

The City Record

Official Publication of the Council of the City of Cleveland



April the Twenty-Second, Two Thousand and Fifteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

DIVISIONS:
 Architecture and Site Development – Christopher Diehl, Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

OFFICE OF EQUAL OPPORTUNITY – Melissa K. Burrows, Ph.D., 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: John Skrtic, Law Librarian,
 Room 100
DEPT. OF FINANCE – Sharon Dumas, Director, Room 104;
 Natasha Brandt, Manager, Internal Audit
DIVISIONS:
 Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, Interim Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair
 Avenue
 Purchases and Supplies – Tiffany White, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Sharon Dumas, Interim Director, 1201 Lakeside Avenue

DIVISIONS:
 Cleveland Public Power – Ivan Henderson, Commissioner
 Utilities Fiscal Control – Frank Badalamenti, Chief Financial Officer
 Water – Alex Margevicius, Interim Commissioner
 Water Pollution Control – Rachid Zoghaib, Commissioner

DEPT. OF PORT CONTROL – Ricky D. Smith, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

DIVISIONS:
 Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:
 Administration – John Laird, Manager
 Special Events and Marketing – Tangee Johnson, Manager
DIVISIONS:
 Motor Vehicle Maintenance – Daniel A. Novak, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Antonette Thompson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Randell T. Scott, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

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

DIVISIONS:
 Air Quality – George Baker, Commissioner
 Environment – Chantez Williams, Commissioner, 75 Erieview Plaza
 Health – Myron Bennett, Commissioner, 75 Erieview Plaza

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

DIVISIONS:
 Animal Control Services – John Baird, Chief Dog Warden, 2690 West 7th Street
 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 – Daryl Rush, Director

DIVISIONS:
 Administrative Services – Jesus Rodriguez, Commissioner
 Fair Housing and Consumer Affairs Office – John Mahoney, Manager
 Neighborhood Development – Chris Garland, Commissioner
 Neighborhood Services – Louise V. Jackson, Commissioner

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

DIVISIONS:
 Code Enforcement – Thomas E. Vanover, Commissioner
 Construction Permitting – Narid Hussain, Commissioner

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

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

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

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Eugene R. Miller (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L. Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan, Michael Flickinger.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Kevin J. Kelley; Betsy Hruby, Asst. Sec'y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Elizabeth Kukla, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.F. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Barbara A. Langhenry, President; Finance Director Sharon Dumas, Secretary; Council President Kevin J. Kelley.

BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Utilities Director Paul Bender; Council President Kevin J. Kelley.

CITY PLANNING COMMISSION – Room 501 – Freddy L. Collier, Jr., Director; Anthony J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

FAIR HOUSING BOARD – Charles See, Chair; Lisa Camacho, Daniel Conway, Robert L. Render, Genesis O. Brown.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman; Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman; Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman Kevin Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Giancarlo Calicchia, Council Member Terrell H. Pruitt, Robert Strickland, Julie Trot, Robert Vilkas, Donald Petit, Interim 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 Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 12C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge James H. Hewitt, III – Courtroom 12A
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Angela R. Stokes – Courtroom 15C
 Judge Pauline H. Tarver – Courtroom 13C
 Judge Ed Wade – Courtroom 12B
 Judge Joseph J. Zone – Courtroom 14D
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims – Chief Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

The City Record



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WEDNESDAY, APRIL 22, 2015

No. 5289

CITY COUNCIL

MONDAY, APRIL 20, 2015

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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:
Dow (CHAIR), Brady, Cleveland,
Kelley, Mitchell.

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

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

Utilities, City of Cleveland.
Received.

COMMUNICATIONS

File No. 452-15.
From Beau Hill, Executive Direc-
tor, Harbor Light Complex. The Sal-
vation Army. Notice of intent to
apply to Ohio Housing Finance
Agency multifamily funding pro-
grams for construction of a new
Zelma George Family Shelter.
Received.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:**
Zone (CHAIR), Conwell (VICE-
CHAIR), Cimperman, Kazy, Keane,
Mitchell, Polensek.

