

The City Record

Official Publication of the Council of the City of Cleveland



January the Tenth, Two Thousand and Eighteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Joseph T. Jones
- 2 Kevin L. Bishop
- 3 Kerry McCormack
- 4 Kenneth L. Johnson, Sr.
- 5 Phyllis E. Cleveland
- 6 Blaine A. Griffin
- 7 Basheer S. Jones
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Anthony T. Hairston
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Jasmin Santana
- 15 Matthew Zone
- 16 Brian Kazy
- 17 Martin J. Keane

The City Record is available online at
www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Kevin L. Bishop	11729 Miles Avenue, #5	44105
3	Kerry McCormack	1429 West 38th Street	44113
4	Kenneth L. Johnson, Sr.	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44115
6	Blaine A. Griffin	1810 Larchmere Boulevard	44120
7	Basheer S. Jones	1383 East 94th Street	44106
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Anthony T. Hairston	423 Arbor Road	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Jasmin Santana	3535 Marvin Avenue	44109
15	Matt Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
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

Matt Gray, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs

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

Duane Deskins, Executive Assistant to the Mayor, Chief of Prevention, Intervention and Opportunity for Youth and Young Adults

Dan Williams, Media Relations Director

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director
DIVISIONS:

Architecture and Site Development – _____ Manager

Engineering and Construction – Richard J. Switalski, Manager

Real Estate – James DeRosa, Commissioner

OFFICE OF EQUAL OPPORTUNITY – Melissa K. Burrows, Ph.D., Director

OFFICE OF QUALITY CONTROL AND PERFORMANCE MANAGEMENT – Sabra T. Pierce-Scott, Director

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

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

Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, 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 – Kimberley Roy-Wilson,

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 – Robert L. Davis, Director, 1201 Lakeside Avenue

DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Rachid Zoghbaib, Commissioner

DEPT. OF PORT CONTROL – Robert Kennedy, 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 – Jeffrey Brown, Commissioner

Park Maintenance and Properties – Richard L. Silva, Commissioner

Parking Facilities – Kim Johnson, Interim Commissioner

Property Management – Tom Nagle, Commissioner

Recreation – Samuel Gissentener, Interim Commissioner

Streets – Frank D. Williams, Interim Commissioner

Traffic Engineering – Robert Mavec, Commissioner

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

DEPT. OF PUBLIC HEALTH – Merle Gordon, Director, 75 Erieview Plaza

DIVISIONS:

Air Quality – David Heame, Interim Commissioner

Environment – Brian Kimball, Commissioner, 75 Erieview Plaza

Health – Persis Sosiak, Commissioner, 75 Erieview Plaza

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

DIVISIONS:

Animal Control Services – Edward Jamison, Chief Animal Control Officer, 2690 West 7th

Street

Correction – Robert Taskey, 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 – Michael Cosgrove, Director

DIVISIONS:

Administrative Services – Joy Anderson, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

DEPT. OF BUILDING AND HOUSING – Ayonna Blue Donald, Interim Director, Room 500

DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner

Construction Permitting – Narid Hussain, Commissioner

DEPT. OF HUMAN RESOURCES – Nycole West, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – David Ebersole, Interim Director, Room 210

DEPT. OF AGING – Mary McNamara, Director, Room 122

COMMUNITY RELATIONS BOARD – Room 11, Grady Stevenson, Interim 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, Rev. Gregory E. Jordan, President; Michael

Flickinger, Vice-President; Barry A. Withers, Interim Secretary; Members: Daniel J.

Brennan, India Pierce Lee.

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;

Henry Bailey, Kelley Britt, 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 Kenneth L. Johnson.

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

Public Utilities Director Robert L. Davis; 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 – _____, Chair; 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 Leehr, 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.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Julie Trott, Chair; Giancarlo

Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Council

Member Terrell H. Pruitt, Robert Strickland, Donald Petit, Secretary.

AUDIT COMMITTEE – Yvette M. Itu, 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 Michelle D. Earley – Courtroom 14C

Judge Pinkey S. Carr – Courtroom 15C

Judge Marilyn B. Cassidy – Courtroom 13A

Judge Emanuella Groves – Courtroom 14B

Judge Lauren C. Moore – Courtroom 15A

Judge Michael L. Nelson, Sr. – Courtroom 12A

Judge Ann Clare Oakar – Courtroom 14A

Judge Ronald J.H. O'Leary (Housing Court Judge) – Courtroom 13B

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

Judge Suzan Marie Sweeney – Courtroom 12C

Judge Jazmin Torres-Lugo – Courtroom 13C

Judge Shiela Turner McCall – Courtroom 12B

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Timothy

Lubbe – Housing Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief

Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 105

WEDNESDAY, JANUARY 10, 2018

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CITY COUNCIL

MONDAY, JANUARY 8, 2018

The City Record
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City of Cleveland
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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:
Kazy (CHAIR), Brady, Brancatelli,
Cleveland, Kelley.

Operations Committee: McCormack
(CHAIR), Griffin, Keane, Kelley,
Zone.

Rules Committee: Kelley
(CHAIR), Cleveland, Hairston,
Keane, Polensek.

of Cleveland City Council, Deputy
Clerk Allan Dreyer as Clerk Pro
Tempore from December 16, 2017, to
December 31, 2017. Received.

File No. 26-18.
From Mayor's Office of Equal
Opportunity. City Resident Utiliza-
tion Report, December 1, 2017.
Received.

File No. 27-18.
From Office of Professional Stan-
dards, Civilian Police Review Board,
Department of Public Safety, City of
Cleveland. 2016 Annual Report.
Received.

File No. 28-18.
From Director Michael McGrath,
Department of Public Safety, City of
Cleveland. Notice of acceptance of a
gift of \$6,990 from Tremont West
Development Corporation for cam-
eras for the Lincoln Park Gazebo
Project. Received.

File No. 29-18.
From Director Michael McGrath,
Department of Public Safety, City of
Cleveland. Notice of acceptance of a
gift of a Christmas tree for the
City's Fire Headquarters, valued at
\$50, from Loews Store #0770.
Received.

File No. 46-18.
From Director Michael McGrath,
Department of Public Safety, City of
Cleveland. Notice of acceptance of a
gift of a basketball hoop and 3 bas-
ketballs for the City's Fire Head-
quarters and Fire Station #1, valued
at \$475, from Cleveland Browns.
Received.

File No. 47-18.
From Director Michael Cox,
Department of Public Works, City of
Cleveland. Notice of acceptance of a
grant of \$2,730 from the National
Recreation and Park Association for
Walk with Ease and Active Living
Every Day Training. Received.

OATHS OF OFFICE

File No. 43-18.
Harold Pretel, Deputy Chief of
Homeland Special Operations, City
of Cleveland. Received

File No. 44-18.
John Baird, Interim Chief Animal
Control, City of Cleveland. Received.

File No. 45-18.
Richard Knoth, Member, Cleve-
land Police Commission. Received.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2018-2021

MONDAY — Alternating

9:30 A.M. — **Health and Human
Services Committee:** Griffin
(CHAIR), McCormack (VICE-
CHAIR), Conwell, B. Jones, Hair-
ston, Santana, Zone.

9:30 A.M. — **Municipal Services
and Properties Committee:** K. John-
son (CHAIR), Brady (VICE-
CHAIR), Bishop, Brancatelli, Hair-
ston, J. Jones, Kazy.

MONDAY

2:00 P.M. — **Finance Committee:**
Kelley (CHAIR), Zone (VICE-
CHAIR), Brady, Brancatelli, Cleve-
land, Conwell, Griffin, Keane,
McCormack.

TUESDAY

9:30 A.M. — **Development, Plan-
ning and Sustainability Committee:**
Brancatelli (CHAIR), Cleveland
(VICE-CHAIR), Bishop, Hairston, B.
Jones, Keane, McCormack.

TUESDAY — Alternating

1:30 P.M. — **Utilities Committee:**
Keane (CHAIR), Kazy (VICE-
CHAIR), Bishop, Hairston, McCor-
mack, Polensek, Santana.

1:30 P.M. — **Workforce and Com-
munity Benefits Committee:** Conwell
(CHAIR), Cleveland (VICE-CHAIR),
Brady, Griffin, B. Jones, J. Jones,
Kazy.

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:**
Zone (CHAIR), Polensek (VICE-
CHAIR), Griffin, Kazy, B. Jones, J.
Jones, Santana.

10:00 A.M. — **Transportation Com-
mittee:** Cleveland (CHAIR), Keane
(VICE-CHAIR), Bishop, Conwell,
Johnson, J. Jones, Santana.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, January 8, 2018

The meeting of the Council was
called to order at 7:07 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

Council Members present: Kevin
L. Bishop, Dona Brady, Anthony
Brancatelli, Phyllis E. Cleveland,
Kevin Conwell, Blaine A. Griffin,
Anthony T. Hairston, Kenneth L.
Johnson, Basheer S. Jones, Joseph T.
Jones, Brian Kazy, Kevin J. Kelley,
Martin J. Keane, Kerry McCormack,
Michael D. Polensek, Jasmin San-
tana, and Matthew Zone.

Also present were: Mayor Frank
G. Jackson, Interim Chief of
Staff/Director Sharon Dumas, Chief
Operating Officer Darnell Brown,
Chief of Regional Development
Edward W. Rybka, Chief of Educa-
tion Monyka S. Price, Chief of Sus-
tainability Matt Gray, Chief of Pub-
lic Affairs Natoya Walker-Minor,
Chief of Prevention, Intervention
and Opportunity for Youth and
Young Adults Duane Deskins, and
Directors Langhenry, Davis,
Kennedy, Spronz, Gordon, McGrath,
Cox, Cosgrove, Donald, West, Eber-
sole, Stevenson, Collier, McNamara,
Burrows and Pierce Scott.

MOTION

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
Santana, the reading of the minutes
of the last meeting was dispensed
with and the journal approved. Sec-
onded by Council Member Bishop.

COMMUNICATIONS

File No. 25-18.
From Council President Kevin J.
Kelley appointing, without objection

PLATS

File No. 30-18.

Dedication Plat for Carter Road Subdivision, Carter Road between Columbus Road and Scranton Road. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved.

File No. 31-18.

Dedication Plat for Relocated Lorain Court, between West 47th Street and 48th Street. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved.

FROM OHIO DIVISION OF LIQUOR CONTROL**File No. 32-18.**

RE: #2755361. Transfer of Ownership Application, D1 D2 D3 D3A D6. 58 Group, Inc., 5801 Detroit Avenue (Ward 15). Received.

File No. 33-18.

RE: #13769500001. Transfer of Location Application, D2 D2X D3 D6. Cha Pizza & Spirits LLC, 3800 Whitman Avenue (Ward 3). Received.

File No. 34-18.

RE: #2595754. New License Application, D4. Executioners MC, Inc., 1691 Octavia Road (Ward 10). Received.

File No. 35-18.

RE: #26312750800. New License Application, C1. Family Dollar Stores of Ohio, Inc., 7965 Euclid Avenue (Ward 3). Received.

