

# The City Record

Official Publication of the Council of the City of Cleveland



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September the Twenty-Fourth, Two Thousand and Fourteen

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**Frank G. Jackson**  
Mayor

**Kevin J. Kelley**  
President of Council

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

**Ward Name**

- 1 Terrell H. Pruitt
- 2 Zachary Reed
- 3 Joe Cimperman
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Jeffrey D. Johnson
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Martin J. Sweeney
- 17 Martin J. Keane

The City Record is available online at  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Martin J. Sweeney	3632 West 133rd Street	44111
17	Martin J. Keane	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer

Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs

Martin J. Flask, Executive Assistant to the Mayor of Special Projects

Monyka S. Price, Executive Assistant to the Mayor, Chief of Education

Maureen Harper, Executive Assistant to the Mayor, Chief of Communications

Janita McGowan, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity

Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development

### OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

#### DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager

Engineering and Construction – Richard J. Switalski, Manager

Real Estate – James DeRosa, Commissioner

### DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,

Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,

Room 106: John Skrtic, Law Librarian, Room 100

### DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;

Natasha Brandt, Manager, Internal Audit

#### DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – James Hartley, Interim Treasurer, Room 115

Financial Reporting and Control – James Gentile, Controller, Room 18

Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue

Purchases and Supplies – Tiffany White, Commissioner, Room 128

Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue

Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

### DEPT. OF PUBLIC UTILITIES – Paul Bender, Director, 1201 Lakeside Avenue

#### DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer

Water – Alex Margevicius, Interim Commissioner

Water Pollution Control – Rachid Zoghbaib, Commissioner

### DEPT. OF PORT CONTROL – Ricky D. Smith, Director, Cleveland Hopkins

International Airport, 5300 Riverside Drive

#### DIVISIONS:

Burke Lakefront Airport – Khalid Bahhur, Commissioner

Cleveland Hopkins International Airport – Fred Szabo, Commissioner

### DEPT. OF PUBLIC WORKS – Michael Cox, Director

#### OFFICES:

Administration – John Laird, Manager

Special Events and Marketing – Tangee Johnson, Manager

#### DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Antionette Thompson, Interim Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Samuel Gissentaner, Interim Commissioner

Streets – Randell T. Scott, Interim Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

### DEPT. OF PUBLIC HEALTH – Toinette Parrilla, Director, 75 Erieview Plaza

#### DIVISIONS:

Air Quality – George Baker, Commissioner

Environment – Chantez Williams, Commissioner, 75 Erieview Plaza

Health – Myron Bennett, Commissioner, 75 Erieview Plaza

### DEPT. OF PUBLIC SAFETY – Michael C. McGrath, Director, Room 230

#### DIVISIONS:

Animal Control Services – John Baird, Chief Dog Warden, 2690 West 7th Street

Corrections – Robert Taskay, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.

Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive

Fire – Patrick Kelly, Chief, 1645 Superior Avenue

Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

### DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

#### DIVISIONS:

Administrative Services – Jesus Rodriguez, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – Chris Garland, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

### DEPT. OF BUILDING AND HOUSING – Ronald J.H. O’Leary, Director, Room 500

#### DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner

Construction Permitting – Narid Hussain, Commissioner

### DEPT. OF HUMAN RESOURCES – Deborah Southerington, Director, Room 121

### DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

### DEPT. OF AGING – Jane Fumich, Director, Room 122

### COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council

Member Brian Cummins, Eugene R. Miller (Board Lawyer), Roosevelt E. Coats, Jenice

Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary

Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa

Ryan, Peter Whitt.

### CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L.

Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan,

Michael Flickinger.

### SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Kevin

J. Kelley; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

### BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members:

Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Elizabeth

Kukla, Secretary.

### BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516,

Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim

M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O’Brien, Richard Pace, J.F.

Sullivan.

### BOARD OF REVISION OF ASSESSMENTS – Law Director Barbara A. Langhenry,

President; Finance Director Sharon Dumas, Secretary; Council President Kevin J. Kelley.

### BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law

Director Barbara A. Langhenry; Council Member \_\_\_\_\_.

### BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry;

Utilities Director Paul Bender; Council President Kevin J. Kelley.

### CITY PLANNING COMMISSION – Room 501 – Freddy L. Collier, Jr., Director; Anthony

J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean

Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

### FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L.

Render, Genesis O. Brown.

### HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan,

David Perkowski, Joan Shaver Washington, Keith Sutton.

### CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

### MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman;

Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman

Kevin Kelley.

### POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel

Whalen, Nancy Cronin, Elvin Vauss.

### CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair;

Laura M. Bala, Robert N. Brown, Allan Dreyer, Giancarlo Calicchia, Council Member

Terrell H. Pruitt, Robert Vilkas, Donald Petit, Interim Secretary.

### AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Kevin J. Kelley; Law Director Barbara A.

Langhenry.

## CLEVELAND MUNICIPAL COURT

### JUSTICE CENTER – 1200 ONTARIO STREET

#### JUDGE COURTROOM ASSIGNMENTS

#### Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A

Judge Pinkey S. Carr – Courtroom 12B

Judge Marilyn B. Cassidy – Courtroom 13A

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lauren C. Moore – Courtroom 14A

Judge Charles L. Patton, Jr. – Courtroom 13D

Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B

Judge Angela R. Stokes – Courtroom 15C

Judge Pauline H. Tarver – Courtroom 13C

Judge Ed Wade – Courtroom 12A

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims

– Chief Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief

Magistrate, Victor Perez – City Prosecutor

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 101

WEDNESDAY, SEPTEMBER 24, 2014

No. 5259

## CITY COUNCIL

MONDAY, SEPTEMBER 22, 2014

The City Record  
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City of Cleveland  
The City Record is available  
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[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)  
Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

**The following Committees meet at  
the Call of the Chair:**

**Mayor's Appointments Committee:**  
Sweeney (CHAIR), Brady, Cleve-  
land, Dow, Kelley.

**Operations Committee:** Pruitt  
(CHAIR), Kelley, Keane, Mitchell,  
Zone.

**Rules Committee:** Kelley  
(CHAIR), Cleveland, Cummins,  
Keane, Pruitt.

**FROM OHIO DIVISION OF  
LIQUOR CONTROL**

**File No. 1229-14.**  
RE: #53379470001. Transfer of  
Location Application, D1 D2 D3 D3A  
D6. Lucic Enterprises, Inc., 5379 St.  
Clair Avenue (Ward 10). Received.

**File No. 1230-14.**  
RE: #8200810. Transfer of Owner-  
ship Application, D5A D6. 629 Euclid  
Hotel, LLC, 629 Euclid Avenue  
(Ward 3). Received.

**File No. 1231-14.**  
RE: #1747155. New License Appli-  
cation, D5J. Corner Alley Uptown,  
LLC, 11409 Euclid Avenue (Ward 6).  
Received.

**File No. 1232-14.**  
RE: #7677880. New License Appli-  
cation, C1. Salaam & Lean, Inc., 756  
East 200th St. (Ward 8). Received.

**File No. 1233-14.**  
RE: #28671820005. Economic  
Development Transfer Application,  
D1 D2 D3 D6. Francesco Spremulli,  
Inc., 4911 Detroit Avenue (Ward 3).  
Received.

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2014-2017

#### MONDAY — Alternating

9:30 A.M. — **Health and Human  
Services Committee:** Cimperman  
(CHAIR), Mitchell (VICE-CHAIR),  
Brady, Cleveland, Conwell, Cum-  
mins, J. Johnson.

9:30 A.M. — **Municipal Services  
and Property Committee:** K. Johnson  
(CHAIR), Sweeney (VICE-CHAIR),  
Brancatelli, Cummins, Dow, J. John-  
son, Reed.

#### MONDAY

2:00 P.M. — **Finance Committee:**  
Kelley (CHAIR), Cleveland (VICE-  
CHAIR), Brady, Brancatelli, Con-  
well, Keane, Mitchell, Pruitt, Zone.

#### TUESDAY

9:30 A.M. — **Development, Plan-  
ning and Sustainability Committee:**  
Brancatelli (CHAIR), Cleveland  
(VICE-CHAIR), Cimperman, Cum-  
mins, Dow, Pruitt, Zone.