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, April 20, 2015

The meeting of the Council was
called to order at 7:02 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

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

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

Pursuant to Ordinance No. 2926-76,
the opening prayer was offered by
Dr. Bryant Taylor, Pastor Emeritus,
Glenville Seventh Day Adventist
Church, Cleveland, Ohio (Ward 9).
Pledge of Allegiance.

MOTION

On the motion of Council Member
Cimperman, the reading of the min-
utes of the last meeting was dis-
pensated with and the journal
approved. Seconded by Council Mem-
ber Mitchell.

OATH OF OFFICE

File No. 451-15.
Hernando Harge, Chief of Human
Resources, Department of Public

PLATS

File No. 456-15.
Dedication Plat — Tremont Black
Subdivision, eight (8) single-family
townhouse units at Fairfield Avenue
and West 10th Street. Approved by
Committees on Development Plan-
ning and Sustainability and Munici-
pal Services and Properties. Without
objection, Plat approved.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 453-15.
RE: #2964356. Transfer of Owner-
ship Application, C1 C2. Fullerton &
E 71st Inc., 3764 East 71st Street
(Ward 12). Received.

File No. 454-15.
RE: #5976081. New License Appli-
cation, D5J. FWD Flats LLC, 1176
Front Avenue (Ward 3). Received.

File No. 455-15.
RE: #98675900010. Transfer of
Location Application, C2 C2X. Zack-
ry Inc., 3510 Fulton Road (Ward 14).
Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 469-15—Marvin Dupree
Wilson.

Res. No. 470-15—Ann Brinovec.
Res. No. 471-15—Samuel Lee
LaPrade.

RECOGNITION RESOLUTIONS

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

Res. No. 472-15—150th Anniversary
of President Abraham Lincoln
Lying-in-State on Public Square.

Res. No. 473-15—Cuyahoga County
Soldiers' & Sailors' Monument (Ohio
Historical Marker).

Res. No. 474-15—Teresa Metcalf
Beasley.

**FIRST READING EMERGENCY
ORDINANCES REFERRED**

Ord. No. 435-15.

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

An emergency ordinance appropriating Community Development Block Grant and HOME funds for administrative expenses of the Department of Community Development.

Whereas, the City of Cleveland has received Community Development Block Grant, Year 41 funds from the United States Government; 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 Community Development Block Grant funds in the amount of \$4,779,630 from Fund No. 14 SF 041 and HOME funds in the amount of \$336,693 from Fund No. 19 SF 680 are appropriated for the administrative expenses of the Department of Community Development under the following schedule:

Personnel	\$4,654,113
Other	462,210

Section 2. That the Director of Community Development is authorized to expend funds and enter into contracts for reimbursement of non-profit sub-recipients for the cost of audit and other professional services.

Section 3. That the costs of the contracts authorized in this ordinance shall be paid from Fund No. 14 SF 041 and Fund No. 19 SF 690.

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

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

Ord. No. 436-15.

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

An emergency ordinance authorizing the Director of Community Development to enter into or amend contracts with various social service agencies, community development or local development corporations and private for profit entities; to enter into or amend memorandums of understanding with various City of Cleveland departments to implement the City's community development programs; and to expend funds for the operation of programs administered by the Department of Community Development.

Whereas, the City of Cleveland has received a Community Development Block Grant ("CDBG"), Year 41 from the United States Government; and

Whereas, the Council of the City of Cleveland has approved the Year 41 Community Development Block Grant Plan which committed funds to Neighborhood Development Activities ("NDA"), which are CDBG eligible activities proposed by the various Council members; and

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

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

Section 1. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend contracts with various social service agencies, community development or local development corporations, non-profit corporations, private for-profit entities, State of Ohio, Cuyahoga County, Cuyahoga Metropolitan Housing Authority, Cleveland Municipal School District, Regional Transit Authority, Northeast Ohio Regional Sewer District, Cleveland Metroparks, and such other governmental entities as defined under the Ohio Revised Code to implement activities and programs that are eligible under the Community Development Block Grant CDBG Program and are consistent with the City's Community Development objectives and policies.