File No. 36-18.

RE: #26312750795. New License Application, C1. Family Dollar Stores of Ohio, Inc., 14035 Puritas Avenue (Ward 16). Received.

File No. 37-18.

RE: #4121340. Transfer of License Application, D5. Identity Innovation, 850 Euclid Avenue (Ward 3). Received.

File No. 38-18.

RE: #31861100010. Transfer of Ownership Application, D2 D2X D3 D3A D6. Gillespie Brothers Ltd., 1261 West 76th Street (Ward 15). Received.

File No. 39-18.

RE: #5806804. New License Application, C1. Mehar Singh LLC, 5417 Chester Avenue (Ward 7). Received.

File No. 40-18.

RE: #22348152885. New License Application, Dolgen Midwest LLC, 11491 Buckeye Road (Ward 6). Received.

File No. 41-18.

RE: #7761126. Transfer of Ownership Application, C1 C2. Sayej and Shahin LLC, 3850 East 65th Street (Ward 12). Received.

File No. 42-18.

RE: #2526841. Transfer of Ownership Application, D1 D2 D6. Enimsaj Corp., 1105 Carnegie Avenue (Ward 5). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 58-18 — Sondra "Princess" Smith.

Res. No. 59-18 — Reverend Ralph Hughley, Sr.

Res. No. 60-18 — Betty Jean Smith.

Res. No. 61-18 — Rose Marie Allen.

Res. No. 62-18 — Janet Angela Belk Holston.

Res. No. 63-18 — Jerleine Hol-loway Ward.

Res. No. 64-18 — Algeron Allen Walker.

Res. No. 65-18 — Yvette Ceasor.

Res. No. 66-18 — Kathleen Cochran DePiero.

Res. No. 67-18 — Jared Plesec.

Res. No. 68-18 — Thomas M. Lynch.

Res. No. 69-18 — Patricia A. Luke.

CONGRATULATIONS RESOLUTION

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

Res. No. 70-18 — Reverend Bobbie C. & First Lady Geraldine Laster.

RECOGNITION RESOLUTIONS

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

Res. No. 71-18 — Charles Spain, Jr.

Res. No. 72-18 — Tierra S. Biggers.

APPRECIATION RESOLUTIONS

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

Res. No. 73-18 — Michael Cos-grove.

Res. No. 74-18 — Zachary "Zack" Reed.

Res. No. 75-18 — Anthony "Tony" Dilorio.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 6-18.
By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 178.10 of the Codified Ordinances, of Cleveland, Ohio, 1976, as amended by Ordinance No. 2353-93, passed February 14, 1994, relating to security for repayment of deposits.

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 178.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2353-93, passed February 14, 1994, is amended to read as follows:

Section 178.10 Security for Repayment of Deposits

(a) The City Treasurer, before making the initial deposit in an eligible depository designated pursuant to Section 178.03 or before making an investment in a certificate of deposit pursuant to division

(b)(8) of Section 178.12, shall require the eligible depository to pledge to and deposit with the City Treasurer, as security for the repayment of all public monies to be deposited in the eligible depository, eligible securities in the aggregate market value equal to one hundred and ten percent (110%) of the amount of public monies to be at the time so deposited. In the case of any deposit other than the initial deposit made during the period of designation, the amount of the aggregate market value of securities required to be pledged and deposited, shall be equal to one hundred and ten percent (110%) of the amount of public monies on deposit in such public depository plus one hundred and ten percent (110%) of the amount to be so deposited. The City Treasurer may require additional eligible securities to be deposited to provide for any depreciation which may occur in the market value of any of the securities so deposited. **This paragraph shall not apply to a pooled security arrangement authorized under division (c) of this section.**

(b) The following securities shall be eligible securities for the purposes of this section:

(1) Bonds, notes or other obligations of or guaranteed as to principal and interest by the United States or those for which the faith of the United States is pledged for the payment of principal and interest thereon, by language specifically appearing therein and not merely by interpretation or otherwise;

(2) Bonds, notes, debentures, or other obligations or securities issued by any U.S. government agency, or the export-import bank of Washington;

(3) Bonds and other obligations of the State of Ohio guaranteed as to principal and interest by the State of Ohio or those for which the full faith and credit of the State of Ohio is pledged for the payment of principal and interest thereon by language specifically appearing therein and not merely by interpretation or otherwise;

(4) Bonds and other obligations of any county, township, school district, municipal corporation, including the City, or other legally constituted taxing subdivision of the State of Ohio, which is not, at the time of such deposit, in default in the payment of principal or interest on any of its bonds or other obligations, for which the full faith and credit of the issuing subdivision is pledged;

(5) Obligations guaranteed as to principal and interest by the Ohio student loan commission;

(6) A no-load money market mutual fund that is registered as an investment company under the "Investment Company Act of 1940," 54 Stat. 789, 15 U.S.C. 80a-1 to 80a-64, and that has the highest letter or numerical rating provided by at least one (1) nationally recognized standard rating service, consisting exclusively of obligations described in division (b)(1) or (2) of this section and repurchase agreements secured by such obligations.

(c) The City shall not accept as eligible securities for purposes of this section any securities which are part of a pool of securities authorized in RC ~~125.181~~ 135.182, unless

authorized in advance and in writing by the Director of Finance and the City Treasurer.

(d) If the eligible depository fails to pay over any part of the deposit made therein as provided by law, the City Treasurer shall sell at public sale any of the eligible securities deposited with the City Treasurer pursuant to this section. Thirty (30) days notice of such sale shall be given in a newspaper of general circulation within the City of Cleveland. Pursuant to division (C) of RC 135.18, when a sale of eligible securities has been so made and upon payment to the City Treasurer of the purchase money, the City Treasurer shall transfer such eligible securities, whereupon the absolute ownership of such eligible securities shall pass to the purchasers, and any surplus remaining after deducting the amount due the City of Cleveland and the expenses of sale shall be paid to the eligible depository.

(e) An eligible depository may, by written notice to the City Treasurer, designate a qualified trustee and deposit the eligible securities required by this section with the trustee for safekeeping for the account of the City Treasurer and the eligible depository, as their respective rights to and interest in such securities under this section may appear and be asserted by written notice to or demand upon the trustee pursuant to division (D) of RC 135.18. In such case, the City Treasurer shall accept the written receipt of the trustee describing the

securities which have been deposited with the trustee by the eligible depository, a copy of which shall also be delivered to the eligible depository. Thereupon all such securities so deposited with the trustee are, pursuant to division (D) of RC 135.18 deemed to be pledged with the City Treasurer and to be deposited with him or her, for all the purposes of this section. The qualified trustee designated to perform the duties pursuant to this division (e) must be approved by the Director of Finance prior to designation by the eligible depository.

(f) The City Treasurer may make provisions for the exchange and release of securities and the substitution of other eligible securities therefor.

(g) Pursuant to division (I) of RC 135.18, any federal reserve bank or branch thereof located in the State of Ohio, without compliance with RC sections 1109.03, 1109.04, 1109.17 and 1109.18 or any provision of this chapter and without becoming subject to RC 1109.15 or any other law of Ohio relative to the exercise by corporations of trust powers generally, is qualified to act as trustee for the safekeeping of securities under this section.

(h) Notwithstanding the fact that an eligible depository is required to pledge eligible securities in certain amounts to secure deposits of public monies, a trustee shall have no duty or obligation to determine the eligibility, market value, or face value of any securities deposited with the trustee by an eligible

depository. This applies in all situations including, without limitation, a substitution or exchange of securities.

(i) Any charges or compensation of a designated trustee for acting as such under this section shall be paid by the eligible depository and in no event shall be chargeable to the City or to the City Treasurer or to any officer of the City. Pursuant to RC 135.18, such charges or compensation shall not be a lien or charge upon the securities deposited for safekeeping prior or superior to the rights to and interests in such securities of the City or of the City Treasurer. Pursuant to RC 135.18, the City Treasurer and the City Treasurer's bondsmen or surety shall be relieved from any liability to the City or to the eligible depository for the loss or destruction of any securities deposited with a qualified trustee pursuant to this section.

Section 2. That existing Section 178.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2353-93, passed February 14, 1994, 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 Finance, Law; Committee on Finance.

Ord. No. 7-18.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 39 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications.

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 39 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 638-15, passed June 8, 2015, Ordinance No. 1110-15, passed September 21, 2015, Ordinance No. 1260-16, passed October 31, 2016, and Ordinance No. 1076-17, passed October 9, 2017, is amended to read as follows:

Section 39. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Administrative Manager.....	\$27,193.55	\$115,424.36
2. AMR Field Engineer.....	27,325.56	94,320.17
3. Assistant Commissioner of Water.....	27,325.56	134,991.09
4. Assistant Secretary of Sinking Fund Commission.....	27,325.56	108,011.58
5. Aviation Unit Manager.....	88,000.00	108,000.00
6. Chief of Health Planning and Evaluation.....	27,325.56	85,577.88
7. Chief-Systems Analysis.....	27,325.56	108,011.58
8. Consulting Engineer.....	36,000.00	104,888.34
9. Disease Intervention Specialist Supervisor.....	47,396.28	73,079.27
10. Emergency Management Planner.....	36,000.00	90,000.00
11. Emergency Operations Center Manager.....	27,325.56	96,463.81
12. FMIS Functional Manager.....	27,325.56	99,702.63
13. Harbor Manager.....	27,325.56	108,011.58
14. Health Services Administrator.....	27,325.56	85,577.88
15. Helicopter Pilot.....	60,000.00	72,800.00
16. Labor Relations Officer.....	27,325.56	85,577.88
17. Manager of Compensation and Classifications.....	27,325.56	128,618.41
18. Manager of Education and Research.....	27,325.56	96,798.67
19. Manager of Employee Relations.....	27,325.56	99,702.63
20. Manager of Equal Employment Opportunity.....	27,325.56	99,702.63
21. Manager of Public Safety Office of Quality Control...	27,325.56	96,463.81
22. Minority Business Development Administrator.....	27,325.56	85,577.88
23. Office of Professional Standards Senior Investigator..	28,000.00	85,000.00
24. Police Inspector General.....	75,000.00	100,000.00

25.	Project Coordinator.....	27,325.56	99,702.63
26.	Risk Manager.....	27,325.56	108,011.58
27.	Senior Compensation Analyst/HRIS.....	27,325.56	104,856.16
28.	Superintendent of Electric Trouble Operations.....	27,325.56	85,577.88
29.	Testing, Training and Exercises Planner.....	27,325.56	91,104.71
30.	Water Business Plan Manager.....	27,325.56	99,702.63

Section 2. That existing Section 39 of Ordinance No. 323-15, passed March 30, 2015, as amended by Ordinance No. 638-15, passed June 8, 2015, Ordinance No. 1110-15, passed September 21, 2015, Ordinance No. 1260-16, passed October 31, 2016, and Ordinance No. 1076-17, passed October 9, 2017, is repealed.

