCROACHMENT

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of West 4th Street being a part of Original Cleveland Township 100 Acre Lot No. 487, being more fully bounded and described as follows:

Commencing at a found 5/8" rebar along the northeasterly right of way of West 4th street, 50 feet wide, also being the westerly corner of Cuyahoga County parcel 122-18-021 now or formerly owned by Flats South Cleveland, LLC as recorded in AFN 201612200673 of the Cuyahoga County records, thence South 34°30'52" East along said West 4th street a distance of 16.15 feet to a point being the Place of Beginning for the parcel of land herein described;

Course No.1: Thence South 34°30'52" East along the northwesterly right of way of said West 3rd Street, a distance of 50.00 feet to a point,

Course No.2: Thence South 55°29'08" West, a distance of 5.00 feet to a point;

Course No.3: Thence North 34°30'52" West, a distance of 50.00 feet to a point;

Course No.4: Thence North 55°29'08" East, a distance of 5.00 feet to the Place of Beginning, said area containing 0.005 acres, 250 square feet of land being the same more or less and being subject to all legal highways and easements.

Legal Descriptions approved by Eric B. Westfall, Section Chief,

Plats, Surveys and House Numbering Section.

Section 2. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the Director of Law determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, the prospective Permittee has properly indemnified the City against any loss that may result from the encroachments permitted.

Section 3. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structures permitted by this ordinance shall conform to plans and specifications first approved by the Manager of the City's Division of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachments.

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment locations.

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 30, 2024.

Effective October 2, 2024.

Ordinance No. 938-2024

By Council Members: Griffin (by departmental request)

An emergency ordinance to provide for the transfer and amendment to the General Fund appropriations in the amount of Three Hundred Forty Three Thousand Four Hundred Seventy Five Dollars (\$343,475).

WHEREAS, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; 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 to provide for the Transfer and Amendment to the General Fund appropriations in the amount of Three Hundred Forty Three Thousand Four Hundred Seventy Five Dollars (\$343,475) as follows:

	Transfer To	Transfer From
Executive Branch		
General Government		
Office of Capital Projects		
I Personnel and Related Expenses	\$	60,152
Board of Zoning Appeals		
I Personnel and Related Expenses	\$	20,000
Total General Government	\$	80,152
Department of Law		
I Personnel and Related Expenses	\$	36,955
Total Department of Law	\$	36,955
Department of Public Safety		
Division of Public Safety Administration		
I Personnel and Related Expenses	\$	56,592
Total Department of Public Safety	\$	56,592
Department of Public Works		

Division of Park Maintenance and Properties

I Personnel and Related Expenses	\$	37,350
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Total Department of Public Works

\$	37,350
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Department of Economic Development

I Personnel and Related Expenses	\$	95,471
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Total Department of Economic Development

\$	95,471
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Transfer To	Transfer From
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Department of Building and Housing

Division of Building and Housing Administration

I Personnel and Related Expenses	\$	36,955
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Total Department of Building and Housing

\$	36,955
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Non-Departmental

Other Administrative

I Personnel and Related Expenses		\$	343,475
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Total Non-Departmental

\$		\$	343,475
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Total Executive Branch

\$	343,475	\$	343,475
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TOTAL GENERAL FUND

\$	343,475	\$	343,475
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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 30, 2024.

Effective October 2, 2024.

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 and/or its designee, which may include Third Space Action Lab, 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 and/or its designee, which may include Third Space Action Lab, 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.

Passed September 30, 2024.

Effective October 2, 2024.

Ordinance No. 1057-2024

By Council Members: Starr and Howse-Jones

An emergency ordinance consenting and approving the issuance of a permit for the Chili Bowl Classic 5K on February 22, 2025, 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 Chili Bowl Classic 5K on February 22, 2025, managed by Hermes Sports & Events; START on Chester Avenue at the Hofbräuhaus (1550 Chester Avenue), heading east; turn right onto East 55th Street; turn right onto Euclid Avenue, heading west; turn right onto East 18th Street; turn left onto Chester Avenue; FINISH at the Hofbräuhaus (1550 Chester Avenue); 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 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 30, 2024.

Effective October 2, 2024.

Ordinance No. 1058-2024

By Council Members: Bishop and Conwell

An emergency ordinance authorizing the issuance of a Mobile Permit to Salvatore Acevedo of DigitalC to engage in mobile vending in Wards 2 and 9.

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 2 and 9; 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 2 and 9.

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 30, 2024.

Effective October 2, 2024.

Ordinance No. 1063-2024**By Council Members:** Hairston

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the public purpose of providing the Collinwood Senior Health & Wellness Walkers Club 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 Community Development is hereby authorized to enter into agreement with Famicos Foundation for the Collinwood Senior Health and Wellness Walkers Club for the public purpose of providing the senior health and wellness walking club 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	G24688

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 13, 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 30, 2024.

Effective October 2, 2024.