Section 2. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to enter into or amend memorandums of understanding with various City departments to implement activities and programs that are eligible under the CDBG Program and are consistent with the City's Community Development objectives and policies.

Section 3. That the Director of Community Development, after receiving the approval stated in Section 4 below, is authorized to expend NDA funds for any CDBG eligible Programs administered by the Department of Community Development including entering into contract with rehabilitation service providers, tenants, homeowners, and entities providing services necessary to process loans and grants to implement the Low Interest Loan and Grant Programs, Paint Refund Program and other programs administered by the Department of Community Development.

Section 4. That prior to entering into or amending those contracts or memorandums of understanding, or expending any funds, the Director of Community Development shall receive written approval from the Council member whose ward line item is to fund the activity or program, provided that the amount for such activity or program does not exceed the amount allocated for the Council member's ward pursuant to the relevant Community Development Block Grant plan.

Section 5. That the cost of the contracts, memorandums of understanding and expenditures for the programs administered by the Department of Community Development shall not exceed \$7,430,000.00 and any prior years NDA balances and shall be paid from Fund Nos. 14 SF 039, 14 SF 040 and 14 SF 041.

Section 6. That the Director of the Department of Community Development is authorized to enter into or amend contracts with the entities administering the NDA program that generated program income in an amount not to exceed that generated program income and to expend funds for the programs administered by the Department of Community Development that generated program income

in an amount not to exceed that generated program income all to be paid from the revolving fund in Fund 14.

Section 7. That the City is authorized to accept promissory notes naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans made under this program.

Section 8. That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan administered by the City, and to charge and accept fees and to expend such fees to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited to and expended from Fund No. 14.

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

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

Ord. No. 437-15.

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

An emergency ordinance authorizing the Director of Public Health to lease certain property to Neighborhood Health Care Inc. dba Neighborhood Family Practice to provide medical and clinical physician services at the Tremont Health Center for a period of five years, with one option to renew for five years, exercisable by the Director of Public Health.

Whereas, the City of Cleveland owns certain property known as the Tremont Health Center; and

Whereas, Neighborhood Health Care Inc. dba Neighborhood Family Practice has proposed to lease the property from the City; 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 Health is authorized to lease to Neighborhood Health Care Inc. dba Neighborhood Family Practice ("Lessees"), approximately 6,016.25 total square feet of certain office and meeting space located on the first floor and part of the second floor of the Tremont Health Center for the public purpose of providing medical and clinical physician services for the term of the lease. The medical and clinical physician services, include but are not limited to, comprehensive maternal services, infant and pediatric services, primary adult health care services, mammograms, discount medication, lab tests, and individual and group health education.

Section 2. That the term of the lease authorized by this ordinance shall not exceed five years, beginning January 1, 2015, with one option to renew for

five years, exercisable by the Director of Public Health.

Section 3. That the property described above shall be leased at fair market value.

Section 4. That the lease may authorize the Lessees to make improvements to the leased premises subject to the approval of appropriate City agencies and officials, and to authorize the Lessees to contribute a share of the operating costs at the facility, including but not limited to utilities, cleaning services, snow removal, pest control, and security.

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

Section 6. That the Director of Public Health, 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 Health, City Planning Commission, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 438-15.

By Council Members Cimperman, Reed and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform investigations of violations regarding smoking in workplaces and other public places.

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

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

Section 1. That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform investigations of violations regarding smoking in workplaces and other public places from July 1, 2015 to June 30, 2017. The contract shall provide that the City will receive compensation for performing the investigations in the amount of \$125.00 per investigation to be deposited into Fund No. 10 SF 804. The Director of Finance is authorized to receive and accept the compensation on behalf of the City and the Director of Public Health is authorized to sign the documents necessary to enter into the contract.

Section 2. That the agreement 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 Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 439-15.