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

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

Ord. No. 9-18.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Cleveland Utility Workers Union of America, Local 270; and to amend Section 12 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.

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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Cleveland Utility Workers Union of America, Local 270, under the terms contained in File No. 9-18-A, for the period from April 1, 2016 through March 31, 2019, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase
0%	April 1, 2016
2%	April 1, 2017
2%	April 1, 2018

In addition to the percentage increase effective April 1, 2017, each eligible member of the bargaining agreement will receive a separate payment in the amount of \$500.00 payable within a reasonable time following ratification, which is not part of the member's wage base.

Section 2. That Section 12 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

Section 12. Cleveland Utility Workers Union of America, Local 270. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Building Stationary Engineer.....	\$20.05	\$20.45
2. Chief Building Stationary Engineer.....	21.43	21.86
3. Chief Stationary Engineer.....	22.76	23.22
4. Stationary Boiler Room Operator.....	20.80	21.22
5. Water Plant Operator I.....	20.09	28.09
6. Water Plant Operator II.....	20.09	28.09
7. Water Plant Operator.....	20.49	29.34

Section 3. That existing Section 12 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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 Human Resources, Finance, Law; Committee on Finance.

Ord. No. 10-18.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Treasurers and Ticket Sellers Union, Local 756; and to amend Section 46 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.

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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Treasurers and Ticket Sellers Union, Local 756, under the terms contained in File No. 10-18-A, for the period from April 1, 2016 through March 31, 2019, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase
0%	April 1, 2016
2%	April 1, 2017
2%	April 1, 2018

Section 2. That Section 46 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

Section 46. Treasurers and Ticket Sellers Union, Local 756. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Manager of Box Office.....	\$23,800.06	\$56,659.45
2. Box Office Cashier.....	10.33	18.68

Section 3. That existing Section 46 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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 Human Resources, Finance, Law; Committee on Finance.

Ord. No. 11-18.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Longshoreman Association, Local 1317; and to amend Section 19 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.

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 division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Longshoreman Association, Local 1317, under the terms contained in File No. 11-18-A, for the period from April 1, 2016 through March 31, 2019, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase
0%	April 1, 2016
2%	April 1, 2017
2%	April 1, 2018

In addition to the percentage increase effective April 1, 2017, each eligible member of the bargaining agreement will receive a separate payment in the amount of \$500.00 payable within a reasonable time following ratification, which is not part of the member's wage base.

Section 2. That Section 19 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

Section 19. Longshoreman Association, Local 1317. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Electric Bridge Operator.....	\$18.80	19.18
2. Electric Bridge Operator Leader.....	20.13	20.53

Section 3. That existing Section 19 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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 Human Resources, Finance, Law; Committee on Finance.

Ord. No. 12-18.

By Council Member Brady.

An emergency ordinance rescinding the landmark designation on the building located at 10025 Detroit Avenue.

Whereas, the building located at 10025 Detroit Avenue was condemned by the City in 2010 and remains in such condition as to be a public nuisance; and

Whereas, as a condemned property, the building located at 10025 Detroit Avenue is an imminent danger and peril to human life and public health, safety and welfare; and

Whereas, this building should no longer have landmark status; 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, pursuant to division (b)(9) of Section 161.04 of the Codified Ordinances, the landmark designation on the building located at 10025 Detroit Avenue, Cleveland, Ohio is hereby rescinded.

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 City Planning Commission, Law; Committee on Development Planning and Sustainability.

Ord. No. 14-18.

By Council Members B. Jones, Johnson and Brancatelli (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right-of-way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks.

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

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to The Cleveland Clinic Foundation, 9500 Euclid Avenue, Cleveland, Ohio 44195 ("Permittee"), to encroach into the public right-of-way beneath Chester Avenue by installing, using and maintaining

electrical duct banks and communications duct banks at the following locations:

Encroachment No. 1

Electrical duct bank (eight 5" conduits, concrete encased) and communications duct bank (four 5" conduits, concrete encased).
Situating in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Original One Hundred Acre Lot No. 401 and is further bounded and described as follows:

Beginning at a stone monument found on the centerline of Chester Avenue (Width Varies) at a distance of 29.59 feet Easterly from the centerline of East 93rd Street (60 Feet Wide);

Thence North 00°36'52" East, a distance of 43.01 feet to the intersection of the Easterly right of way of said East 93rd Street and the Northerly right of way of said Chester Avenue;

Thence South 88°18'25" East, along the Northerly right of way of said Chester Avenue, a distance of 152.09 feet to the principal place of beginning;

Thence South 88°18'25" East, continuing along the Northerly right of way of said Chester Avenue, a distance of 12.00 feet;

Thence South 00°58'16" West, a distance of 86.00 feet to a point on the Southerly right of way of said Chester Avenue;

Thence North 88°18'25" West, along the Southerly right of way of said Chester Avenue, a distance of 12.00 feet

Thence North 00°58'16" East, a distance of 86.00 feet to the principal place of beginning and containing 0.0237 Acre (1,032 S.F.) of land according to a survey made by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio in July 12, 2016

Be the same more or less, but subject to all legal highways and easements of record.

Encroachment No. 2

Communications duct bank (four 5" conduits, concrete encased).
Situating in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being part of Original One Hundred Acre Lot No. 401 and is further bounded and described as follows:

Beginning at the intersection of the centerline of Chester Avenue (Width Varies) and the centerline of East 97th Street (56 Feet Wide);

Thence North 00°02'30" East, along the centerline of said East 97th Street, a distance of 44.16 feet;

Thence North 88°18'25" West, along the extension of and the Northerly right of way of said Chester Avenue, a distance of 48.42 feet to the principal place of beginning;

Thence South 00°00'01" West, a distance of 86.04 feet to a point on the Southerly right of way of said Chester Avenue;

Thence North 88°18'25" West, along the Southerly right of way of said Chester Avenue, a distance of 10.00 feet;

Thence North 00°00'01" East, a distance of 86.04 feet to a point on the Northerly right of way of said Chester Avenue;

Thence South 88°18'25" East, along the Northerly right of way of

said Chester Avenue, a distance of 10.00 feet to the principal place of beginning and containing 0.0198 Acre (860 S.F.) of land according to a survey made by Thomas J. Neff, Jr. Registered Surveyor No. 7065-Ohio in July 12, 2016

Be the same more or less, but subject to all legal highways and easements of record.

Legal Descriptions approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section.

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

Section 3. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment location(s).

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

Referred to Directors of City Planning Commission, Law; Committee on Development Planning and Sustainability.

Ord. No. 15-18.

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

An emergency ordinance authorizing the Director of City Planning to consent to assignment of Contract No. 55936, as amended, from Omni Media Cleveland, Inc. to Lamar Advertising of Youngstown, Inc. dba Lamar Advertising of Cleveland.

Whereas, under Ordinance No. 1143-98, passed April 12, 1999, this Council authorized the Director of City Planning to enter into an agreement with Omni Outdoor & Company Limited Partnership, or its designee, ("Omni") to develop a system of informational kiosks to assist both tourists and local residents visiting cultural and other attractions in Cleveland's neighborhoods and downtown; and

Whereas, Lamar Advertising of Youngstown, Inc. dba Lamar Advertising of Cleveland ("Lamar") will be purchasing Omni and Omni wishes to assign all of their rights, obligations, and benefits under Contract No. 55936, as amended under Contract No. CT 01110 NF 2016*146 ("Contract No. 55936, as amended") to Lamar; 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 City Planning is authorized to consent to the assignment of Contract No. 55936, as amended, from Omni to Lamar.

Section 2. That the Director of City Planning is authorized to execute all documents and do all things necessary and appropriate to effect the consent to assignment. A copy of the assignment shall be filed in the Office of the Commissioner of Accounts.

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

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

Referred to Directors of City Planning, Finance, Law; Committees on Development Planning and Sustainability, Finance.

Ord. No. 16-18.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland that may result in incarceration, for the Cleveland Municipal Court for a period of one year, with one option to renew for an additional year, exercisable by the Director of Finance.

Whereas, in *Argersinger v. Hamlin* and *Scott v. Illinois*, the United States Supreme Court held that no indigent criminal defendant may be sentenced to a term of imprisonment unless he or she has been afforded the right to assistance of counsel in their defense; and

Whereas, the Cleveland Municipal Court, through the City of Cleveland, is obligated to provide counsel for an indigent person charged with violation of City ordinances with the possibility of a sentence including incarceration; and

Whereas, under Section 120.14 of the Revised Code, a county public defender commission may contract with any municipal corporation within the County served by the county public defender to provide legal representation on behalf of the municipal corporation; and

Whereas, the Cleveland Municipal Court, the district of which encompasses Bratenahl and the City of Cleveland, recommends that the Cuyahoga County Public Defender Commission should provide indigent defense; 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, on behalf of the Cleveland Municipal Court, is authorized to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland, provided the violation may result in incarceration, for a period of one year beginning January 1, 2018, at an estimated cost of \$2,172,185, with one option, exercisable by the Director of Finance, to renew for an additional one-year term.

Section 2. That two percent (2%) of any payment received by the City and/or Cleveland Municipal Court from the financing of defense counsel for indigent persons shall be utilized by participants in a court exchange program between Cleveland Municipal Court and the Cleveland Municipal School District.

Section 3. That the costs of the contract shall be paid from funds approved by the Director of Finance.

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

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

Ord. No. 17-18.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with the United States of America, on behalf of the National Weather Service, for the lease of certain space located in, around, and/or on, the Federal Facilities Office Building at Cleveland Hopkins International Airport, for weather monitoring and reporting activities, for the Department of Port Control, for a period of one year, with four one-year options to renew, the second of which would require additional legislative authority to exercise.

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

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

Section 1. That the Director of Port Control is authorized to enter into a Lease Agreement ("Lease") with the United States of America, on behalf of the National Weather Service ("Lessee") for use and occupancy of approximately 5,521 square feet of certain space located in, around, and/or on, the Federal Facilities Office Building at Cleveland Hopkins International Airport ("Leased Premises") which space has been determined to be not needed for public use for the term of the Lease. The Leased Premises shall be used for weather monitoring and reporting activities at Cleveland Hopkins International Airport. The term of the Lease shall be for a one-year period, commencing on the

effective date of the Lease, with four one-year options to renew. The first of the one-year options to renew may be exercised by the Director of Port Control, without the necessity of obtaining additional authority of this Council. The second of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the second of the one-year options to renew is exercised, then the third and fourth of the one-year options to renew may be exercised at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises, Lessee shall pay the City an annual rent to be determined based on the actual square foot of the Leased Premises and based on the appraised rate of \$16.30 per square foot. The rent shall be paid in monthly installments due on the first day of each month during the term of the Lease.

Section 2. That the lease may authorize Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

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

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

Referred to Directors of Port Control, Finance, Law; Committees on Transportation, Finance.