#### TUESDAY — Alternating

1:30 P.M. — **Utilities Committee:**  
Pruitt (CHAIR), Brady (VICE-  
CHAIR), Brancatelli, Cummins,  
Keane, Mitchell, Polensek.

1:30 P.M. — **Workforce and Com-  
munity Benefits Committee:** Cleve-  
land (CHAIR), Zone (VICE-CHAIR),  
J. Johnson, Polensek, Pruitt, Reed,  
Sweeney.

#### WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:**  
Zone (CHAIR), Conwell (VICE-  
CHAIR), Cimperman, Dow, K. John-  
son, Keane, Polensek.

10:00 A.M. — **Transportation Com-  
mittee:** Keane (CHAIR), Dow  
(VICE-CHAIR), Conwell, J. Johnson,  
K. Johnson, Reed, Sweeney.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 22, 2014

The meeting of the Council was  
called to order at 7:06 p.m. with the  
President of Council, Kevin J. Kel-  
ley, in the Chair.

Council Members present: Dona  
Brady, Anthony Brancatelli, Joe  
Cimperman, Phyllis E. Cleveland,  
Kevin Conwell, Brian J. Cummins,  
Jeffrey D. Johnson, Kevin J. Kelley,  
Kenneth L. Johnson, Martin J.  
Keane, Mamie J. Mitchell, Michael  
D. Polensek, Terrell H. Pruitt, Zack  
Reed, Martin J. Sweeney, and  
Matthew Zone.

Also present were: Mayor Frank  
G. Jackson, Chief of Staff Ken Sil-  
liman, Chief Operating Officer Dar-  
nell Brown, Chief of Government  
Affairs Valarie J. McCall, Chief of  
Regional Development Edward W.  
Rybka, Chief of Education Monyka  
S. Price, Chief of Public Affairs  
Natoya Walker-Minor, and Directors  
Langhenry, Bender, Smith, Spronz,  
Parrilla, McGrath, Cox, Rush,  
O'Leary, Southerington, Nichols,  
Griffin, Collier, Fumich, and  
Ambroz.

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  
Zone, the reading of the minutes of  
the last meeting was dispensed with  
and the journal approved. Seconded  
by Council Member Reed.

#### PLAT

**File No. 1236-14.**  
Dedication Plat — Harbor View  
Subdivision, Herman Avenue and  
West 54th Street. Approved by Com-  
mittees on Development Planning  
and Sustainability and Municipal  
Services and Properties. Without  
objection, Plat approved.

#### File No. 1231-14.

RE: #1747155. New License Appli-  
cation, D5J. Corner Alley Uptown,  
LLC, 11409 Euclid Avenue (Ward 6).  
Received.

#### File No. 1232-14.

RE: #7677880. New License Appli-  
cation, C1. Salaam & Lean, Inc., 756  
East 200th St. (Ward 8). Received.

#### File No. 1233-14.

RE: #28671820005. Economic  
Development Transfer Application,  
D1 D2 D3 D6. Francesco Spremulli,  
Inc., 4911 Detroit Avenue (Ward 3).  
Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 1238-14**—Paul B. Perhacs.

**Res. No. 1243-14**—Charlie Demore.

**Res. No. 1244-14**—Carrie Lee Jones.

#### CONGRATULATIONS RESOLUTIONS

The rules were suspended and the  
following Resolutions were adopted  
without objection:

**Res. No. 1239-14**—Lou Slapnik (dedi-  
cation of "Lou Slapnik Track" at the  
Collinwood Athletic Complex).

**Res. No. 1240-14**—Mable Beaver.

#### RECOGNITION RESOLUTION

The rules were suspended and the  
following Resolution was adopted  
without objection:

**Res. No. 1241-14**—Irish American  
Archives Society.

#### WELCOME RESOLUTION

The rules were suspended and the  
following Resolution was adopted  
without objection:

**Res. No. 1242-14**—Rowan Gillespie.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 1222-14.**

**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of hand tools and hand-held power tools, for the various divisions of City government, for a period of two years, with an option to renew for one year, exercisable through additional legislative authority.**

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

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of two years, with an option to renew for one year exercisable through additional legislative authority, for the necessary items of hand tools and hand-held power tools in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner

of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 1505, RL 2014-43)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 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 Finance, Law; Committee on Finance.

**Ord. No. 1223-14.**

**By Council Members Cummins, Cimperman, K. Johnson and Kelley (by departmental request).**

**An emergency ordinance to amend Section 9 of Ordinance No. 623-14,**

**passed June 9, 2014, relating to the public improvement of resurfacing West 25th Street from I-71 to Detroit Avenue.**

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 9 of Ordinance No. 623-14, passed June 9, 2014, is amended to read as follows:

Section 9. That the cost of the contracts and other expenditures authorized shall be paid from **Fund No. 52 SF 001, 54 SF 001, 20 SF 563, from the fund or funds which are credited any funds received from the Ohio Department of Transportation from the LPA Agreement, and from the fund or funds to which are credited any gifts or grants received from public or private entities for the purposes of this ordinance, including cash contributions.**

**Section 2.** That existing Section 9 of Ordinance No. 623-14, passed June 9, 2014, 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 Capital Projects, Finance, Law; Committees on Municipal Services and Properties, Finance.

**Ord. No. 1224-14.**

**By Council Members K. Johnson and Kelley (by departmental request).**

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

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

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Works is authorized to make one or more written standard purchase and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the period of one year, for the necessary items required for the purchase, lease, or lease with option to purchase, of various on-road vehicles and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, training, and inspections, as needed, in the estimated sum of \$4,957,000, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government, as described below:

**2014 Enterprise Capital Vehicle Plan  
Description of Equipment**

Item Number	Item Description	User	Quantity	Estimated Cost	Extended Est. Cost
<b>ENTERPRISE FUND</b>					
1	Passenger Car-Mid-size	Water	3	\$26,000	\$78,000
2	SUV-4X4	Water	7	\$30,000	\$210,000
3	Pickup	Water	17	\$29,000	\$493,000
4	Pickup-Heavy Duty (A)	Water	7	\$34,000	\$238,000
5	Pickup-Heavy Duty (B)	Water	2	\$45,000	\$90,000
6	Pickup-Heavy duty (C)	Water	1	\$55,000	\$55,000
7	Cargo Van	Water	10	\$28,000	\$280,000
8	Mini Van-Cargo	Water	2	\$28,000	\$56,000
9	Cab Chassis w/Large USV	Water	3	\$185,000	\$555,000
10	Cab Chassis w/Medium USV	Water	5	\$60,000	\$300,000

11	Cab Chassis w/Medium Duty Dump	Water	3	\$60,000	\$180,000
12	Cab Chassis w/Tandem Dump	Water	2	\$200,000	\$400,000
13	Cab Chassis w/Aerial Bucket	Water	1	\$60,000	\$60,000
14	Asphalt Roller	Water	1	\$16,500	\$16,500
15	Equipment Trailer	Water	1	\$5,000	\$5,000
16	Air Compressor	Water	7	\$25,000	\$175,000
				<b>Total</b>	<b>\$3,191,500.00</b>
17	SUV-4X4	CPP	4	\$25,000	\$100,000
18	Cab Chassis w/ 60ft Aerial Bucket	CPP	3	\$295,000	\$885,000
19	Cab Chassis w/60ft Tree Service Bucket	CPP	1	\$187,000	\$187,000
20	Cab Chassis w/Digger Derrick	CPP	1	\$262,500	\$262,500
21	Cab Chassis w/47ft Aerial Bucket	CPP	2	\$156,000	\$312,000
22	Trailer Mounted Pump	CPP	1	\$19,000	\$19,000
				<b>Total</b>	<b>\$1,765,500.00</b>
				<b>Grand Total</b>	<b>\$4,957,000.00</b>

Alternate bids for a period less than one year may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 7015, RL 2014-42)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

**Ord. No. 1235-14.**

**By Council Member Cimperman.**

**An emergency ordinance authorizing and directing the Commissioner of Parking Facilities to collect and charge a maximum \$1.00 fee for parking in the Willard Park Garage on Saturday, January 24, 2015 from 7:00 a.m. to 5:00 p.m. to accommodate volunteers at the Homeless Stand Down event.**

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 the City of Cleveland, 1976, including but not limited to Codified Ordinance Section 131.78, the Commissioner of Parking Facilities is hereby authorized and directed to collect and charge a maximum \$1.00 fee for parking in the Willard Park Garage on Saturday, January 24, 2015 from 7:00 a.m. to 5:00 p.m. to accommodate volunteers at the Homeless Stand Down event.