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

An emergency ordinance authorizing the Director of Public Health to enter into contract with the Ohio Department of Health to perform environmental lead investigations of residences of Medicaid-eligible and non-Medicaid-eligible children; and to enter into one or more contracts with various agencies, entities, or individuals to provide services necessary to implement this ordinance.

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

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

Section 1. That the Director of Public Health is authorized to enter into contract with the Ohio Department of Health, under which the City will perform environmental lead investigations for lead hazards in residences occupied by Medicaid-eligible and non-Medicaid-eligible children from July 1, 2015 to June 30, 2017. The contract shall provide that the City will receive compensation for performing the lead investigations in an amount not to exceed \$222,000 for each year of the grant to be deposited into Fund No. 10 SF 304. The Director of Finance is authorized to receive and accept the compensation on behalf of the City and the Director of Public Health is authorized to sign the documents necessary to enter into the contract.

Section 2. That the Director of Public Health is authorized to enter into one or more contracts with JA Consultants, Environmental Health Watch, Cleveland Tenants Organization, Lutheran Metropolitan Ministry, and other various agencies, entities, or individuals to conduct lead investigations, risk assessments, case management, community outreach, and other services necessary to implement this ordinance.

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

Section 4. That the costs of the contracts shall be paid from compensation received from the Ohio Department of Health for environmental lead investigations conducted by the City under Section 1 of this ordinance and deposited into Fund No. 10 SF 304.

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 Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 440-15.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with the National Youth Sports Program to provide a youth summer sports, nutrition, health, and life skills development program for 2015 at Case Western Reserve University.

Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Public Works is authorized to enter into one or more contracts with the National Youth Sports Program for the public purpose of providing Cleveland youths with a summer sports, nutrition, health, and life skills development program for 2015 at Case Western Reserve University.

Section 2. That the cost of the contract or contracts shall not exceed \$100,000 and shall be paid from Fund No. 01-7004-6380, Request No. RQS 7004, RL 2015-4.

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

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

Ord. No. 441-15.

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

An emergency ordinance authorizing the Director of Public Works to lease the East Side Market located at the corner of East 105th Street and St. Clair Avenue to the Famicos Foundation for the purpose of offering space for food-related businesses, for a term of five years, with two five-year options to renew, exercisable by the Director of Public Works.

Whereas, the City of Cleveland owns certain property known as the East Side Market located at the corner of East 105th Street and St. Clair Avenue which is not needed for the City's public use; and

Whereas, the Famicos Foundation has proposed to lease the property from the City and, in conjunction with Famicos' partner, Evergreen Cooperatives, will develop space for sub-lease space at the market to various food-related businesses, vendors, and cooperatives in order to offer both retail and non-retail sales opportunities; 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 Famicos Foundation ("Lessee"), certain property known as the East Side Market, Permanent Parcel No. 108-12-001, which includes the market, loading docks, and parking lot, which are not needed for the City's public use and is more fully described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel No. 2 (1.7839 Acres) in the Lot Split & Consolidation Plat of P.P.N. 108-12-001 Thru 006, P.P.N. 108-12-034 & 035, P.P.N. 108-12-043 Thru 046 & 049 as requested by Glenville Towne Center, LTD. of part of Original One Hundred

Acre Lot No. 362, formerly in the Village of Glenville, now in the City of Cleveland as shown in Volume 300, Page 49 of Cuyahoga County Map Records.

Section 2. That the term of the lease authorized by this ordinance shall not exceed a term of five years, with two five-year options to renew, exercisable by the Director of Public Works.

Section 3. That the property authorized by this ordinance shall be leased at a rental of \$1.00 per year, and other valuable consideration, which due to the planned capital improvements to the property by Lessee, is determined to be fair market value, exclusive of Lessee's cost of all utilities, taxes and/or property assessments, and day to day maintenance of the property.

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, Development Planning and Sustainability, Finance.

Ord. No. 442-15.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with Northeast Ohio Regional Sewer District to provide review and recommendations on various green infrastructure projects in the City of Cleveland.