Ord. No. 18-18.

by Council Members Cleveland and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Aero Mag 2000 CLE, LLC for the lease of space in the North Cargo Facility Building at Cleveland Hopkins International Airport for operation of an aircraft deicing support and vehicle maintenance facility, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which is 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 Port Control is authorized to enter into a Lease Agreement ("Lease") with AeroMag 2000 CLE, LLC. ("Lessee") for use and occupancy of approximately 21,271 square feet of space located in the North Cargo Facility Building at Cleveland Hopkins International Airport ("Leased Premises") for operation of an aircraft deicing support and vehicle maintenance facility. The term of the Lease shall be for a two year period, with three one-year options to renew. The first one-year option

to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the one-year option to renew is exercised, then the second and third one-year option to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises during the initial period, Lessee shall pay the City an annual rate of \$48,999, payable in equal monthly amounts of \$4,083.25, which is equal to \$2.25 per square foot for 20,620 square feet of warehouse space and \$4.00 per square foot for 651 square feet of office space, based on an independent third-party appraisal. For each option term, the rental rate shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All Urban Consumers" Cleveland and Akron, OH; however, never lower than the rate during the initial term.

Section 2. That the Lease authorized 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.

Referred to Directors of Port Control, Finance, Law; Committees on Transportation, Finance.

Ord. No. 19-18.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Worldwide Flight Services, Inc. for the lease of space in the South Cargo Facility Building at Cleveland Hopkins International Airport for operation of an air cargo facility, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first of which is 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 Port Control is authorized to enter into a Lease Agreement ("Lease") with Worldwide Flight Services, Inc. ("Lessee") for use and occupancy of approximately 3,500 square feet of space located in the South Cargo Facility Building at Cleveland Hopkins International Airport ("Leased Premises") for operation of an air cargo facility. The term of the Lease shall be for a two year period, with three one-year options to renew. The first one-year option to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the one-year option to renew is exercised, then the second and third one-year option to renew may be exercisable at the

option of the Director of Port Control, without the necessity of obtaining additional authority of this Council. For use of the Leased Premises during the initial period, Lessee shall pay the City an annual rate of \$24,500, which is equal to \$7.00 per square foot based on an independent third-party appraisal. For each option term exercised, the rental rate shall be adjusted based on the United States Department of Labor, Consumer Price Index: "All Urban Consumers" Cleveland and Akron, OH; however not lower than the rate during the initial term, payable in monthly installments.

Section 2. That the Lease authorized 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.

Referred to Directors of Port Control, Finance, Law; Committees on Transportation, Finance.

Ord. No. 20-18.

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

An emergency ordinance authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use.

Whereas, the City of Cleveland owns certain property located in the vicinity of Dell Avenue and East 75th Street (former Dell Playground), Permanent Parcel No. 124-17-013, which is not needed for the City's public use; and

Whereas, Phase I and II testing was conducted on this property by the Ohio Environmental Protection Agency ("Ohio EPA"), which resulted in a finding of contaminated soils on the site, resulting from the site's former use as a smelting factory; and

Whereas, the Ohio EPA confirmed that there is no danger to residents' health as long as the pavement cap is maintained and the contaminated earth below is not disturbed, until remediated, if ever; and

Whereas, Mount Sinai Ministries or its designee, ("Mount Sinai"), has proposed to lease the property from the City and enter to into an option to purchase the property; and

Whereas, Mount Sinai will hire a consultant, in the estimated cost of \$8,350, to prepare a Risk Mitigation Plan and Operation and Maintenance Plan, both of which were recommended by the Ohio EPA, concerning the contaminated property; and

Whereas, Mount Sinai has proposed to expand its activities by offering additional parking for church visitors while agreeing to contain the contaminated soil; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that City-owned property located in the vicinity of Dell Avenue and East 75th Street (former Dell Playground), Permanent Parcel No. 124-17-013, ("Property") is no longer needed for the City's public use.

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 Director of Public Works is authorized to lease to Mount Sinai the Property which is more fully described as follows:

Legal Description of a portion of PPN 124-17-013

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sub-lots Nos. 82, 83, 84, 85, 86, 114, 115, 116, 117, 118 and a part of East 76th Street, (formerly Hazel Street), vacated in 1932 by City Ordinance No. 98041, and a part of Dell Avenue S.E. vacated in 1932 by City Ordinance No. 98042 in T.D. Crocker and Eliza P.O. Crocker Allotment of Part of Original One Hundred Acre Lot no. 333, as shown by the recorded plat in Volume 26 of Maps, Page 29 of Cuyahoga County Records, and together forming a parcel of land, bounded and described as follows:

Beginning on the Easterly line of East 75th Street, (formerly Maple Grove Street), at the Northwesterly corner of said Sub-lot No. 86; thence Easterly along the Northerly line of said Sub-lot No. 86 and 114, 218 feet 3 inches to the Westerly line of East 76th Street; thence Southerly along the Westerly line of East 76th Street, 112 feet 1/10 inch to its intersection with the Northerly line of that part of East 76th Street so vacated as aforesaid; thence Easterly along the Northerly line of that part of East 76th Street, so vacated, 20 feet to the center line of East 76th Street; thence Southerly along the center line of East 76th Street, now vacated, 60 feet to the center line of Dell Avenue S.E., now vacated; thence Westerly along the center line of Dell Avenue S.E., now vacated, 20 feet to its intersection with the Southerly prolongation of the Westerly line of East 76th Street; thence Southerly along said Southerly prolongation 20 feet to the Southerly line of Dell Avenue S.E., now vacated; thence Westerly along the Southerly line of Dell Avenue S.E., now vacated, about 220 feet to the Easterly line of East 75th Street; thence Northerly along the Easterly line of East 75th Street, 190 feet 2-1/2 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

EXCEPTING THEREFROM, any portion of East 76th Street.

Section 3. That the City will retain a perpetual non-exclusive ingress and egress easement over the Property for access to a bridge and on-going maintenance, along East 75th Street, at the westerly edge of the property, approximately 20 feet wide by 190 feet.

Section 4. That the term of the lease authorized by this ordinance shall not exceed three years, commencing on the date of execution of the lease.

Section 5. That the lease may authorize Mount Sinai to make improvements to and maintain the leased premises at its cost subject to the approval of appropriate City agencies and officials.

Section 6. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a Lease with an Option to Purchase Agreement with Mount Sinai for the sale of the Property in connection with the future redevelopment of the Property into additional parking for church visitors.

Section 7. That the Property shall be leased at no cost to Mount Sinai for a term up to three years.

Section 8. That the consideration paid by Mount Sinai for the Option to Purchase Agreement shall be \$416.50 per year for up to three years (1% of purchase price). This amount is payable to the City each year that the Option is not exercised by Mount Sinai, for a total not to exceed \$1,249.50 and is due each year on the anniversary date of when the lease was signed.

Section 9. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the Property to Mount Sinai under the Option to Purchase Agreement, at a price determined by appraisal to be \$50,000, less the cost to prepare a Risk Mitigation Plan and Operations and Maintenance Plan in the amount of \$8,350, for a price of \$41,650, taking into account all restrictions, and encumbrances placed by the City of Cleveland in the deed of conveyance.

Section 10. That the conveyance shall be made by an official quitclaim deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 11. That the Director of Public Works, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effectuate this ordinance.

Section 12. That the Lease, Option to Purchase Agreement, and other documents necessary to effectuate this ordinance shall be prepared by the Director of Law.

Section 13. That the proceeds from the lease, option, and sale of the

Property shall be deposited into a fund or funds approved by the Director of Finance.

Section 14. 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, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 21-18.

**By Council Members Johnson and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Public Works to lease certain property adjacent to the City's Ridge Road Transfer Station to Kufner Towing, Inc. for the purpose of expanding their auto storage and towing business, for a term of five years, with one option to renew for an additional five year term, exercisable by the Director of Public Works.**

Whereas, the City of Cleveland owns certain property located adjacent to the City's Ridge Road Transfer Station (portion of Permanent Parcel No. 013-32-001) which is not needed for the City's public use; and

Whereas, Kufner Towing, Inc. ("Kufner") has proposed to lease the property from the City for the purpose of expanding their adjacent auto storage and towing business located at 3775 Ridge Road and making approved site improvements to accommodate the use; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to lease to Kufner ("Lessee"), certain property located adjacent to the City's Ridge Road Transfer Station (portion of Permanent Parcel No. 013-32-001) which is not needed for the City's public use and is more fully described as follows:

**LEGAL DESCRIPTION FOR
PROPOSED LEASE AREA
CITY OF CLEVELAND TO
KUFNER PROPERTIES, INC.
013-32-001**

**April 14, 2016
Revised November 9, 2017**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of the Original Brooklyn Township Lot No. 36 and more fully bounded and described as follows:

Commencing at an iron pin monument found at the intersection of the centerline of Ridge Road (width varies) with the Northerly line of Original Lot No. 25;

Thence South 05°31'32" East along said centerline of Ridge Road, 339.77 feet to the Southwesterly corner of Parcel No. 1 of land conveyed

to Mike Epstein by deed dated May 3, 1946 and recorded in Volume 508, Page 321 of C.C.D.R.;

Thence South 89°06'42" East along the Southerly line of said parcel of land conveyed to Mike Epstein., 630.57 feet to a point on the Easterly line of said O.L.25 and the principal place of beginning (1/2" iron pin set with Cap No. 7344);

Thence South 89°06'42" East, a distance of 305.00 feet to a 1/2" iron pin set with Cap No. 7344;

Thence South 40°41'27" East, a distance of 400.00 feet to a 1/2" iron pin set with Cap No. 7344;

Thence South 38°29'05" West, a distance of 332.87 feet to a 1/2" iron pin set with Cap No. 7344;

Thence North 89°02'33" West, a distance of 360.00 feet to a point on the Easterly line of said O.L. No. 25 (1/2" iron pin set with Cap No. 7344);

Thence North 00°08'12" East along the Easterly line of said O.L. 25, a distance of 562.57 feet to a point and the principal place of beginning, to be the same more or less, but subject to all legal highways and containing 5.7964 acres of land.

This legal description was written by Mackay Engineering and Surveying Company in April 18, 2016 under the supervision of Michael Mackay, P.S. #7344.

The basis of bearings are based on the centerline of Ridge Road Bearing North 05°31'32" West.

Section 2. That the term of the lease authorized by this ordinance shall be for a period of five years, with one option to renew for an additional five year term, exercisable by the Director of Public Works.

Section 3. That the property authorized by this ordinance shall be leased at the appraised value of \$7,800 annually, which is determined to be fair market value, exclusive of utilities, and any costs associated with its use of the property, including real estate taxes if assessed.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law.

Section 6. That the Director of Public Works, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

Section 7. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

Ord. No. 22-18.

**By Council Members Johnson and Kelley (by departmental request).
An emergency ordinance authorizing the Commissioner of Purchases**

and Supplies to sell City-owned property no longer needed for public use located at the terminus of Brow Avenue in the Village of Newburgh Heights to the Village of Newburgh Heights, for purposes of redevelopment.