**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.

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

**FIRST READING EMERGENCY RESOLUTIONS REFERRED**

**Res. No. 1220-14.**

**By Council Member Kelley (by departmental request).**

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

Whereas, this Council, under the provisions of law, has adopted a Tax Budget for the fiscal year commencing January 1, 2015; and

Whereas, the Budget Commission of Cuyahoga County, Ohio, has certified its action on the Tax Budget to this Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council and what part is within and what part is outside the 10-mill tax limitation; 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 the amounts and rates as determined by the Budget Commission in its certification are accepted.

**Section 2.** That there is levied on the tax duplicate of the City of Cleveland the rate of each tax necessary to be levied within and without the 10-mill tax limitation, as follows:

**SCHEDULE A**  
**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY**  
**TAX APPROVED BY BUDGET COMMISSION**  
**AND COUNTY AUDITOR'S ESTIMATE TAX RATES**

Fund	Amount to be Derived From Levies	Amount Approved By Budget Commission	County Auditor's Estimate of Tax Rate To Be Levied	
	Outside 10-Mill Limitation	Inside 10-Mill Limitation	Inside 10-Mill Limitation	Outside 10-Mill Limitation
	Column II	Column IV	Column V	Column VI
GENERAL FUND			----	7.75
BOND RETIREMENT FUND			4.35	----
POLICE PENSION FUND			----	0.30
FIRE PENSION FUND			0.05	0.25
<b>TOTAL</b>			<b>4.40</b>	<b>8.30</b>

**Section 3.** That the Clerk of Council is directed to certify a copy of this resolution to the County Fiscal Officer of Cuyahoga County.

**Section 4.** 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 Finance, Law; Committee on Finance.

**Res. No. 1221-14.**  
**By Council Member Kelley (by departmental request).**

**An emergency resolution requesting the County Fiscal Officer to make advances during the year 2015, pursuant to Section 321.34, Ohio Revised Code.**

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 under Section 321.34 of the Revised Code, the County Fiscal Officer is hereby requested to draw, and the County Treasurer to pay on draft or drafts made payable to the Treasury of the City of Cleveland, any money that may be in the County Treasury from time to time during the year 2015 and credited to the account of the City of Cleveland and lawfully applicable to the purpose of the 2015 fiscal year, during which year such request will be made. The payments to be made from time to time in accordance with the schedule set by Cuyahoga County.

**Section 2.** That the Clerk of Council is directed to transmit a certified copy of this resolution to the County Fiscal Officer.

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

Referred to Directors of Finance, Law; Committee on Finance.

**FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**

**Ord. No. 1194-14.**  
**By Council Member Kelley.**

**An emergency ordinance authorizing the Clerk of Council to enter into an agreement or agreements with Blue Technologies, Inc. for the professional services necessary to provide a certain software solution to continue to customize and implement an integrated Legislative Management System; and to further authorize the Clerk to enter into a web hosting agreement and software license with Hyland Software, Inc., for Cleveland City Council.**

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 Clerk of Council is authorized to enter into an agreement or agreements with Blue Technologies, Inc. for the professional services necessary to provide a certain software solution (the "hosted solution") with which to continue to customize and implement an integrated Legislative Management System for Cleveland City Council; components of the hosted solution shall include, but are not limited to, mobile access for Android, Unity software, and any necessary individual, concurrent licenses; professional services with respect to the hosted solution shall include, but are not limited to, configuration, implementation, training, ongoing maintenance and technical support, and consultation on future phases of the hosted solution.

That the Clerk is further authorized to enter into a web hosting

agreement and software license with Hyland Software, Inc. for web hosting services of the hosted solution software and a license for use of such software for Cleveland City Council.

The terms of the agreements authorized herein will begin on the same effective date and shall be for one year with two one-year options to renew, exercisable by the Clerk.

The total cost of the services provided by the agreements authorized herein shall not exceed \$77,120.00 for the first year; the cost of a renewal term, if exercised, shall not exceed \$77,120.00 per renewal term. Payment shall be made from fund numbers 632000-01-010100 and fund no. 11 sub fund 006.

**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.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1225-14.**  
**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for The Tremont Steeplechase Run, on September 27, 2014, sponsored by Hermes Sports & Events, Inc.**

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 Tremont Steeplechase Run, on September 27, 2014, start: Lincoln Park—West 11th Street and Starkweather Avenue; Starkweather to West 14th Street; West 14th to Fairfield Avenue; Fairfield to West 11th Street; West 11th to University Road; University to West 5th Street; West 5th to Starkweather Avenue; Starkweather to Professor Avenue; Professor to West 10th Street West 10th to University Avenue; University to West 11th Street; West 11th to Starkweather Avenue—Finish Line; 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.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1226-14.**

**By Council Member Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for The Cleveland Officer Down 5K, on October 19, 2014, sponsored by the Officer Down Foundation and the Greater Cleveland Peace Officer Memorial.**

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 Cleveland Office Down 5K, on October 19, 2014, start: Lakeside Avenue and Ontario Street; Lakeside east to East 17th Street; East 17th south to St. Clair Avenue; St. Clair west to West Mall Drive; turn around, St. Clair Avenue east to East 17th Street East 17th north to Lakeside Avenue; Lakeside west to Finish at Ontario Street; 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.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1227-14.**

**By Council Member Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for The Halloween Run for Justice, on October 25, 2014, sponsored by Hermes Sports & Events, Inc.**

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 Halloween Run for Justice, on October 25, 2014, start: St. Clair Avenue and East 12th Street; East 12th to Lakeside Avenue; Lakeside to West 3rd Street; West 3rd to Erieside Avenue; Erieside to East 9th Street; across East 9th to North Marginal Road; North Marginal to East 26th Street Bridge; turn around return same route to finish line; 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.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1228-14.**

**By Council Member K. Johnson.**  
**An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with Rudy's Mini Mart, LTD, for interior improvements to the Rudy's Mini Mart & Sunoco Gas Station to promote economic development through the use of Ward 4 Casino Revenue Funds.**

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

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of the Department of Economic Development is authorized to enter into an agreement with Rudy's Mini Mart, LTD, for interior improvements to the Rudy's Mini Mart & Sunoco Gas Station located at 8910 Buckeye Road, Cleveland, Ohio for the public purpose of promoting economic development and new job creation through the use of Ward 4 Casino Revenue Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 188.

**Section 3.** 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 4.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Motion to suspend rules, Charter, and statutory provisions and place on final passage.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**

**Res. No. 1234-14.**

**By Council Member Cimperman.**  
**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 2325 Elm Street.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Metropolis Night Club, Inc., 2325 Elm Street, Cleveland, Ohio 44113, Permanent Number 5870816 to Halo Event Group, LLC, 2325 Elm Street, Cleveland, Ohio 44113, Permanent Number 3536547; and

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

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

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

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

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

Whereas, this objection is based on other legal grounds as set forth

in Revised Code Section 4303.292; and

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from Metropolis Night Club, Inc., 2325 Elm Street, Cleveland, Ohio 44113, Permanent Number 5870816 to Halo Event Group, LLC, 2325 Elm Street, Cleveland, Ohio 44113, Permanent Number 3536547; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Motion to suspend rules, Charter, and statutory provisions and place on final adoption.

The rules were suspended. Yeas 16, Nays 0. Read second time. Read third time in full. Adopted. Yeas 16, Nays 0.