Whereas, under Revised Code Section 6119.06(F), the Northeast Ohio Regional Sewer District ("NEORS") is authorized to make grants to political subdivisions for the acquisition or construction of water resource projects by such political subdivision; and

Whereas, NEORS has established a Green Infrastructure Grants ("GIG") Program for the purpose of promoting the implementation of water resource projects through the construction of green infrastructure ("GI") in the NEORS's combined sewer area to remove stormwater from the combined sewer system and reduce the release of combined sewage into the environment; and

Whereas, the City has an interest in promoting sustainability program related projects and agrees with NEORS that the GI projects represent important components of economic development in the City's neighborhoods; 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 Economic Development is authorized to apply for and enter into a grant agreement with NEORS for the purpose of reviewing project proposals for green infrastructure projects located within the City of Cleveland to be constructed by various private non-profit or public entities.

Section 2. That the Table of GI projects, presented to the Finance committee of this Council at a public hearing on this legislation and set forth in File No. 442-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the grant agreement shall require that NEORS distribute the grant funds directly to the project implementers listed on the Table of GI projects, and that NEORS shall oversee the implementation of the green infrastructure projects.

Section 4. That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 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 Economic Development, City Planning Commission, Finance, Law; Committees on Development Planning and Sustainability, Finance.

Ord. No. 443-15.

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

An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract Nos. MA 1505 RC 2013-96 and MA 1505 RC 2014-71 with Colony Hardware Corporation, dba Phillips Contractor Supply, LLC to provide for labor and materials necessary repair pumps, saws, small engines, and air tools, for the Division of Water.

Whereas, under the authority of Ordinance No. 261-12, passed April 9, 2012, the Director of Public Utilities entered into Contract No. MA 1505 RC 2013-96 with Colony Hardware Corporation, dba Phillips Contractor Supply, LLC for the repair of and purchase of repair parts for pumps, saws, and small engines, for the Division of Water; and

Whereas, under the authority of Ordinance No. 261-12, passed April 9, 2012, the Director of Public Utilities entered into Contract No. MA 1505 RC 2014-71 with Colony Hardware Corporation, dba Phillips Contractor Supply, LLC for the purchase of labor and materials for the repair of air tools, for the Division of Water; and

Whereas, Ordinance No. 261-12 requires further legislation before exercising the first option to renew on this contract; and

Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of Public Utilities is authorized to exercise the first option to renew Contract Nos. MA 1505 RC 2013-96 and MA 1505 RC 2014-71, each for an additional year, in the total aggregate approximate amount of \$250,000, with Colony Hardware Corporation, dba Phillips Contractor Supply LLC for the requirements for an additional year for the repair of and purchase of repair parts for pumps, saws, and small engines, for the Division of Water, and for the purchase of labor and materials for the repair of air tools, for the Division of Water. This ordinance constitutes the additional legislative authority required by Ordinance No. 261-12 to exercise the options on both contracts. (RQN 2002, RL 2015-15)

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

Referred to Directors of Public Utilities, Finance, Law; Committees on Utilities, Finance.

Ord. No. 444-15.

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

An emergency ordinance authorizing the Director of Public Safety to exercise the first option to renew Contract No. NF 2015-017 with PSC Metals, Inc. for vehicle salvaging for the Division of Police, Department of Public Safety.

Whereas, under the authority of Section 135.42 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Safety entered into Contract No. NF 2015-017 with PSC Metals, Inc. for vehicle salvaging for the Division of Police, Department of Public Safety; and

Whereas, Section 135.42, requires further legislation before exercising the first option to renew on this contract; and

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

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

Section 1. That the Director of Public Safety is authorized to exercise the first option to renew Contract No. NF 2015-017 for an additional two years with PSC Metals, Inc. for vehicle salvaging for the Division of Police, Department of Public Safety. This ordinance constitutes the additional legislative authority required by Section 135.42 to exercise this option.

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

Referred to Directors of Public Safety, Finance, Law; Committees on Safety, Finance.