Whereas, the Village of Newburgh Heights ("Newburgh Heights") has requested the sale of the City-owned property to Newburgh Heights no longer needed for the City's public use and located at the terminus of Brow Avenue, north of East 52nd Street and east of I-77 in the Village of Newburgh Heights for purposes of redevelopment; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for the City's public use:

LEGAL DESCRIPTION:

Newburgh Heights P.P.N. 511-15-010

Situated in the Village of Newburgh Heights, County of Cuyahoga and State of Ohio, and known as being part of Original One Hundred Acre Lot No. 312, bounded and described as follows:

Beginning at the southwesterly corner of Sublot No. 26 in Adolphus Kershaw's Subdivision of part of Original One Hundred Acre Lot No. 312, as shown by the recorded plat in Volume 19 of Maps, Page 20 of Cuyahoga County Records, said beginning being also the northwesterly corner of the first parcel of land conveyed to Josef Glowacki and Maryanne Glowacki by deed dated October 24, 1924, and recorded in Volume 3203, Page 44 of Cuyahoga County Records; thence southerly along the westerly line of the first, second and third parcels so conveyed to Josef Glowacki and Maryanne Glowacki 200 feet to the southwesterly corner of said third parcel; thence easterly along the southerly line of said third parcel and along the easterly prolongation thereof and along the southerly line of a parcel of land conveyed to Michael Kornet by deed dated June 11, 1898, and recorded in Volume 713, page 583 of Cuyahoga County Records about 305 feet to the south-easterly corner of said parcel so conveyed to Michael Kornet; thence southerly along the southerly prolongation of the easterly line of said parcel so conveyed to Michael Kornet and along the westerly line of Sublot No. 122 in The South End Realty Company's East 55th Street allotment of part of Original One Hundred Acre Lot No. 312, as shown by the recorded plat in Volume 37 of Maps, page 1 of Cuyahoga County Records to the northerly line of Emil Raus's Harvard Avenue South East Allotment of part of Original One Hundred Acre Lot No. 312 as shown by the recorded plat in Volume 52 of Maps, page 13 of Cuyahoga County Records; thence westerly along said northerly line and along the northerly line of the second parcel of land conveyed to the

City of Cleveland by deed dated November 8, 1920, and recorded in Volume 2188, Page 318 of Cuyahoga County Records about 324.26 feet to the southeasterly corner of the first parcel of land conveyed by said deed to the City of Cleveland; thence northerly along the easterly line of said first parcel and along the northerly prolongation thereof to the westerly prolongation of the southerly line of Sublot No. 26 as aforesaid; thence easterly along said westerly prolongation of the southerly line of said Sublot No. 26, 19.26 feet to the place of beginning; be the same more or less but subject to all legal highways.

LEGAL DESCRIPTION:

Newburgh Heights P.P.N. 511-15-018

Situated in the Village of Newburgh Township, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 122 in the South End Realty Company's East 55th St. Extension Allotment of a part of Original One Hundred Acre Lot No. 312, as shown by the recorded plat in Vol. 37 of Maps, Page 1 of Cuyahoga County Records, said part of said Sublot No. 122 is bounded and described as follows:

Beginning in the easterly line of said Sublot No. 122 at its intersection with the northerly line of Sublot No. 17 of Emil Raus's Harvard Avenue South East Allotment as shown by the recorded plat in Vol. 52 of Maps, Page 13 of Cuyahoga County Records; thence northerly along the easterly line of said Sublot No. 122 about 624.58 feet to the northeast corner of said Sublot No. 122; thence northwesterly along the northeasterly line of said Sublot No. 122, 59.75 feet to the northwest or most northerly corner of said Sublot No. 122; thence southerly along the westerly line of said Sublot No. 122 about 648 feet to the northerly line of Sublot No. 17 in Emil Raus's Harvard Ave. South East Allotment as aforesaid; thence easterly along the northerly line of said Sublot No. 122 about 50.37 feet to the place of beginning.

LEGAL DESCRIPTION: 6.4463 Acres-

Newburgh Heights P.P.N. 511-18-001

Situated in the City of Newburgh Heights, County of Cuyahoga, and State of Ohio:

Known as being part of Original Hundred Acre Lot No. 312, and described as follows:

Beginning at an iron pin monument found on the centerline of East 53rd Street, a distance of 30.02 feet from its intersection with the centerline of Harvard Avenue S.E.;

THENCE, along the centerline of said East 53rd Street, N.1°04'10" W, a distance of 690.99 feet; THENCE, S. 87°02'40" W, a distance of 435.01 feet to a 5/8" iron pin set at the northwesterly corner of Sublot 18, in The Emil Raus Harvard Allotment, as recorded in Volume 52, Page 13 of Cuyahoga County Records, and the Principal Place Of Beginning;

THENCE, S 1°03'10" E, along the westerly subdivision line of said Emil Raus Avenue Allotment, a distance of 366.62 feet to a 5/8" iron pin set at the intersection with the easterly limits of Interstate Route 77, a limited access highway;

THENCE, along the easterly limits of said Interstate Route 77, the following courses:

THENCE, N. 28°18'21" W, a distance of 143.50 feet to a 5/8" iron pin set;

THENCE, N. 40°58'50" W, a distance of 131.78 feet to a 5/8" iron pin set;

THENCE, N. 48°58'41" W, a distance of 299.47 feet to a 5/8" iron pin set;

THENCE, N. 8°16'21" W, a distance of 176.98 feet to a 5/8" iron pin set;

THENCE, N. 16°09'49" W, a distance of 333.29 feet to a 5/8" iron pin set on the southeasterly line of Independence Road S.E.;

THENCE, N. 43°37'50" E, along the southeasterly line of Independence Road, a distance of 51.90 feet to 5/8" iron pin set at an angle point therein;

THENCE, N. 13°14'50" E, continuing along said southeasterly line, a distance of 109.38 feet to a 5/8" iron pin set on the southerly line of Raus Avenue, 45 feet wide;

THENCE, N. 88°40'17" E, along said southerly line, a distance of 335.44 feet to a 5/8" iron pin set on the westerly line of PPN:511-15-010, lands conveyed to the City of Cleveland, as recorded in Volume 15431, Page 411 of Cuyahoga County Records;

THENCE, S. 1°03'10" E, along said westerly line of PPN:511-15-010, a distance of 707.25 feet to a 5/8" iron pin set at the southwesterly corner of said PPN:511-15-010;

THENCE, N. 87°03'43" E, along the southerly line of said PPN:511-15-010, a distance of 82.80 feet to the Principal Place of Beginning and containing 6.4463 acres of land based on a survey conducted in September of 2017 by John R. Alban Professional Surveyor 7651.

All pins set are 5/8" X 30" rebar with yellow cap marked "J. Alban 7651."

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to Newburgh Heights at a price not less than the appraised value of \$265,000, which is determined to be fair market value, taking into account all restrictions, reversionary interests and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

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

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

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

shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 23-18.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more software developers or vendors to develop and/or acquire software solutions necessary to provide Audit Management Software as a Service, or audit management software including implementation and configuration, end user and technical staff training, maintenance and other support-related services, for the Department of Finance, for a period of one year with two one year options to renew, exercisable by the Director of Finance.

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

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

Section 1. That the Director of Finance is authorized to employ by contract or contracts one or more software developers or vendors or one or more firms of software developers or vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to develop and/or acquire software solutions necessary to provide Audit Management Software as a Service (SaaS), or audit management software including implementation and configuration, end user and technical staff training, maintenance and other support-related services, for the Department of Finance, for a period of one year with two one year options to renew, exercisable by the Director of Finance. The SaaS contract or contracts will also include the City's obligation to pay ongoing subscription and service fees for the term of the Agreement.

The selection of the developers or vendors for the services shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified developers or vendors 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 and certified by the Director of Finance.

Section 2. That the Director of Finance is authorized to enter into any third-party software license agreements necessary to effect the purposes of this ordinance.

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of 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 the cost of this ordinance shall be paid from funds approved by the Director of Finance and the costs of ongoing subscription and service fees are subject to annual appropriation.

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

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

**FIRST READING EMERGENCY
RESOLUTIONS REFERRED**

Res. No. 5-18.

By Council Members Conwell and Zone.

An emergency resolution supporting the Vision Zero initiative, a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all, and committing to work with the Jackson administration and community stakeholders to create a Vision Zero plan for the City.

Whereas, Vision Zero began in Sweden as a notably different way of ensuring that people have the right to move about their communities safely, setting "zero" as the "only justifiable fatality target for road traffic"; and

Whereas, Sweden has one of the lowest annual rates of road deaths in the world: 3 out of 100,000; the annual road death rate in the United States is 12.3 out of 100,000; and

Whereas, in Ohio in 2016, there were 1,134 traffic fatalities, which is a 2% increase over 2015; in Ohio, traffic fatalities have risen 3 years in a row; and

Whereas, from 2011-2015 in Cuyahoga County there were 120,032 crashes, with the largest percentage of crashes being in the City: 44% of total crashes and 38% of fatal and serious injury crashes were in Cleveland during that time period; and

Whereas, the Vision Zero message is that traffic-related fatalities and injuries are neither an inevitable nor an acceptable side-effect of a transportation system, but are preventable; and

Whereas, to achieve Vision Zero there must be a commitment between government, relevant agencies and community stakeholders to cooperate and collaborate; a strong focus on a systems-based approach to the environment, practices, and policies that influence behavior; efforts to gather, analyze, use, and share data to understand specific traffic safety issues and prioritize resources; and

Whereas, Vision Zero policies or plans have been adopted by numerous cities in the United States, including Chicago, New York, Minneapolis, Philadelphia, Richmond, Virginia and Durham, North Carolina; and

Whereas, this Council will establish a Vision Zero taskforce with the Administration and key stakeholders to help create a Vision Zero plan for the City of Cleveland to

address meaningful changes to traffic enforcement, land use and transportation ordinances; and

Whereas, the City's Vision Zero plan will build upon policies that the City already has in place, including the Complete and Green Streets legislation, Ordinance No. 798-11, passed September 19, 2011, and section 433.09 of the Codified Ordinances which prohibits texting while driving; and

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

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

Section 1. That this Council supports the Vision Zero initiative, a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all, and commits to work with the Jackson administration and community stakeholders to create a Vision Zero plan for the City.

Section 2. That the Clerk of Council is directed to transmit copies of this resolution to all members of the Ohio State legislature, to the Congressional Senators from Ohio, the Congressional House of Representatives from Cuyahoga County, the National League of Cities and Bike Cleveland.

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 Committee on Finance.

Res. No. 24-18.

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

An emergency resolution approving the adoption of the Countywide All Hazards Mitigation Plan for Cuyahoga County, 2017 Update.