**Res. No. 1237-14.**

**By Council Member Cimperman.**

**An emergency resolution supporting the Round 13 Catalytic Project Application of Landmark Management to the Ohio Development Services Agency for State Historic Preservation Tax Credits for the adaptive reuse and redevelopment of the May Company Building, located at 200 Euclid Avenue.**

Whereas, each year the State of Ohio through the Ohio Development Services Agency allocates State Historic Preservation Tax Credits to encourage private investment in redeveloping historically significant buildings throughout Ohio using a competitive proposal process; and

Whereas, Landmark Management is applying for the State's newly enacted \$25 million tax credit award under the Catalytic Project Application that will only be awarded to one project within the entire State of Ohio during Round 13 for the biennium that includes 2014 and 2015, in order to execute its plans for redevelopment of the May Company Building; and

Whereas, the Cleveland City Council has recognized the need for adaptive reuse and redevelopment of historic buildings in Downtown Cleveland, and desires to have the May Company Building, that has been vacant for twenty years, redeveloped by Landmark Management; and

Whereas, Landmark Management is proposing to restore and redevelop the historic one million square foot May Company Building into an exciting and vibrant new mixed-use development, adding 500 new residents and commercial opportunities to the heart of Public Square; and

Whereas, the building is located where Euclid Avenue meets Public Square, at a central point in Downtown Cleveland at the heart of our transit operations where residents and visitors enter the downtown experience to work, play or visit our community; and

Whereas, the May Company Building's redevelopment will anchor Public Square's \$30 million transformation as Cleveland's "front door" to Public Square at the 2016 Republican National Convention, and have a catalytic impact on the broader image of Cleveland and Ohio on a national stage; and

Whereas, Cleveland City Council supports Landmark Management's proposal for the May Company Building as a high priority initiative for future development in the heart of Downtown to benefit the citizens of the City of Cleveland; and

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

Be it resolved by the Council of the City of Cleveland:

**Section 1.** That this Council supports the Round 13 Catalytic Project Application of Landmark Management to the Ohio Development Services Agency for State Historic Preservation Tax Credits for the adaptive reuse and redevelopment of the May Company Building, located at 200 Euclid Avenue.

**Section 2.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to David Goodman, Director, Ohio Development Services Agency, and David Goldberg and John Carney, Landmark Management.

**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 to suspend rules, Charter, and statutory provisions and place on final adoption.

The rules were suspended. Yeas 16, Nays 0. Read second time. Read third time in full. Adopted. Yeas 16, Nays 0.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 726-14.**

By Council Members Cleveland, Mitchell, K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the sale to the Ohio Department of Transportation of various City-owned properties and easements, including those in the Land Reutilization Program, that are located between I-490 and East 55th Street to Chester Avenue and East 105th Street for purposes of constructing the Opportunity Corridor Transportation Project; authorizing the Directors of Capital Projects, Public Works, and Community Development to enter into one or

more agreements with the Ohio Department of Transportation regarding the Project; authorizing mutually agreed-upon land donations from Ohio Department of Transportation to Capital Projects at the completion of the Project; and authorizing other agreements necessary to implement the Project.

Approved by Directors of Capital Projects, Public Works, Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance, when amended, as follows:

1. In Section 2, line 1, after "Control," insert **"and after receiving written approval from the Councilmember in whose ward the property is located,"**.

2. In Section 3, line 2, after "1976," insert **"and after receiving written approval from both the Council President and from the Councilmember in whose ward the property is located,"**.

Amendments agreed to.

The rules were suspended. Yeas 16, Nays 0. Read second time. Read third time in full. Passed. Yeas 15, Nays 1.

In compliance with Section 33 of the Charter a copy of the legislation was furnished to each member of Council before final passage.

Those voting yea: Council Members Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, K. Johnson, Keane, Kelley, Mitchell, Polensek, Pruitt, Reed, Sweeney, Zone.

Those voting nay: J. Johnson.

Absent: Council Member Dow.

**Ord. No. 855-14.**

By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 131.67 relating to authorizing standard and requirement contracts for labor and materials for capital maintenance and repair of City facilities.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

The rules were suspended. Yeas 16, Nays 0. Read second time. Read third time in full. Passed. Yeas 16, Nays 0.

**Ord. No. 993-14.**

By Council Members Pruitt and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide a comprehensive financial plan for the years 2016 through 2020, including but not limited to, cost-of-service studies, and rate and fee analyses, for the various divisions of the Department of Public Utilities.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Utilities, Finance, when amended, as follows:

1. In Section 1, at the end of the first paragraph insert **"The contract or contracts entered into shall be for a period up to two years, with two one-year options to renew. The first of the one-year options to renew**



may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Public Utilities, without the necessity of obtaining additional authority of this Council."

Amendment agreed to. The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 14. Nays 2.

In compliance with Section 33 of the Charter a copy of the legislation was furnished to each member of Council before final passage.

Those voting yea: Council Members Brady, Brancatelli, Cimperman, Cleveland, Conwell, Cummins, K. Johnson, Keane, Kelley, Mitchell, Pruitt, Reed, Sweeney, Zone.

Those voting nay: J. Johnson, Polensek. Absent: Council Member Dow.

**Ord. No. 1123-14.**

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 30 of Ordinance No. 385-14, passed March 31, 2014, relating to compensation for various classifications.

Approved by Directors of Human Resources, Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1124-14.**

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Sections 48 and 50 of Ordinance No. 385-14, passed March 31, 2014, relating to compensation for various classifications.

Approved by Directors of Human Resources, Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1125-14.**

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the S.E.M.E., Local 1; and to amend Section 18 of Ordinance No. 385-14, passed March 31, 2014, relating to compensation for various classifications.

Approved by Directors of Human Resources, Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1190-14.**

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of industrial paper products, for the various divisions of City government, for a peri-

od of two years, with an option to renew for one year, exercisable through additional legislative authority.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1192-14.**

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of paper products, for the various divisions of City government for a period of one year with an option to renew for one year, exercisable by the Director of Finance.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**Ord. No. 1193-14.**

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of ready mix concrete, materials, and supplies, for the various divisions of City government, for a period of one year, with a one-year option to renew, exercisable by the Director of Finance.

Approved by Directors of Finance, Law; Passage recommended by Committee on Finance.

The rules were suspended. Yeas 16. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 0.

**MOTION**

On the motion of Council Member Zone, the absence of Council Member TJ Dow is hereby authorized. Seconded by Council Member Reed.

The Council Meeting adjourned at 7:55 p.m. to meet on Monday, September 29, 2014, at 7:00 p.m. in the Council Chamber.

Patricia J. Britt  
City Clerk, Clerk of Council

**THE CALENDAR**

The following measures will be on their final passage at the next meeting:

NONE

**BOARD OF CONTROL**

September 17, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 17, 2014 at 10:35 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Bender, Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson.

Others: D. Anthony, Acting Director, Office of Equal Opportunity.

Tiffany White, Commissioner, Division of Purchases & Supplies.

On motions, the following resolutions were adopted, except as may be otherwise noted.

**Resolution No. 442-14.**

By Directors Cox and Spronz.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Jamieson Ricca Co. for the public improvement of the McCafferty Health Center Window Replacement Base Bid Items A and B and Optional Items 1 and 2 for the Departments of Public Works and Capital Projects, received on July 3, 2014 under the authority of Ordinance No. 792-13, passed May 20, 2013, upon a gross price basis for the improvement in the aggregate amount of \$127,822.00 is affirmed and approved as the lowest responsible bid; and the Directors of the Departments of Public Works and Capital Projects are authorized to enter into contract with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Jamieson Ricca Co. is hereby approved:

<u>Subcontractor</u> <u>Amount</u>	<u>CSB/MBE/FBE</u> <u>Percentage</u>
Sunray Window Films LLC \$3,518.00	CSB/MBE/FBE 2.752%
T. Allen Inc. \$17,000.00	non-certified 0%

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 443-14.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of South East Motorcycle Sales Co. dba South East Harley Davidson Sales Co., for estimated quantity of motorcycles and related equipment, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, received on July 16, 2014, under the authority of Ordinance No. 646-13, passed by Cleveland City Council on May 13, 2013, which on the basis of the estimated quantity would amount to \$198,529.20 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the specified goods.

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

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.  
 Nays: None.  
 Absent: Mayor Jackson.