**Ord. No. 445-15.
By Council Members K. Johnson
and Kelley (by departmental
request).**

An emergency ordinance to amend the title and Section 1 of Ordinance No. 830-14, passed August 20, 2014, relating to applying for and accepting a grant from the Cuyahoga County Solid Waste Management District for the Solid Waste Disposal Program.

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. 830-14, passed August 20, 2014, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Public Health to apply for and accept a grant from Cuyahoga County Solid Waste Management District for the **2015-17 Solid Waste Disposal Program.**

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$70,000 for each year of the grant, and any other funds that may become available during the grant term, from the Cuyahoga County Solid Waste Management District to conduct the **2015-17 Solid Waste Disposal Program**; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the Summary for the grant contained in the file described below.

Section 2. That the existing title and Section 1 of Ordinance No. 830-14, passed August 20, 2014, are repealed.

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

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

**Ord. No. 446-15.
By Council Members Cimperman
and Kelley (by departmental
request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Commission on Minority Health for the 2015-17 Cleveland Office on Minority Health Grant.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in an approximate amount of \$42,500, for each year of the grant, and any other funds that may become available during the grant term from the Ohio Commission on Minority Health to conduct the 2015-17 Cleveland Office on Minority Health Grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds

under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 446-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

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

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

Section 5. That 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 Health, Finance, Law; Committees on Health and Human Services, Finance.

**Ord. No. 447-15.
By Council Members Cimperman
and Kelley (by departmental
request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Ohio Department of Health for the 2015-17 Cities Readiness Initiative Program; authorizing one or more contracts with various agencies, entities, or individuals; and authorizing the purchase or lease of television and radio advertising time and other media.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$527,357, for each year of the grant, and any other funds that may become available during the grant term from the Ohio Department of Health to conduct the 2015-17 Cities Readiness Initiative ("CRI") Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 447-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

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

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

Section 5. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Health 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. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

Section 6. That the Director of Public Health is authorized to enter into one or more contracts with the Cuyahoga County Board of Health, Ashtabula City Health Department, Ashtabula County Health Department, Cuyahoga County Health Department, Elyria City Health Department, Geauga County Health District, Lake County General Health District, Lorain City Health Department, Lorain County General Health District, Medina County Health Department, Shaker Heights Health Department, and other agencies, entities, or individuals needed to implement the grant as described in the file.

Section 7. That the Director of Public Health is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the purchase or lease, during the grant term, of television and radio advertising time and other media, for the Department of Public Health.

Section 8. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

**Ord. No. 448-15.
By Council Members Cimperman
and Kelley (by departmental
request).**

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2015-17 Public Health Emergency Preparedness Grant Program, Emergency Ebola Supplemental.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$78,801, for each year of the grant, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health to conduct the 2015-17

Public Health Emergency Preparedness Grant Program, Emergency Ebola Supplemental; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the administrative summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 448-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

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

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

Section 5. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 449-15.
By Council Members Cimperman and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Health to apply for and accept a grant from the Cuyahoga County Board of Health for the 2015-17 Public Health Emergency Preparedness Grant Program.

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

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

Section 1. That the Director of Public Health is authorized to apply for and accept a grant in the approximate amount of \$177,965, for each year of the grant, and any other funds as they become available during the grant term, from the Cuyahoga County Board of Health to conduct the 2015-17 Public Health Emergency Preparedness Grant Program; that the Director of Public Health is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes set forth in the administrative summary for the grant contained in the file described below.

Section 2. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 449-15-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

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

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

Section 5. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other

governmental agencies. The Director of Public Health may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The contracts will be paid from the fund or funds to which are credited any grant funds accepted under this ordinance.

Section 6. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Health, Finance, Law; Committees on Health and Human Services, Finance.

Ord. No. 450-15.
By Council Member Conwell.

An emergency ordinance to add the name Jamie Ireland Way as a secondary and honorary name to East Boulevard between Euclid Avenue and Bellflower Road.

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

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

Section 1. That, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name Jamie Ireland Way shall be added as a secondary and honorary name to East Boulevard between Euclid Avenue and Bellflower Road.