Whereas, hazard mitigation is any sustainable action taken to reduce or eliminate damage from future disaster; and

Whereas, the Disaster Mitigation Act of 2000 requires all communities that desire to apply for federal mitigation programs to have an all-natural hazard mitigation plan; and

Whereas, the Disaster Mitigation Act of 2000 also requires communities to review and revise the plan at least every five (5) years to reflect changes in development, progress in local mitigation efforts, and changes in priorities, in order to continue eligibility to apply for federal mitigation programs; and

Whereas, the all-natural hazard mitigation plan must meet the criteria established by the Federal Emergency Management Agency ("FEMA"); and

Whereas, for disasters that are declared after November 1, 2004 that the local government must have an approved mitigation plan; and

Whereas, in collaboration with participating jurisdictions, the Cuyahoga County Government, through the Cuyahoga County Office of Emergency Management developed

and maintains such a mitigation plan which is entitled the "Countywide All Hazards Mitigation Plan for Cuyahoga County"; and

Whereas, each jurisdiction requesting approval of the plan must document that the plan has been formally adopted; and

Whereas, adoption of the "Countywide All Hazards Mitigation Plan" is a condition of eligibility to receive federal mitigation funds available through the Federal Emergency Management Agency; and

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

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

Section 1. That this Council approves the adoption of the Countywide All Hazards Mitigation Plan for Cuyahoga County, 2017 Update.

Section 2. That the Clerk of Council is directed to transmit a copy of this resolution to the Cuyahoga County Office of Emergency Management, 9300 Quincy Avenue, 2nd Floor, Cleveland, Ohio 44106.

Section 3. 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 Public Safety, Finance, Law; Committees on Safety, Finance.

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

Ord. No. 8-18.

By Council Member Keane.

An emergency ordinance amending the Title and Section 1 of Ordinance No. 1466-17 passed December 4, 2017 as it pertains to the Cleveland Sports Commission Urban Youth Initiative Program through the use of Ward 17 Casino Revenue Funds.

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

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

Section 1. That the Title and Section 1 of Ordinance No. 1466-17 passed December 4, 2017 is hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of **Public Works** to enter into an agreement with the Greater Cleveland Sports Commission for the Urban Youth Initiative through the use of Ward 17 Casino Revenue Funds.

Section 1. That the Director of the Department of **Public Works** is authorized to enter into an agreement effective January 1, 2017 with the Greater Cleveland Sports Commission for the Urban Youth Initiative for the public purpose of providing organized recreational sporting activities to City of Cleveland youth through the use of Ward 17 Casino Revenue Funds.

Section 2. That the Title and Section 1 of Ordinance No. 1466-17 passed December 4, 2017 is hereby repealed.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

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

Res. No. 13-18.

By Council Member Griffin.

An emergency resolution objecting to a New C1 Liquor Permit at 7965 Euclid Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #8465, 7965 Euclid Avenue, Cleveland, Ohio 44103, Permit Number 26312750800; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family

Dollar #8465, 7965 Euclid Avenue, Cleveland, Ohio 44103, Permit Number 26312750800; 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 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 50-18.

By Council Member Conwell.

An emergency resolution objecting to a New C1 Liquor Permit at 10502 Superior Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at S & J Food Market, Inc., DBA S & J, 10502 Superior Avenue, Cleveland, Ohio 44106, Permit Number 7642445; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code, Council's objection to said permit

must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at S & J Food Market, Inc., DBA S & J, 10502 Superior Avenue, Cleveland, Ohio 44106, Permit Number 7642445; 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 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 51-18.

By Council Member Kazy.

An emergency resolution objecting to a New C1 Liquor Permit at 14035 Puritas Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #2371, 14035 Puritas Avenue, Cleveland, Ohio 44135, Permit Number 26312750795; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at Family Dollar Stores of Ohio, Inc., DBA Family Dollar #2371, 14035 Puritas Avenue, Cleveland, Ohio 44135, Permit Number 26312750795; 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 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 52-18.

By Council Member Kazy.

An emergency resolution objecting to the transfer of stock of a C1 Liquor Permit to 4713 West 130th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for a transfer of stock of a C1 Liquor Permit at 4713 West 130th Street, Cleveland, Ohio 44135, Permit Number 2830532; and

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

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

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

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

Whereas, the place for which the permit is sought is so located with

respect to the neighborhood that it substantially interferes with public decency, sobriety, peace or good order; and

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

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

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

Section 1. That Council does hereby record its objection to a transfer of stock of a C1 Liquor Permit at 4713 West 130th Street, Inc., 4713 West 130th Street, Cleveland, Ohio 44135, Permit Number 2830532, 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 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 53-18.

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, East unit.

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 Shaker Jamil, Inc., DBA Mike's Food Mart, 3850 East 65th Street, 1st floor, East unit, Cleveland, Ohio 44105, Permit Number 8026805 to Sayej and Shahin, LLC, DBA Slavic Village One Stop Shop, 3850 East 65th Street, 1st floor, East unit, Cleveland, Ohio 44105, Permit Number 7761126; 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 Shaker Jamil, Inc., DBA Mike's Food Mart, 3850 East 65th Street, 1st floor, East unit, Cleveland, Ohio 44105, Permit Number 8026805 to Sayej and Shahin, LLC, DBA Slavic Village One Stop Shop, 3850 East 65th Street, 1st floor, East unit, Cleveland, Ohio 44105, Permit Number 7761126; 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 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 54-18.

By Council Member Brady.

An emergency resolution withdrawing objection to a New C1 Liquor Permit at 3935 West 130th Street and repealing Resolution No. 1227-17, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit at Kastamandap, Inc., DBA Big Bell Food, 3935 West 130th Street, Cleveland, Ohio 44111, Permit Number 4505832 by Resolution No. 1227-17 adopted by the Council on October 9, 2018; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit at Kastamandap, Inc., DBA Big Bell Food, 3935 West 130th Street, Cleveland, Ohio 44111, Permit Number 4505832, be and the same is hereby withdrawn and Resolution No. 1227-17, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 55-18.

By Council Member Brady.

An emergency resolution withdrawing objection to a New C1 Liquor Permit at 12029 Lorain Avenue Street and repealing Resolution No. 1226-17, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit at Hunts Convenience, 12029 Lorain Avenue, Cleveland, Ohio 44111, Permit Number 4073863 by Resolution No. 1226-17 adopted by the Council on October 9, 2018; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit at Hunts Convenience, 12029 Lorain Avenue, Cleveland, Ohio 44111, Permit Number 4073863 by Resolution No. 1226-17, be and the same is hereby withdrawn and Resolution No. 1226-17, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 56-18.

By Council Member Griffin.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 Liquor 2603 Woodhill Road and repealing Resolution No. 975-17 objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C2 liquor permit to Ibald Beverage, Inc., DBA American Food Mart, 2603 Woodhill Road, Cleveland, Ohio 44104, Permit Number 4118410 by Resolution No. 975-17 adopted by the Council on August 16, 2017; and

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

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

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

Section 1. That objection to the transfer of ownership of a C2 liquor permit to Ibald Beverage, Inc., DBA American Food Mart, 2603 Woodhill Road, Cleveland, Ohio 44104, Permit Number 4118410, be and the same is hereby withdrawn and Resolution No. 975-17, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 57-18.

By Council Member Hairston.

An emergency resolution objecting to a New D4 Liquor Permit at 1691 Octavia Road.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New D4 Liquor Permit at Executioners MC, Inc., DBA Executioners MC, 1691 Octavia Road, Cleveland, Ohio 44112, Permit Number 2595754; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New D4 Liquor Permit at Executioners MC, Inc., DBA Executioners MC, 1691 Octavia Road, Cleveland, Ohio 44112, Permit Number 2595754; 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 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

MOTION

The Council Meeting adjourned at 7:36 p.m. to meet on Monday, January 22, 2018, 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

NO MEETING

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 stated 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, JANUARY 22, 2018

9:30 A.M.

Calendar No. 17-351: 15619 Waterloo Road (Ward 8)

Spacepop LLC., owner, proposes to establish use as an art gallery and sales and a catering facility in a C2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11 which states that an art gallery with sales is first permitted in the General Retail Business District.
2. Section 345.03 which states that a catering facility is first permitted in the Semi-Industrial district. (Filed November 30, 2017)

Calendar No. 17-368: 1976 West 44th Street (Ward 3)

Sean Rooney, owner, proposes to erect a 2,074 square foot single family residence in a B1 Two-Family Residential District. The owner

appeals for relief from the strict application of Section 357.09(b)(2)(B) of the Cleveland Codified Ordinances which states that the width of any interior side yard shall not be less than $\frac{1}{4}$ the height of the main building on the premises; an interior side yard of 7.5 feet is required and a 3 foot interior side yard is proposed. (Filed December 15, 2017)

Calendar No. 17-370: 2144 West 18th Street (Ward 3)

Matthias and Monika Bonath, owners, propose to erect a 22' x 72' - 6" three story frame single family residence with attached garage in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that the maximum gross floor area shall not exceed 50 percent of lot size or in this case 1,350 square feet and the appellant is proposing 3,414 square feet.
2. Section 357.09(b)(2)(A) which states that no building shall be less than 10' from a main building on an adjoining lot and the appellant is proposing 5' - 11", 8' and 7' - 11".
3. Section 357.09(b)(2)(B) which states that the total width of the Required Interior Side yard shall not be less than 10' where the appellant is proposing 8'.
4. Section 357.09(b)(2)(C) which states that the Required Interior side yard is 10.5' and the appellant is proposing 5' and 3'.
5. Section 357.13(c) which states that an air conditioning unit is not a permitted encroachment (1' - 3").
6. Section 357.13(b) which states that a window well is not a permitted front yard encroachment less than 10' from property line and the appellant is proposing 4'. (Filed December 15, 2017)

Calendar No. 17-371: 17134 Lorain Avenue (Ward 17)

The City Bank Investment Company, owner, and Patrick Burke, prospective tenant, propose to establish tattooing use in a C2 Local Retail Business District. The owner appeals for relief from the strict application of Section 343.01(b) which states that a Tattooing establishment is not permitted in a Local Retail Business District but is first permitted in a General Retail Business District per section 343.11(b)(2)(P), and even when in the district must be at least 1,000 feet from a residential district per Section 347.12(b)(2), and from another tattooing establishment per section 347.12(b)(3). The proposed use is within 100 feet of a residential district. (Filed December 21, 2017)

Calendar No. 17-373: 1314 West 103rd Street (Ward 15)

Zach Miklowski, owner, proposes to erect a 24' x 24' wood frame garage with upper floor storage on a 5,400 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from Section 337.23(a)(6)(A) which states that in a residential district the floor area of a private garage erected as an accessory building shall not exceed six hundred fifty (650) square feet unless the lot area exceeds four thousand eight hundred (4,800) square feet in which event the floor area may be

increased in the ratio of one (1) square foot for each twelve (12) square feet of additional lot area. In this case the accessory use permitted 700 square feet and the appellant is proposing 1,152 square feet. (Filed December 19, 2017)

Parking Place License Denial Calendar No. 17-367: 601 Erieside Avenue (Ward 3)

Great Lakes Science Center (City of Cleveland owner) appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the Division of Assessments and Licenses to deny a Parking Place License application on December 8, 2017. (Filed December 12, 2017)

POSTPONED FROM DECEMBER 4, 2017

Calendar No. 17-290: 2317 Denison Avenue (Ward 12)

Mober Group LLC., owners, proposes to add live entertainment and patio to an existing non-conforming bar/restaurant in a B1 Local Retail Business District and an Urban Form Overlay District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b)(2)(F) which states that Bars/restaurants with entertainment and dancing are specifically prohibited in a Local Retail Business District, first permitted in a General Retail Business District, and when in that district must be at least 500 feet from a residence District per section 347.12(a)(1). Proposed use is adjacent to a residence district.
2. Section 348.04(d) which states that the Minimum on site accessory off street parking is required at the rate of 25% of the regularly required spaces per 349.04. A parking area in the amount of three times the gross floor area or 11,400 square feet, divided by 25% resulting in a parking area in the amount of 2,800 square feet is required and no onsite parking is provided. Leased parking on other premises requires the approval of the Board of Zoning Appeals. (Filed September 20, 2017- No Testimony)

Second postponement made at the request of the appellant due to a scheduling conflict. First postponement made at the request of the Councilman and the CDC to allow for time to hold a public meeting.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 8, 2018

At the meeting of the Board of Zoning Appeals on Monday, January 8, 2018, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 17-344: 598 East 185th Street

Joe Zawatski, owner, proposes to add use of motor vehicle service or repair garage and motor vehicle

sales facility to existing, nonconforming car wash in a C1 Local Retail Business District.