**Resolution No. 444-14.**

By Director Cox.  
 Be it resolved by the Board of Control of the City of Cleveland that the bid of Shaw Contract Flooring Services, Inc. dba Spectra Contract Flooring for the public improvement of the 2014 Safety Surface Improvements Base Bid Items 1-9C, and 13A-15C for the Department of Public Works, received on August 29, 2014 under the authority of Ordinance No. 791-13, passed May 20, 2013, upon a gross price basis for the improvement in the aggregate amount of \$124,418.74 is affirmed and approved as the lowest responsible bid; and the Director of the Department of Public Works is authorized to enter into contract with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Shaw Contract Flooring Services, Inc. dba Spectra Contract Flooring is hereby approved:

<u>Subcontractor Amount</u>	<u>CSB/MBE/FBE Percentage</u>
Playground Equipment Services TBD	Non-Certified TBD

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.  
 Nays: None.  
 Absent: Mayor Jackson.

**Resolution No. 445-14.**

By Director Rush.  
 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. 129-17-032 located at 12805 Buckeye Road; and

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

Whereas, FDBTS, LLC has proposed to the City to purchase and develop the parcel for commercial construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 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 FDBTS, LLC for the sale and development of Permanent Parcel No. 129-17-032 located at 12805 Buckeye Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$15,000.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.  
 Nays: None.  
 Absent: Mayor Jackson.

JEFFREY B. MARKS,  
 Secretary

**CIVIL SERVICE NOTICES**

**General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

**EXAMINATION RESULTS:** Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

**PHYSICAL EXAMINATION:** All candidates for original entrance positions who are successful in other parts of the examinations must submit to a physical examination.

ROBERT BENNETT,  
 President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 13, 2014**

**9:30 A.M.**

**Calendar No. 14-148:** 602 Marquardt Avenue (Ward 3)

Cleveland Bricks, owner, proposes to erect a two story, 1,885 square foot townhouse on a 2,252 square foot parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area in a 'B' Area District shall not exceed 1/2 the total lot area or in this case 1,126 square feet and 1,885 square feet are proposed. And, the minimum lot area of 2,400 square feet is required for a townhouse and 2,252 square feet are proposed.

2. Section 357.04 which states that the front yard setback shall be a distance equal to fifteen percent of the depth of the lot, 15 feet in this case, and a 5 foot setback is proposed.

3. Section 357.05(a) which states that a 5 foot setback is required along the side street side yard of a corner lot and 3'-1" are proposed.

4. Section 357.05(b)(1) states that on the rear third of a corner lot where the rear lot line abuts a residence district the building setback line shall be not less than 10 feet and 18 inches are proposed.

5. 357.09(b)(2)(B) states that in a Two-Family Residential District no interior side yard shall be less than 5 feet in width for a corner lot, nor less than 3 feet on an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The proposed building mean height is approximately 29 feet thus no interior side yard shall be less than 7.25 feet and a 1'-6" side yard is proposed. (Filed July 31, 2014)

**Calendar No. 14-149:** 604 Marquardt Avenue (Ward 3)

Cleveland Bricks, owner, proposes to erect a two story, 1,730 square foot townhouse on a 2,252 square foot parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area in a 'B' Area District shall not exceed 1/2 the total lot area or in this case 1,126 square feet and 1,730 square feet are proposed. And, the minimum lot area of 2,400 square feet is required for a townhouse and 2,252 square feet are proposed.

2. Section 357.04 which states that the front yard setback shall be a distance equal to fifteen percent of the depth of the lot, 15 feet in this case, and an 8'-10" setback is proposed.

3. 357.09(b)(2)(B) states that in a Two-Family Residential District no interior side yard shall be less than 5 feet in width for a corner lot, nor less than 3 feet on an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The proposed building mean height is approximately 29 feet thus no interior side yard shall be less than 7.25 feet and a 1'-6" side yard is proposed. (Filed July 31, 2014)

**Calendar No. 14-150:** 606 Marquardt Avenue (Ward 3)

Cleveland Bricks, owner, proposes to erect a two story, 1,893 square foot townhouse on a 2,252 square

foot parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area in a 'B' Area District shall not exceed 1/2 the total lot area or in this case 1,126 square feet and 1,893 square feet are proposed. And, the minimum lot area of 2,400 square feet is required for a townhouse and 2,252 square feet are proposed.

2. Section 357.04 which states that the front yard setback shall be a distance equal to fifteen percent of the depth of the lot, 15 feet in this case, and a 5 foot setback is proposed.

3. 357.09(b)(2)(B) states that in a Two-Family Residential District no interior side yard shall be less than 5 feet in width for a corner lot, nor less than 3 feet on an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The proposed building mean height is approximately 29 feet thus no interior side yard shall be less than 7.25 feet and a 1'-6" side yard is proposed. (Filed July 31, 2014)

**Calendar No. 14-151:** 608 Marquardt Avenue (Ward 3)

Cleveland Bricks, owner, proposes to erect a two story, 1,362 square foot townhouse on a 2,252 square foot parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area in a 'B' Area District shall not exceed 1/2 the total lot area or in this case 1,126 square feet and 1,885 square feet are proposed. And, the minimum lot area of 2,400 square feet is required for a townhouse and 2,252 square feet are proposed.

2. Section 357.04 which states that the front yard setback shall be a distance equal to fifteen percent of the depth of the lot, 15 feet in this case, and a 9 foot setback is proposed.

3. 357.09(b)(2)(B) states that in a Two-Family Residential District no interior side yard shall be less than 5 feet in width for a corner lot, nor less than 3 feet on an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The proposed building mean height is approximately 29 feet thus no interior side yard shall be less than 7.25 feet and a 1'-6" side yard is proposed. (Filed July 31, 2014)

**Calendar No. 14-179:** Mobile Food Shop at Dock 32 (Ward 3)

Emmanuel Tsambounieris appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from being denied an application to locate a Mobile Food Shop at the location of Dock 32 on Erieside Avenue by the Cleveland City Council.

**Calendar No. 14-180:** Mobile Food Shop at Coast Guard Lots #9 and #10 (Ward 3)

Emmanuel Tsambounieris appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from being denied an application to locate a Mobile Food Shop at the location of Coast Guard Lots #9 and #10 west of the parking lot and north of North Marginal Road by the Cleveland City Council.

**POSTPONED FROM  
SEPTEMBER 8, 2014**

**Calendar No. 14-117:** 1204 Auburn Avenue, Parking and Common Area (Ward 3)

City of Cleveland Land Reutilization, owner, Chelsea Investment Partners prospective purchaser proposes to establish use as parking, vehicle access, trash area, and common area for nine townhouses located on separate lots, on a parcel that is located 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. Per Section 337.03 vehicle access, trash area and common area as main and exclusive use of a lot in a Two Family District is not permitted.

2. Section 349.16(c) states that parking as a main use in a residential district requires review and approval from the Board of zoning Appeals. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-118:** 1204 Auburn Avenue, Unit 1 (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-119:** 1204 Auburn Avenue, Unit 2 (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-120:** 1204 Auburn Avenue, Unit 3 (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-121:** 1204 Auburn Avenue, Unit 4 (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-122:** 1204 Auburn Avenue, Unit (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-123:** 1204 Auburn Avenue, Unit 6 (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-124:** 1204 Auburn Avenue, Unit 7 (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-125:** 1204 Auburn Avenue, Unit 8 (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**Calendar No. 14-126:** 1204 Auburn Avenue, Unit 9 (Ward 3)

Chelsea Investment Partners, owner, proposes to construct a 2,046 square foot, four story dwelling unit on a 549 square foot lot 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. Per Section 355.04, the minimum lot size for a single family dwelling is 4,800 and 549 feet are proposed. The maximum gross floor area is limited to 1/2 the lot area and 2,046 square feet are proposed. The minimum street frontage required is 40 feet and none are proposed.

2. Section 357.01(a) states that a front yard equal to 15% of the lot depth is required and 4 feet are proposed. Also, no rear and side yards are proposed.

3. Section 357.09(b)(2) states that no building may be erected within 10 feet of main building on another lot and the proposed dwelling units on separate lots are connected.