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.

FIRST READING ORDINANCES REFERRED

Ord. No. 457-15.

By Council Member Zone.

An ordinance changing the Use, Area and Height Districts of lands on the northeast corner of Madison Avenue and West 117th Street from LR-B3 and RO-C2 to Residence Office, a 'E' Area District and a '3' Height District (Map Change No. 2508).

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

Section 1. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning at the intersection of centerline of Franklin Boulevard (80.00 feet wide) and centerline of West 117th Street (80.00 feet wide);

Thence South 0°11' 43" East along said centerline of West 117th Street to its intersection with the westerly prolongation of the northerly line of a parcel of land conveyed to Ponyicky, Donald W. and Costanzo, Frank by deed dated November 27, 1996 and recorded in Auditor's File Number V96117720017 said parcel also being known as Cuyahoga County's Permanent Parcel Number 001-22-067 and the principle place of beginning;

Thence North 89°14' 15" East along said westerly prolongation and northerly line to its intersection with the westerly line of Sublot No. 86 in the S.B. Marshall Allotment shown on the recorded plat in Volume 15, Page 32 of Cuyahoga County Map Records;

Thence North 0°11' 43" West along said westerly line, 50.00 feet to its intersection with the northerly line of a parcel of land conveyed to Laura B Lindsey Trust in Volume 221, Page 615 of Cuyahoga County Deed Records;

Thence North 89°14' 15" East along said northerly line and its easterly prolongation to its intersection with the centerline of West 116th Street (60.00 feet wide);

Thence South 0°11' 43" East along said centerline to its intersection with the centerline of Madison Avenue (width Varies);

Thence South 89°14' 15" West along said centerline of Madison Avenue to its intersection with the southerly prolongation of the westerly line of Sublot No. 91 in said Allotment;

Thence North 0°11' 43" West along said southerly prolongation and westerly line of Sublot No. 91, 110.00 feet to a point;

Thence South 89°14' 15" West parallel with the center line of said Madison Avenue, 20.00 feet to a point;

Thence North 0°11' 43" West on a line parallel to said center line of West 116th Street, 132.00 feet to a point;

Thence North 45°28' 44" West, 14.07 feet to a point;