Ordinance No. 1064-2024**By Council Members:** Griffin

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Fairfax Renaissance Development Corporation for the Fairfax Neighborhood Technology Training Center Program through the use of Ward 6 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Fairfax Renaissance Development Corporation for the Fairfax Neighborhood Technology Training Center for the public purpose of providing an adult technology project through the use of Ward 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$23,000.00 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 6	\$23,000.00	G24679

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 13, 2024. Project shall begin as of September 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 30, 2024.

Effective October 2, 2024.

Ordinance No. 1065-2024**By Council Members:** Griffin and Howse-Jones

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Doan Brook Watershed Partnership for the public purpose of providing the Family Fishing Day project through the use of Ward 6 and Ward 7 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 Community Development is hereby authorized to enter into agreement with Doan Brook Watershed Partnership for the public purpose of providing a youth outdoor fishing program through the use of Wards 6 and 7 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$2,000.00 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 6	\$1,000.00	G24660
Ward 7	\$1,000.00	G24660

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 13, 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 30, 2024.**Effective October 2, 2024.**

Ordinance No. 1066-2024**By Council Members:** Starr

An emergency ordinance authorizing the Director of the Department of Public Health to enter into agreement with Burten, Bell, Carr Development, Inc. for the public purpose of providing the Father's Day Fitness Health Clinic project through the use of Ward 5 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 Health is hereby authorized to enter into agreement with the Burten, Bell, Carr Development, Inc. for the Father's Day Fitness Health Clinic project for the public purpose of providing fitness activities, health screenings and community resources through the use of Ward 5 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$2,520.60 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 5	\$2,520.60	G24675

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 17, 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 30, 2024.

Effective October 2, 2024.

Ordinance No. 1067-2024**By Council Members:** Spencer

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Northwest Neighborhoods Community Development Corporation for the public purpose of providing the Historic Franklin West Clinton District project through the use of Ward 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 Community Development is hereby authorized to enter into agreement with the Northwest Neighborhoods Community Development Corporation for the Historic Franklin West Clinton District Project for the public purpose of providing multicultural education engagement series through the use of Ward 15 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$12,500.00 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 15	\$12,500.00	G24692

Section 3. That the Law Department has reviewed and approved this proposal on August 1, 2024. The Department has reviewed and approved the proposal on April 22, 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 30, 2024.**Effective October 2, 2024.**

Ordinance No. 1070-2024**By Council Members:** Griffin

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Burten, Bell, Carr Development, Inc. for the Buckeye Summer Health and Wellness Series through the use of Ward 6 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Burten, Bell, Carr Development Inc. for the Buckeye Summer Health and Wellness Series for the public purpose of providing summer community health and wellness programs through the use of Ward 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$8,241.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 6	\$8,241.00	G24693

Section 3. That the Law Department has reviewed and approved this proposal on September 26, 2024. The Department has reviewed and approved the proposal on September 13, 2024. Project shall begin as of September 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 30, 2024.

Effective October 2, 2024.

Resolution No. 831-2024

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

An emergency resolution declaring the intent to vacate a portion of West 48th Street S.W. and Ravine Court S.W.

WHEREAS, this Council is satisfied that there is good cause to vacate a portion of West 48th Street S.W. and Ravine Court S.W., as described; 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 this Council declares its intent to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and being portions of Ravine Court S.W. (14') and West 48th Street S.W. (formerly Liberty Street) (60') dedicated by the plat of the allotment of Taylor & Hoyt of parts of Lots 48 & 49 in Brooklyn recorded in Volume 1 Page 20 of Cuyahoga County Map Records, bounded and described as follows:

Beginning at a point at the intersection of the easterly line of said West 48th Street S.W. (14') and the northerly line of Fenwick Avenue (formerly Ravine Street) (60');

Course 1: Thence North $44^{\circ} 00' 52''$ West along the prolongation of the northerly line of said Fenwick Avenue S.W., 87.60' to a point at the intersection of the said northerly line of Fenwick Avenue and the westerly of line of West 48th Street S.W.;

Course 2: Thence North $45^{\circ} 59' 08''$ East, parallel with the centerline of a portion of South Frontage Road (Variable Width) as shown in ODOT I-90 Right of Way Plan CUY-90-11.64 Sheet 91, 48.62' to a point at the intersection of the westerly prolongation of northerly line of said Ravine Court S.W.;

Course 3: Thence South $89^{\circ} 42' 30''$ East, along the westerly prolongation and the northerly line of said Ravine Court, 128.00' to a point;

Course 4: Thence South $00^{\circ} 47' 13''$ East, parallel with the centerline of said West 48th Street, 14.00' to a point in the southerly line of said Ravine Court, said point also being the most easterly corner of a parcel of land conveyed to José Antonio Acevedo in Volume 14258 Page 307 of Cuyahoga County Deed Records;

Course 5: Thence North $89^{\circ} 42' 30''$ West along said southerly line of Ravine Court, 103.43' to a point at the said easterly line of West 48th Street;

Course 6: Thence South 00° 47' 13" East along said easterly line of West 48th Street, 82.67' to the said the Point of Beginning, containing .1094 acre (4766 ft²) more or less

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

Section 2. That this resolution 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 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 30, 2024.