4. Per Section 353.01 the maximum height of a building in a '1' Height District is 35 feet and 36 to 43 feet are proposed. (Filed July 3, 2014)

Second postponement made at the request of the Development Corporation to allow for Block Club review of revised drawings.

**POSTPONED FROM  
AUGUST 25, 2014**

**Calendar No. 14-095:** 4207 Clark Avenue (Ward 3)

Antonio Ortiz, owner, proposes expand an existing nonconforming motor vehicle repair garage located in a C2 Semi-Industry District by constructing a new 1324 square foot detailing shop addition. Owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 345.03(c)(2) which states that a repair garage for repair or painting of motor vehicles, is permitted in Semi-Industry provided that such use is located not less than one hundred (100) feet from a Residence District and the property abuts a Two Family Residential District.

2. Section 359.01(a) which states that the expansion of an existing nonconforming use requires Board of Zoning Appeals Approval.

3. Section 343.11(b)(2)(I)(2) states that an automobile laundry cannot be located less than 100 feet from a Residence District and the property abuts a Two Family Residential District.

4. Section 349.04(g) requires 7 off street parking spaces and none are shown. (Filed May 30, 2014)

Third postponement made at the request of the Councilman in order to allow for more time to review the project.

**POSTPONED FROM  
SEPTEMBER 22, 2014**

**Calendar No. 14-156:** 3332 Scranton Road (Ward 14)

Sotre Properties, owner, appeals to expand the use from a two-family dwelling unit residence to a three-family dwelling unit located in a C1 Multi-Family Residential District contrary to Section 357.13 of the Cleveland Codified Ordinances which states that the condensing units are not a permitted yard encroachments. (Filed August 22, 2014)

Postponement made at the request of the Board in order for the appellant to work with the City Planning Commission to work on alternative solutions.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, SEPTEMBER 22, 2014**

At the meeting of the Board of Zoning Appeals on Monday, September 22, 2014, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

**Calendar No. 14-139:** 16820 Lakeshore Boulevard

ABE Tayeh, owner, appealed to expand the existing bar to include 44 outside seats in the required front yard of a parcel located in a C1 Local Retail Business District.

**Calendar No. 14-155:** 700 East 185th Street

Manfred Rosenbaum, owner, appealed to change use from a retail store to a coffee shop in a C1 Local Retail Business District and a Pedestrian Retail Overlay District.

**Calendar No. 14-164:** 3200 Lennox Avenue

3200 Lennox Avenue LLC, owner, appealed to install a gravel parking lot and fence on a parcel located in a B3 General Retail Business District.

**Calendar No. 14-165:** 1361 East 55th Street

Rick Semersky, owner, appealed to establish use as a café/restaurant and two retail spaces on a parcel located in a C2 Residence-Industry District.

**Calendar No. 14-166:** 2013 Ontario Street

Southworth, LLC, owner, appealed to change use from restaurant and office to an 18 unit apartment building located in an E5 General Retail Business District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

**Calendar No. 14-156:** Sotre Properties 3332 Seranton Road. Postponed to October 13, 2014.

**Calendar No. 14-163:** Smith Ford Realestate 10400 Clifton Boulevard. Postponed to October 27, 2014.

The following appeals were heard by the Board on September 15, 2014 and the decisions were adopted and approved on September 22, 2014:

The following appeals were **APPROVED:**

**Calendar No. 14-154:** 1740 Hillview Road

Richard Ford, owner, appealed to erect an 18' x 39' 1 story steel detached garage in a B1 Two Family Residential District.

**Calendar No. 14-157:** 1867 West 25th Street

P. and M. Ohio City LLC, owner, appealed to add outdoor seating for Mitchell's Ice Cream in a C4 Local Retail Business District.

**Calendar No. 14-159:** 2240 Green Road

Nick Jackson, owner, appealed to erect a 26' x 40' garage on a 50' x 140' in an A1 One-Family Residential District.

**Calendar No. 14-160:** 4267 East 168th Place

Otis Buchanan, owner, appealed to erect a 12' x 39' L-shaped 1 story frame attached garage addition to an existing single family home in an A1 One-Family Residential District.

Secretary

**REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS**

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing By the Council Committee On Development, Planning and Sustainability**

**Mercedes Cotner Committee Room 217 City Hall, Cleveland, Ohio On Tuesday, October 7, 2014 9:30 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, October 7, 2014, at 9:30 a.m., to consider the following ordinances now pending in the Council:

**Ord. No. 1421-12.**

By Council Member Cleveland. An ordinance changing the Use District of land on the southwest corner of Dolloff Road and Ansen Ave. from Two Family Residential to Open Space and Recreation (Map Change Number 2408).

**Ord. No. 1422-12.**

By Council Member Cleveland. An ordinance changing the Use District of land on the southwest side of Track Road between Nursery Street and House Avenue to Two Family Residential and a 1 Height District (Map Change Number 2409).

**Ord. No. 1426-12.**

By Council Member Cleveland. An ordinance changing the Use and Area Districts of land on both sides of E. 49th Street between Jewett Avenue south to the railroad to Two Family Residential District

and a 'B' Area District (Map Change Number 2414).

**Ord. No. 1427-12.**

By Council Member Cleveland. An ordinance changing the Use and Area Districts of land on the south side of Hamm Avenue at the intersection of E. 52nd Street to Two Family Residential and a 'B' Area District (Map Change Number 2415).

**Ord. No. 1469-12.**

By Council Member Cleveland. An ordinance changing the Use Districts of lands located on the south side of Track Road west of E. 55 St. to Sawtell Rd. to Residence Industry (Map Change Number 2425).

**Ord. No. 858-14.**

By Council Member Sweeney. An ordinance changing the Use, area and Height Districts of lands located on the northeast corner of West 135th Street and Lorain Avenue to Multi-Family Residential, a 'D' Area District and a '2' Height District (Map Change No. 2492).

**Ord. No. 994-14.**

By Council Member Cimperman. An ordinance establishing new mapped setbacks on parcels located on the north side of Marquardt Avenue between West 7th Street and West 5th Street as shown on the attached map (Map Change No. 2503).

**Ord. No. 1199-14.**

By Council Member Cimperman. An ordinance establishing a new 6 foot mapped front setback on parcels located on the west side of West 18th Street south of Lorain Avenue as shown on the attached map (Map Change No. 2501).

**Ord. No. 1200-14.**

By Council Member Cimperman. An ordinance establishing a new 6 foot mapped front setback on parcels located on the east side of West 19th Street south of Lorain Avenue as shown on the attached map (Map Change No. 2501).

All interested persons are urged to be present or to be represented at the above time and place.

Anthony Brancatelli, Chair Committee on Development, Planning and Sustainability

September 24, 2014 and October 1, 2014

**CITY OF CLEVELAND BIDS**

**For All Departments**

**Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 128, City Hall, in accordance with the appended schedule, and will be opened and read in Room 128, City Hall, immediately thereafter.**

**Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will**

be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

#### THURSDAY, OCTOBER 9, 2014

**File No 110-14 — Repair/Replace Fire Extinguishers (Re-Bid)**, for the various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING THURSDAY, OCTOBER 2, 2014 AT 1:30 P.M. CLEVELAND CITY HALL, DIVISION OF PURCHASE AND SUPPLIES, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

September 24, 2014 and October 1, 2014

#### FRIDAY, OCTOBER 17, 2014

**File No. 109-14 — Woodland Cemetery Gatehouse Reconstruction, 6901 Woodland Avenue Cleveland, Ohio, 44105**, for the Division of Architecture and Site Development, Department of Public Works and Mayor's Office of Capital Projects, as authorized by Ordinance No. 537-12, passed by the Council of the City of Cleveland, May 4, 2012.

\*THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).**

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING FRIDAY, OCTOBER 3, 2014 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

\*Bidders must purchase plans and specifications directly from the office of the Commissioner of Purchases and Supplies. Only registered Plan Holders will receive

**Addenda. Bids cannot be accepted from Bidders who only purchase plans from other entities such as Plan Rooms and/or who fail to register to be on the City of Cleveland Plan Holders List.**

September 24, 2014 and October 1, 2014

### ADOPTED RESOLUTIONS AND ORDINANCES

#### Res. No. 1196-14.

**By Council Member Conwell.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 10643 St. Clair Avenue.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Sana, Inc., DBA EZ Exchange II, 10643 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 7709475 to 10643 Sufian, LLC, DBA EZ Exchange II, 10643 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 6548248; and

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

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

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland:

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Sana, Inc., DBA EZ Exchange II, 10643 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 7709475 to 10643 Sufian, LLC, DBA EZ Exchange II, 10643 St. Clair Avenue, Cleveland, Ohio 44108, Permanent Number 6548248; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted September 15 2014.