Calendar No. 17-350: 3970 Lee Road Lee Road Baptist Church, owner, proposes to erect a 4 feet 10 inches by 7 feet 10 inches single faced illuminated identification message center ground sign that will be 7 feet 10 inches tall in a G1 Local Retail Business District.

Calendar No. 17-375: 2819 Monroe Avenue T.H. & D.P. Investments LLC., owner, proposes to erect a second floor room addition attached to existing single family residence in a B1 Two Family Residential District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following case was **POSTPONED:**

Calendar No. 17-361: Fulton Denison, LLC 5804 Denison Avenue. Postponed to February 12, 2018.

The following case was heard by the Board of Zoning Appeals on Tuesday, January 2, 2018 and the decision was adopted and approved on Monday, January 8, 2018:

The following appeal was **APPROVED:**

Calendar No. 17-357: 4302 Bailey Avenue B.R. Knez, owner, proposes to construct a new 2.5 story, 1,792 square foot single family house with a detached garage on a 3,750 square foot lot in a B1 Two Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

Ohio Environmental Protection Agency (OEPA) has posted two Public Notices about the issuance of permits to discharge to State waters under the National Pollutant Discharge Elimination System (NPDES) Permit Program.

Public Notice No. 17-12-017 covers the facility where the discharge occurs, Northeast Ohio Regional Sewer District's Westerly Wastewater Treatment Center at 5800 W. Memorial Shoreway, in Cleveland.

Public Notice No. 17-12-018 covers the facility where the discharge occurs, Northeast Ohio Regional Sewer District's Easterly Wastewater Treatment Center at 14021 Lakeshore Blvd., in Cleveland.

For more information, go to www.epa.ohio.gov/dsw/permits/individuals/draftperm.aspx#178255132-nedo

December 13, 2017, December 20, 2017, December 27, 2017, January 3, 2018, January 10, 2018

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, January 23, 2018 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, January 23, 2018, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 1361-17.

By Council Member Kazy. An ordinance changing the Use, Area and Height District of parcels along the southerly side of Lorain Ave between West 138th Street and West 139th Street, including two parcels west of West 139th Street as identified on the attached map (Map Change No. 2576).

Ord. No. 1451-17.

By Council Member Conwell. An emergency ordinance designating Apostolic Faith Tabernacle Church (Knesseth Israel Synagogue) as a Cleveland Landmark.

Ord. No. 1456-17.

By Council Member Conwell. An emergency ordinance designating Greater Abyssinia Baptist Church as a Cleveland Landmark.

Ord. No. 1458-17.

By Council Member Dow. An emergency ordinance designating the Kausek Brothers Building as a Cleveland Landmark.

Anthony Brancatelli, Chair Committee on Development, Planning and Sustainability

January 10, 2018 and January 17, 2018

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."

WEDNESDAY, JANUARY 31, 2018

File No. 5-18 — Castings Pull Boxes and Grating, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 126.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, FRIDAY, JANUARY 19, 2018 AT 11:00 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, CENTENNIAL ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

January 10, 2018 and January 17, 2018

THURSDAY, FEBRUARY 1, 2018

File No. 3-18 — Vitrified Clay and PVC Pipe, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING**, THURSDAY, JANUARY 18, 2018 AT 10:30 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108, RED CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE

AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 4-18 — Labor and Materials Necessary to Repair and Maintain Combination Sewer and Catch Basin Cleaning Trucks (Re-Bid), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JANUARY 18, 2018 AT 11:00A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108, RED CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

January 10, 2018 and January 17, 2018

FRIDAY, FEBRUARY 2, 2018

File No. 6-18 — Disposal of Catch basin Debris (Re-Bid), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.29 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING,

THURSDAY, JANUARY 18, 2018 AT 10:00 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108, RED CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND, OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

January 10, 2018 and January 17, 2018

WEDNESDAY, FEBRUARY 7, 2018

File No. 1-18 — Materials to Provide Off-Road Fossil Fuel and Supporting Services, for the Division of Water, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JANUARY 19, 2018 AT 11:30 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 4TH FLOOR ATRIUM CONFERENCE ROOM.

NOTE: BID MUST BE DELIVERED AT THE OFFICE OF THE COMMISSIONER OF PURCHASES AND SUPPLIES, CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 128, CLEVELAND,

OHIO 44114 BEFORE 12 O'CLOCK NOON (EASTERN TIME).

File No. 2-18 — Quicklime, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976. THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JANUARY 19, 2018 AT 9:30 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114, 4TH FLOOR ATRIUM CONFERENCE ROOM.

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January 10, 2018 and January 17, 2018

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

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O—Ordinance; R—Resolution; F—File

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;

Bold type in sections indicates amendments

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Airports Division

Authorizing the Director of Port Control to enter into a Lease Agreement with Aero Mag 2000 CLE, LLC for the lease of space in the North Cargo Facility Building at Cleveland Hopkins International Airport for operation of an aircraft deicing support and vehicle maintenance facility, for the Department of Port Control, for a period of two years, with three one year options to renew, the first of which is exercisable through additional legislative authority. (O 18-18)27

Authorizing the Director of Port Control to enter into a Lease Agreement with the United States of America, on behalf of the National Weather Service, for the lease of certain space located in, around, and/or on, the Federal Facilities Office Building at Cleveland Hopkins International Airport, for weather monitoring and reporting activities, for the Department of Port Control, for a period of one year, with four one year options to renew, the second of which would require additional legislative authority to exercise. (O 17-18)27

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Authorizing the Director of City Planning to consent to assignment of Contract No. 55936, as amended, from Omni Media Cleveland, Inc. to Lamar Advertising of Youngstown, Inc. dba Lamar Advertising of Cleveland. (O 15-18)26

Changing the Use, Area and Height District of parcels along the southerly side of Lorain Ave. Between West 138th Street and West 139th Street, including two parcels west of West 139th Street as identified on the attached map (Map Change No. 2576). (O 1361-17)36

Designating Apostolic Faith Tabernacle Church (Kneseth Israel Synagogue) as a Cleveland Landmark. (O 1451-17)36

Designating Greater Abyssinia Baptist Church as a Cleveland Landmark. (O 1456-17)36

Designating the Kausek Brothers Building as a Cleveland Landmark. (O 1458-17)36

Rescinding the landmark designation on the building located at 10025 Detroit Avenue. (O 12-18)25

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From Council President Kevin J. Kelley appointing, without objection of Cleveland City Council, Deputy Clerk Allan Dreyer as Clerk Pro Tempore from December 16, 2017, to December 31, 2017. (F 25-18)21

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From Director Michael McGrath, Department of Public Safety, City of Cleveland. Notice of acceptance of a gift of a basketball hoop and 3 basketballs for the City's Fire Headquarters and Fire Station #1, valued at \$475, from Cleveland Browns. (F 46-18)21

Cleveland Clinic Foundation

Authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right of way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks. (O 14-18)25

Cleveland Municipal Court

Authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into contract with the Cuyahoga County Public Defender Commission for legal services necessary to defend indigents charged with violation of ordinances of the City of Cleveland that may result in incarceration, for the Cleveland Municipal Court for a period of one year, with one option to renew for an additional year, exercisable by the Director of Finance. (O 16-18)26

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Approving the collective bargaining agreement with the Longshoreman Association, Local 1317; and to amend Section 19 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications. (O 11-18)25

Approving the collective bargaining agreement with the Treasurers and Ticket Sellers Union, Local 756; and to amend Section 46 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications. (O 10-18)24

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From Office of Professional Standards, Civilian Police Review Board, Department of Public Safety, City of Cleveland. 2016 Annual Report. (F 27-18)21

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Fire Division

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From Director Michael Cox, Department of Public Works, City of Cleveland. Notice of acceptance of a grant of \$2,730 from the National Recreation and Park Association for Walk with Ease and Active Living Every Day Training. (F 47-18)21

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Oath of Office for Harold Pretel, Deputy Chief of Homeland Special Operations, City of Cleveland. (F 43-18)21

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To amend Section 39 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications. (O 7-18)23

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Designating Apostolic Faith Tabernacle Church (Kneseth Israel Synagogue) as a Cleveland Landmark. (O 1451-17)36
Designating Greater Abyssinia Baptist Church as a Cleveland Landmark. (O 1456-17)36
Designating the Kauek Brothers Building as a Cleveland Landmark. (O 1458-17)36
Rescinding the landmark designation on the building located at 10025 Detroit Avenue. (O 12-18)25

Lease Agreement

Authorizing the Director of Port Control to enter into a Lease Agreement with Aero Mag 2000 CLE, LLC for the lease of space in the North Cargo Facility Building at Cleveland Hopkins International Airport for operation of an aircraft deicing support and vehicle maintenance facility, for the Department of Port Control, for a period of two years, with three one year options to renew, the first of which is exercisable through additional legislative authority. (O 18-18)27
Authorizing the Director of Port Control to enter into a Lease Agreement with the United States of America, on behalf of the National Weather Service, for the lease of certain space located in, around, and/or on, the Federal Facilities Office Building at Cleveland Hopkins International Airport, for weather monitoring and reporting activities, for the Department of Port Control, for a period of one year, with four one year options to renew, the second of which would require additional legislative authority to exercise. (O 17-18)27
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Authorizing the Director of Public Works to lease certain property adjacent to the City's Ridge Road Transfer Station to Kufner Towing, Inc. for the purpose of expanding their auto storage and towing business, for a term of five years, with one option to renew for an additional five year term, exercisable by the Director of Public Works. (O 21-18)29
Authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term

not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use. (O 20-18)28

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#26312750800. New License Application, C1. Family Dollar Stores of Ohio, Inc., 7965 Euclid Ave. (Ward 3). (F 35-18)22