Effective October 2, 2024.

Resolution No. 1059-2024**By Council Members:** Polensek

An emergency resolution opposing CSX railroad company's plans to reduce train stops and crew members at its Collinwood Rail Yard and supporting Ohio Senator Sherrod Brown's opposition to those plans.

WHEREAS, CSX railroad company recently announced that it planned to reduce train stops and crew members at its Collinwood Rail Yard in the City; and

WHEREAS, in a letter to CSX opposing the plans, Ohio Senator Sherrod Brown states CSX intends to move its Cleveland workers to Buffalo, New York or Willard, Ohio, or to lay them off, not only disrupting these workers and their families, but also damaging the reliability of CSX's operations in Ohio; and

WHEREAS, such a move by CSX would cause more trains on the rail network to be delayed or stranded, increasing the risk of blocked railroad crossings; and

WHEREAS, removing train operators from the Collinwood site will cause more trains to sit idle as they wait for crews to come in from Buffalo or Willard; these idle trains will block railroad crossings causing delays in delivery of goods by trains, and causing hours-long delays and disruptions on public roads; as well as negatively effect air quality because the trains idle with engines running; and

WHEREAS, the SMART Transportations Division union states that CSX's initial plans would immediately affect about 40 train operators and the union fears that eventually CSX will reduce staffing and operations at Collinwood Rail Yard, resulting in job losses for mechanics and track workers if the yard is used by fewer trains; and

WHEREAS, this Council strongly encourages CSX to keep these jobs and maintain current operations at the historic Collinwood Rail Yard; and

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

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

Section 1. That this Council opposes CSX railroad company's plans to reduce train stops and crew members at its Collinwood Rail Yard and supports Ohio Senator Sherrod Brown's opposition to those plans.

Section 2. That the Clerk of Council is directed to transmit a certified copy of this resolution to CSX railroad company and to Ohio Senator Sherrod Brown.

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 30, 2024.

Effective October 2, 2024.

Resolution No. 1060-2024

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

An emergency resolution determining that a petition to establish the North Coast Waterfront New Community Authority is sufficient and complies with the requirements of Section 349.03 of the Ohio Revised Code in form and substance; setting the time and place for a hearing on the petition and authorizing the notice by publication of such hearing; and declaring an emergency.

WHEREAS, the City of Cleveland, Ohio, in its capacity as a “developer” within the meaning of Revised Code Section 349.01(E) (the “City”), plans to establish a new community development program for the purposes of encouraging and supporting well-balanced and diversified land use patterns within the territory of the City, including facilities for the conduct of industrial, commercial, residential, cultural, educational, and recreational activities, all as described in Revised Code Chapter 349; and

WHEREAS, on September 30, 2024, the City, in its capacity as a developer, submitted to the Council of the City (“Council”), through its Clerk, pursuant to Revised Code Section 349.03, a Petition for Establishment of the North Coast Waterfront New Community Authority as a New Community Authority under Chapter 349 of the Ohio Revised Code (the “Petition”), a copy of which Petition is on file with the City (**File No. 1060-2024-A**); and

WHEREAS, the new community district, as described in the Petition (the “District”), is located entirely within the municipal corporate boundaries of the City, a municipal corporation, and this Council, as the legislative authority of the City, is therefore the organizational board of commissioners for purposes of this Petition; and

WHEREAS, this Council, as the organizational board of commissioners for the Petition under Revised Code Section 349.01(F), is the legislative authority of the City, and the City is the only “proximate community” within the meaning of Revised Code Section 349.01(M) for the Petition; and

WHEREAS, this Council has reviewed the Petition, and by this Resolution desires to legislatively determine, pursuant to Revised Code Section 349.03, that the Petition complies with the requirements of that section as to form and substance; pursuant to Revised Code Section 349.03, to set the time and place of a hearing on the Petition; and further pursuant to Revised Code Section 349.03, authorize the notice by publication of the hearing on the Petition; 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 this Council hereby acknowledges and determines that, pursuant to Revised Code Section 349.01(F)(3), it is the “organizational board of commissioners” for the Petition for all purposes of Revised Code Chapter 349.

Section 2. That this Council has examined the Petition and finds and determines that the Petition is sufficient and complies with the requirements of Revised Code Section 349.03 in form and substance. This Council further ratifies the execution of the Petition by the City and its submission to the Clerk of Council.

Section 3. That pursuant to Revised Code Section 349.03, this Council hereby determines to hold a hearing on the Petition at the offices of the City, 601 Lakeside Avenue, Cleveland, Ohio 44114, on November 12, 2024, at 9:30 a.m., and this Council hereby authorizes the Clerk of Council to cause notice of the hearing to be published once a week for three consecutive weeks, or as provided in Revised Code Section 7.16, in a newspaper of general circulation within Cuyahoga County, Ohio, pursuant to Revised Code Section 349.03(A)(8).

Section 4. That this Council finds and determines that all formal actions of this Council concerning and relating to the passage of this resolution were passed in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That this resolution 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 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 30, 2024.

Effective October 2, 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/>