Effective September 17, 2014.

#### Res. No. 1197-14.

**By Council Member Brancatelli.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3850 East 65th Street, 1st floor only.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from Five Star Robin, Inc., DBA Mike's Food Mart, 3850 East 65th Street, 1st floor only, Cleveland, Ohio 44105, Permanent Number 2760315 to Reichenberger Group, LLC, DBA Mike's Food Mart, 3850 East 65th Street, 1st floor only, Cleveland, Ohio 44105, Permanent Number 7278587; and

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

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

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

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

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

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

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

Be it resolved by the Council of the City of Cleveland:

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from Five Star Robin, Inc., DBA Mike's Food Mart, 3850 East 65th Street, 1st floor only, Cleveland, Ohio 44105, Permanent Number 2760315 to Reichenberger Group, LLC, DBA Mike's Food Mart, 3850 East 65th Street, 1st floor only, Cleveland, Ohio 44105, Permanent Number 7278587; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

**Section 2.** That the Clerk of Council be and she is hereby directed to transmit two certified copies of this resolution, together with two copies of a letter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted September 15 2014.  
Effective September 17, 2014.

**Res. No. 1204-14.**  
**By Council Member Mitchell.**  
**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 3363 East 93rd Street and repealing Resolution No. 815-14, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to AH & TA, Inc., 3363 East 93rd Street, Cleveland, Ohio 44104, Permanent No. 0077921 by Resolution No. 815-14 adopted by the Council on June 9, 2014; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer; and

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

Be it resolved by the Council of the City of Cleveland:

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to AH & TA, Inc., 3363 East 93rd Street, Cleveland, Ohio 44104, Permanent No. 0077921, be and the same is hereby withdrawn and Resolution No. 815-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted September 15 2014.  
Effective September 17, 2014.

**Ord. No. 845-13.**  
**By Council Members Conwell and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to enter into an amendment to Contract No. 66975 with The Cleveland Clinic Foundation to authorize the Cleveland Clinic Police Department to enforce City traffic laws, parking regulations and traffic direction and control on the properties encompassing Lutheran Hospital and Fairview Hospital.**

Whereas, under Ordinance No. 610-06, passed May 15, 2006, this Council authorized the Director of Public Safety to enter into Contract No. 66975, Mutual Aid with The Cleveland Clinic Foundation, to authorize the Cleveland Clinic Police Department to enforce City traffic laws, parking regulations and traffic direction and control; and

Whereas, it is the desire to amend the contract to authorize the Cleveland Clinic Police Department to enforce City traffic laws, parking regulations and traffic direction and control on the properties encompassing Lutheran Hospital and Fairview Hospital; and

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

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Public Safety is authorized to enter into an amendment to Contract No. 66975 with The Cleveland Clinic Foundation to authorize the Cleveland Clinic Police Department to enforce City traffic laws, parking regulations and traffic direction and control on the properties encompassing Lutheran Hospital and Fairview Hospital.

**Section 2.** The contract amendment shall be prepared by the Director of Law.

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

Passed September 15, 2014.  
Effective September 17, 2014.

**Ord. No. 981-14.**  
**By Council Members Brancatelli and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Economic Development, with the approval of the Director of Law, to enter into one or more agreements or amendments to agreements with Higbee Mothership, LLC, or its successors or assigns or designee, to provide that certain service payments collected be used to finance a portion of the costs of certain infrastructure, park and other improvements to and around Public Square.**

Whereas, by Ordinance No 2247-02, passed December 16, 2002, this Council authorized the Director of Economic Development to enter into agreements with various property owners in the Euclid/Prospect II Community Development Plan Area

(the "Area") to provide tax increment financing pursuant to Sections 5709.41 and 5709.42 of the Ohio Revised Code, to partially finance certain improvements and to provide service payments in lieu of taxes, and to declare certain improvements to real property to be a public purpose; and

Whereas, this Council and the owner of certain parcels in the Area have determined to enter into one or more agreements to cooperate in financing a portion of the cost of constructing certain infrastructure, park and other improvements to and around the area known as Public Square, as part of the planned reconstruction and renovation of Public Square; 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 hereby finds, determines and confirms that certain infrastructure, park and other improvements to and around Public Square are uses that support the residential, office, retail, restaurant and entertainment facilities as described in Section 8(a)(ii) of Ordinance No. 2247-02.

**Section 2.** That the Director of Economic Development, with the approval of the Director of Law, is authorized to enter into one or more agreements or amendments to agreements with Higbee Mothership, LLC, or its successors or assigns or designee, to provide that certain service payments collected be used to finance a portion of the costs of certain infrastructure, park and other improvements to and around Public Square (the "Improvements"). Such agreement or agreements shall contain such other terms and conditions as the Directors of Economic Development and Law deem necessary to protect the public interest.

**Section 3.** That the Director of Economic Development, with the approval of the Director of Law, is authorized to enter into one or more agreements with such parties as may be necessary or appropriate to effectuate the purposes of 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 15, 2014.  
Effective September 17, 2014.

**Ord. No. 1061-14.**  
**By Council Members K. Johnson, Brancatelli and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Works to enter into one or more agreements with the Group Plan Commission for the redevelopment of Public Square, the construction of improvements to Malls B and C, and the construction of a pedestrian and bicycle bridge to connect Mall C to the North Coast Harbor District; authorize the Commissioner of Purchases and Supplies to acquire rights and interests in real property; authorizing the director to**

**apply for and accept any gifts or grants from any public or private entity; and authorizing the Group Plan Commission to sell the naming rights within Public Square and retain the proceeds of such sales for the construction, management, operation, and programming of Public Square, Malls B and C and the pedestrian and bicycle bridge.**

Whereas, the Group Plan Commission was created to oversee the creation and implementation of a unified vision to develop and link the City's signature public spaces, reshaping the heart of our city, leveraging both public and private investment and new downtown development, and paving the way for a more liveable city as well as future growth; and

Whereas, the Group Plan Commission developed a plan to enhance connections to the lakefront and riverfront; elevate the value of urban design, public space, and public art; and incorporate connections to existing signature developments; and

Whereas, the Group Plan Commission is moving forward with three projects outlined in the plan, including the redevelopment of Public Square, the construction of improvements to Malls B and C, and construction of a pedestrian bicycle bridge connecting downtown and the lakefront; and

Whereas, the Group Plan Commission will work with the County of Cuyahoga, Ohio, to construct a pedestrian and bicycle bridge to connect the Mall C area to the North Coast Harbor District; and

Whereas, the Group Plan Commission has requested that the City authorize the Group Plan Commission to obtain philanthropic and private sponsorships and naming recognition opportunities subject to City approval within Public Square, Malls B and C, and the pedestrian and bicycle bridge and retain the proceeds of such opportunities for the redevelopment and the maintenance, operation and programming of Public Square, Malls B and C, and the pedestrian and bicycle bridge; 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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of redevelopment of Public Square, the construction of improvements to Malls B and C and the construction of a pedestrian and bicycle bridge to connect Mall C to the North Coast Harbor District, including the design, procurement, and construction (the "Improvement"), for the Department of Public Works, under one or more design-build or engineer-procure-construct contracts with the Group Plan Commission having submitted the best proposal, taking into consideration the engineering and design, the construction method(s), the proposed design and construction costs, the total life-cycle costs, the qualifications of the proposed design professional(s) and construction firm(s), and the other objectives of the Improvement.

The Board of Control shall fix the total compensation to be paid for all design and construction and procurement necessary for the Improvement.

The contract or contracts shall be prepared by the Director of Law, approved by the Director of Public Works, and certified by the Director of Finance.