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Oath of Office for Harold Pretel, Deputy Chief of Homeland Special Operations, City of Cleveland. (F 43-18)21

Oath of Office for John Baird, Interim Chief Animal Control, City of Cleveland. (F 44-18)21

Oath of Office for Richard Knoth, Member, Cleveland Police Commission. (F 45-18)21

Office of Equal Opportunity

From Mayor's Office of Equal Opportunity. City Resident Utilization Report, December 1, 2017. (F 26-18)21

Permits

Authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right of way beneath Chester Avenue by installing, using and maintaining electrical and communications duct banks. (O 14-18)25

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Dedication Plat for Carter Road Subdivision, Carter Road between Columbus Road and Scranton Road. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 30-18)22

Dedication Plat for Relocated Lorain Court, between West 47th Street and 48th Street. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 31-18)22

Police Division

Oath of Office for Richard Knoth, Member, Cleveland Police Commission. (F 45-18)21

Professional Services

Authorizing the Director of Finance to employ one or more software developers or vendors to develop and/or acquire software solutions necessary to provide Audit Management Software as a Service, or audit management software including implementation and configuration, end user and technical staff training, maintenance and other support related services, for the Department of Finance, for a period of one year with two one year options to renew, exercisable by the Director of Finance. (O 23-18)30

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Changing the Use, Area and Height District of parcels along the southerly side of Lorain Ave. Between West 138th Street and West 139th Street, including two parcels west of West 139th Street as identified on the attached map (Map Change No. 2576). (O 1361-17)36

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Designating the Kausek Brothers Building as a Cleveland Landmark. (O 1458-17)36

Public Works

Amending the Title and Section 1 of Ordinance No. 1466-17 passed December 4, 2017 as it pertains to the Cleveland Sports Commission Urban Youth Initiative Program through the use of Ward 17 Casino Revenue Funds. (O 8-18)31

Authorizing the Director of Public Works to lease certain property adjacent to the City's Ridge Road Transfer Station to Kufner Towing, Inc. for the purpose of expanding their auto storage and towing business, for a term of five years, with one option to renew for an additional five year term, exercisable by the Director of Public Works. (O 21-18)29

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From Director Michael Cox, Department of Public Works, City of Cleveland. Notice of acceptance of a grant of \$2,730 from the National Recreation and Park Association for Walk with Ease and Active Living Every Day Training. (F 47-18)21

Purchase Agreement

Authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use. (O 20-18)28

Purchases and Supplies Division

Authorizing the Commissioner of Purchases and Supplies to sell City owned property no longer needed for public use located at the terminus of Brow Avenue in the Village of Newburgh Heights to the Village of Newburgh Heights, for purposes of redevelopment. (O 22-18)29

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Reports

From Mayor's Office of Equal Opportunity. City Resident Utilization Report, December 1, 2017. (F 26-18)21

From Office of Professional Standards, Civilian Police Review Board, Department of Public Safety, City of Cleveland. 2016 Annual Report. (F 27-18)21

Resolution of Support

Approving the adoption of the Countywide All Hazards Mitigation Plan for Cuyahoga County, 2017 Update. (R 24-18)31

Supporting the Vision Zero initiative, a strategy to eliminate all traffic fatalities and severe injuries, while increasing safe, healthy, equitable mobility for all, and committing to work with the Jackson administration and community stakeholders to create a Vision Zero plan for the City. (R 5-18)31

Safety Department

From Director Michael McGrath, Department of Public Safety, City of Cleveland. Notice of acceptance of a gift of \$6,990 from Tremont West Development Corporation for cameras for the Lincoln Park Gazebo Project. (F 28-18)21

From Office of Professional Standards, Civilian Police Review Board, Department of Public Safety, City of Cleveland. 2016 Annual Report. (F 27-18)21

Salaries

Approving the collective bargaining agreement with the Cleveland Utility Workers Union of America, Local 270; and to amend Section 12 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications. (O 9-18)24

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To amend Section 39 of Ordinance No. 323-15, passed March 30, 2015, as amended by various ordinances, relating to compensation for various classifications. (O 7-18)23

Tremont West Development Corporation

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Village of Newburgh Heights

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#26312750800. New License Application, C1. Family Dollar Stores of Ohio, Inc., 7965 Euclid Ave. (Ward 3). (F 35-18)22

#4121340. Transfer of License Application, D5. Identity Innovation, 850 Euclid Ave. (Ward 3). (F 37-18)22

Appreciation Resolution for Anthony "Tony" DiIorio. (R 75-18)22

Dedication Plat for Carter Road Subdivision, Carter Road between Columbus Road and Scranton Road. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 30-18)22

Dedication Plat for Relocated Lorain Court, between West 47th Street and 48th Street. Approved by Committees on Municipal Services and Properties, and Development Planning and Sustainability. Without objection, Plat approved. (F 31-18)22

Ward 04

Condolence Resolution for Algeron Allen Walker. (R 64-18)22

Condolence Resolution for Yvette Ceasor. (R 65-18)22

Ward 05

#2526841. Transfer of Ownership Application, D1 D2 D6. Enimsaj Corp., 1105 Carnegie Ave. (Ward 5). (F 42-18)22

Authorizing the Director of Public Works to lease certain property located in the vicinity of Dell Avenue and East 75th Street, to Mount Sinai Ministries, or its designee, for the purpose of providing parking for visitors to the Mount Sinai Baptist Church, for a term not to exceed three years; authorizing the Director of Public Works to enter into an Option to Purchase Agreement with Mount Sinai Ministries, or its designee, in connection with the sale and environmental remediation of the property; and authorizing the Commissioner of Purchases and Supplies to convey the property, which is no longer needed for the City's public use. (O 20-18)28

Condolence Resolution for Reverend Ralph Hughley, Sr. (R 59-18)22

Ward 06

#22348152885. New License Application, Dolgen Midwest LLC, 11491 Buckeye Rd. (Ward 6).
 (F 40-18)22
 Condolence Resolution for Janet Angela Belk Holston. (R 62-18)22
 Condolence Resolution for Jerleine Holloway Ward. (R 63-18)22
 Objecting to a New C1 Liquor Permit at 7965 Euclid Avenue. (R 13-18)32
 Withdrawing objection to the transfer of ownership of a C2 Liquor 2603 Woodhill Road and
 repealing Resolution No. 975-17 objecting to said permit. (R 56-18)34

Ward 07

#5806804. New License Application, C1. Mehar Singh LLC, 5417 Chester Ave. (Ward 7). (F 39-18)22
 Authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic
 Foundation to encroach into the public right of way beneath Chester Avenue by installing,
 using and maintaining electrical and communications duct banks. (O 14-18)25
 Designating the Kausek Brothers Building as a Cleveland Landmark. (O 1458-17)36

Ward 08

Appreciation Resolution for Anthony “Tony” DiIorio. (R 75-18)22
 Condolence Resolution for Jared Plesec. (R 67-18)22
 Congratulations Resolution for Reverend Bobbie C. & First Lady Geraldine Laster. (R 70-18)22
 Recognition Resolution for Tierra S. Biggers. (R 72-18)22

Ward 09

Designating Apostolic Faith Tabernacle Church (Kneseth Israel Synagogue) as a Cleveland
 Landmark. (O 1451-17)36
 Designating Greater Abyssinia Baptist Church as a Cleveland Landmark. (O 1456-17)36
 Objecting to a New C1 Liquor Permit at 10502 Superior Avenue. (R 50-18)32

Ward 10

#2595754. New License Application, D4. Executioners MC, Inc., 1691 Octavia Rd. (Ward 10).
 (F 34-18)22
 Objecting to a New D4 Liquor Permit at 1691 Octavia Road. (R 57-18)34

Ward 11

Rescinding the landmark designation on the building located at 10025 Detroit Avenue. (O 12-18)25
 Withdrawing objection to a New C1 Liquor Permit at 12029 Lorain Avenue Street and
 repealing Resolution No. 1226-17, objecting to said permit. (R 55-18)34
 Withdrawing objection to a New C1 Liquor Permit at 3935 West 130th Street and repealing
 Resolution No. 1227-17, objecting to said permit. (R 54-18)33

Ward 12

#7761126. Transfer of Ownership Application, C1 C2. Sayej and Shahin LLC, 3850 East 65th St.
 (Ward 12). (F 41-18)22
 Appreciation Resolution for Michael Cosgrove. (R 73-18)22
 Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 3850 East 65th Street,
 1st floor, East unit. (R 53-18)33

Ward 13

Appreciation Resolution for Zachary “Zack” Reed. (R 74-18)22
 Condolence Resolution for Betty Jean Smith. (R 60-18)22
 Condolence Resolution for Kathleen Cochrane DePiero. (R 66-18)22
 Condolence Resolution for Rose Marie Allen. (R 61-18)22
 Recognition Resolution for Charles Spain, Jr. (R 71-18)22

Ward 15

#2755361. Transfer of Ownership Application, D1 D2 D3 D3A D6. 58 Group, Inc., 5801 Detroit
 Ave. (Ward 15). (F 32-18)22
 #31861100010. Transfer of Ownership Application, D2 D2X D3 D3A D6. Gillespie Brothers Ltd.,
 1261 West 76th St. (Ward 15). (F 38-18)22
 Supporting the Vision Zero initiative, a strategy to eliminate all traffic fatalities and severe
 injuries, while increasing safe, healthy, equitable mobility for all, and committing to
 work with the Jackson administration and community stakeholders to create a Vision
 Zero plan for the City. (R 5-18)31

Ward 16

#26312750795. New License Application, C1. Family Dollar Stores of Ohio, Inc., 14035 Puritas Ave. (Ward 16). (F 36-18)22

Changing the Use, Area and Height District of parcels along the southerly side of Lorain Ave. Between West 138th Street and West 139th Street, including two parcels west of West 139th Street as identified on the attached map (Map Change No. 2576). (O 1361-17)36

Objecting to a New C1 Liquor Permit at 14035 Puritas Avenue. (R 51-18)32

Objecting to the transfer of stock of a C1 Liquor Permit to 4713 West 130th Street. (R 52-18)33

Ward 17

Amending the Title and Section 1 of Ordinance No. 1466-17 passed December 4, 2017 as it pertains to the Cleveland Sports Commission Urban Youth Initiative Program through the use of Ward 17 Casino Revenue Funds. (O 8-18)31

Condolence Resolution for Patricia A. Luke. (R 69-18)22

Condolence Resolution for Thomas M. Lynch. (R 68-18)22

Zoning

Changing the Use, Area and Height District of parcels along the southerly side of Lorain Ave. Between West 138th Street and West 139th Street, including two parcels west of West 139th Street as identified on the attached map (Map Change No. 2576). (O 1361-17)36