**Section 2.** That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to purchase, lease, or otherwise acquire easements, fee interests, licenses, permits and other rights or interests in real property necessary for the Improvement. The consideration to be paid for the property shall not exceed fair market value.

**Section 3.** That the Director of Public Works is authorized to execute on behalf of the City all documents necessary to acquire rights or interests in real property and to employ and pay all fees for title companies, surveys, escrows, appraisers, and other consultants and all other costs necessary for the acquisition or use of the rights or interests in the property.

**Section 4.** That the Director of Public Works is authorized to enter into one or more agreements with the Group Plan Commission regarding the redevelopment, construction, operations, and programming of Public Square, which shall contain the terms substantially that are in the Term Sheet from the Group Plan Commission, File No. 1061-14-B. A copy of the Definitive Agreement referenced in the Term Sheet shall be deposited in the file upon its execution.

**Section 5.** That subject to the approval of the City Planning Commission and the Director of City Planning, the Group Plan Commission is authorized to obtain philanthropic and private sponsorships and naming opportunities in the areas of Public Square, Malls B and C, and the pedestrian and bicycle bridge. However, naming opportunities of Malls B and C shall require additional legislative approval. Any funds obtained through such naming opportunities shall accrue to the Group Plan Commission for use in the construction, maintenance, operation and programming of Public Square, Malls B and C, and the pedestrian and bicycle bridge.

**Section 6.** That the Director of Public Works is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive any gift or grant funds; and that the funds are appropriated for the purposes described in this ordinance.

**Section 7.** That the Director of Public Works, with the approval of the Director of Law, is authorized to enter into one or more agreements with such parties as may be necessary or appropriate to effectuate the purposes of this ordinance.

**Section 8.** That the cost to the City for the Improvement and property acquisition authorized in this ordinance shall not exceed \$10,000,000 and shall be paid from the fund or funds to which are credited any gifts or grants received under this ordinance and from the fund or funds approved by the Director of Finance.

**Section 9.** That this ordinance is declared to be an emergency measure

and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 15, 2014.  
Effective September 17, 2014.

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**Ord. No. 1122-14.**  
**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to enter into an amendment to Contract No. CT 1511-PS 2010-249 with Novarum, Inc. to provide additional services needed to develop a wireless broadband network at 205 St. Clair Avenue.**

Whereas, under Ordinance No. 514-10, passed April 26, 2010, as amended by Ordinance No. 1508-10, passed November 15, 2010, this Council authorized Contract No. CT 1511-PS 2010-249 with Novarum, Inc. to implement the Ward 13 Wireless Broadband Network Pilot Project; and

Whereas, under Ordinance No. 732-13, passed May 20, 2013, this Council authorized the expansion of the pilot project to include development of a wireless broadband services at City Hall and Public Hall; and

Whereas, it is the desire to amend the contract to include a wireless broadband network at 205 St. Clair Avenue; and

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

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Finance is authorized to enter into an amendment to Contract No. CT 1511-PS 2010-249 with Novarum, Inc. to provide additional services needed to develop a wireless broadband network at 205 St. Clair Avenue. The cost of the amendment shall be paid from Fund No. 01-1511-6303.

**Section 2.** That the contract amendment shall be prepared by the Director of Law.

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

Passed September 15, 2014.  
Effective September 17, 2014.

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**Ord. No. 1130-14.**  
**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of unarmed, uniformed security guard services, for the various divisions of City government, for a period of two years, with an option to renew for a one-year period, exercisable through additional legislative authority.**

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



Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of two years, with one option to renew for a one-year period, exercisable through additional legislative authority, for the necessary items of unarmed, uniformed security guard services in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 1505, RL 2014-38)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 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 15, 2014.  
Effective September 17, 2014.

**Ord. No. 1131-14.**  
**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to update the indirect cost allocation plan.**

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

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Finance is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to

update the indirect cost allocation plan.

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

**Section 2.** That the cost of contract or contracts authorized shall be paid from funds approved by the Director of Finance.

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

Passed September 15, 2014.  
Effective September 17, 2014.

**Ord. No. 1132-14.**  
**By Council Member Kelley (by departmental request).**

**An emergency ordinance authorizing payment of membership dues of the City of Cleveland in the Northeast Ohio Areawide Coordinating Agency for 2015.**

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

Be it ordained by the Council of the City of Cleveland:

**Section 1.** That the Director of Finance is authorized to cause payment of membership dues of the City of Cleveland to be made to the Northeast Ohio Areawide Coordinating Agency for 2015.

**Section 2.** That the payment for the dues and subscriptions shall be paid from funds approved by the Director of Finance.

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

Passed September 15, 2014.  
Effective September 17, 2014.

**Ord. No. 1195-14.**  
**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 37th Annual "Walk of Hope", on Saturday, October 4, 2014, sponsored by the Catholic Charities Disability Services and Ministries.**

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 37th Annual "Walk for Hope," sponsored by the Catholic Charities Disability Services and Ministries, on Saturday, October 4, 2014, leave OLA/St. Joseph Center parking lot on Kenilworth; head east on Kenilworth to W. 11th Street; turn right on W. 11th to Starkweather; turn right on Starkweather to W. 14th Street; turn right on W. 14th to Kenilworth; turn right on Kenilworth to W. 11th; turn left onto W. 11th and walk to University Road; turn right on to University and walk to W. 10th Street; turn right on to W. 10th and walk to stop sign; veer left on to Professor Avenue—staying on the right hand side of the street and walk to Jefferson; turn right on to Jefferson and walk to Starkweather—cross W. 14th to the west side of W. 14th; turn right on to W. 14th Street—cross Kenilworth and return to OLA/St. Joseph Center on the left, 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 15, 2014.  
Effective September 17, 2014.

**Ord. No. 1205-14.**  
**By Council Member Kelley.**  
**An emergency ordinance Authorizing the Clerk of Council to enter into a Memorandum of Understanding with the Ohio Department of Commerce, Division of Liquor Control, to use the division's video conferencing equipment.**

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 Clerk of Council is authorized to enter into a Memorandum of Understanding with the Department of Commerce, Division of Liquor Control ("Division"), for the use of the Division's video conferencing equipment at no cost to Cleveland City Council.

**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 15, 2014.  
Effective September 17, 2014.

**COUNCIL COMMITTEE MEETINGS**

<p><b>Thursday, September 18, 2014</b> 9:00 a.m.</p> <p><b>Utilities Committee — TOUR:</b> Present: Pruitt, Chair; Keane, Mitchell, Polensek. <i>Authorized Absence:</i> Brady, Vice Chair; Brancatelli, Cummins.</p> <p><b>Monday, September 22, 2014</b> 9:30 a.m.</p> <p><b>Health and Human Services Committee:</b> Present: Cimperman, Chair;</p>	<p>Mitchell, Vice Chair; Brady, Cleveland, Cummins. <i>Authorized Absence:</i> Conwell, J. Johnson.</p> <p style="text-align: center;"><b>2:00 p.m.</b></p> <p><b>Development, Planning and Sustainability Committee &amp; Finance Committee:</b> Present in DP&amp;S: Brancatelli, Chair; Cleveland, Vice Chair; Cimperman, Cummins, Dow, Pruitt, Zone. Present in Finance: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Keane, Mitchell, Pruitt, Zone. <i>Authorized Absence:</i> Conwell.</p> <p><b>Finance Committee:</b> Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Keane, Mitchell,</p>	<p>Pruitt, Zone. <i>Authorized Absence:</i> Conwell.</p> <p style="text-align: center;"><b>Tuesday, September 23, 2014</b> 9:30 a.m.</p> <p><b>Development, Planning &amp; Sustainability Committee:</b> Present: Brancatelli, Chair; Cleveland, Vice Chair; Cimperman, Cummins, Pruitt, Zone. <i>Authorized Absence:</i> Dow.</p> <p style="text-align: center;"><b>Wednesday, September 24, 2014</b> 10:00 a.m.</p> <p><b>Safety Committee:</b> Present: Zone, Chair; Conwell, Vice Chair; Cimperman, Keane, Polensek. <i>Authorized Absence:</i> Dow, K. Johnson.</p>
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O—Ordinance; R—Resolution; F—File

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