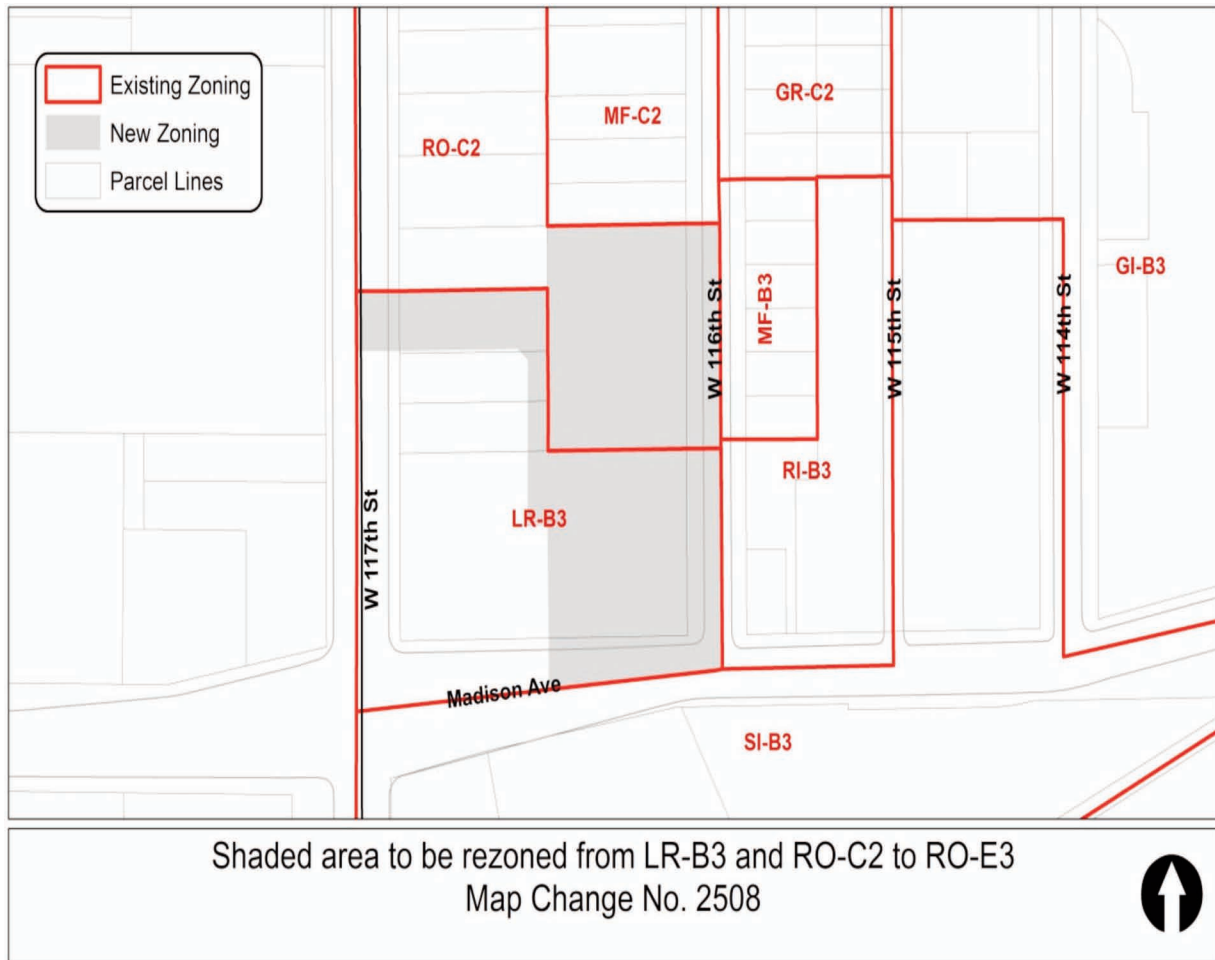
Thence South 89°14' 15" West to its intersection with the centerline of said West 117th Street;

Thence northerly along said centerline to the place of beginning;

and as shaded on the attached map is changed to a Residence-Office District, a 'E' Area District and a '3' Height District.

Section 2. That the change of zoning of lands described in Section 1 shall be identified as Map Change No. 2508, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance 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. 458-15.
By Council Member Zone.**

An ordinance changing the existing mapped setback of lands on the northeast corner of Madison Avenue and West 117th Street from 5' to a 0' mapped setback (Map Change No. 2509).

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

Section 1. That the mapped building front setback on the north side of Madison Avenue (width varies) extending from the west line of West 116th Street (60.00 feet wide) westerly to the east line of West 117th Street (80.00 feet wide); and as identified on the attached map is changed to a mapped setback of zero feet.

Section 2. That the changes described in Section 1 shall be identified as Map Change No. 2509, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance 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.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 459-15.

By Council Member Cimperman.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Building Bridges Collaborative, Inc. for the Migration Mural Education Project through the use of Ward 3 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement with Building Bridges Collaborative, Inc., for the Migration Mural Education Project for the public purpose of providing art education and conflict resolution training to city of Cleveland residents through the use of Ward 3 Casino Revenue Funds.

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

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

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

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

Ord. No. 460-15.

By Council Member Cimperman.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with Ohio City Incorporated for the Healthy Living and Nutrition Program through the use of Ward 3 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement with Ohio City Incorporated for the Healthy Living and Nutrition Program for the public purpose

of promoting healthy exercise and nutrition activities for city of Cleveland residents through the use of Ward 3 Casino Revenue Funds.

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

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

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

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

Ord. No. 461-15.

By Council Members Cleveland and Brancatelli.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Broadway School of

Music & the Arts for the Community Arts Instruction and Enrichment Program through the use of Wards 5 and 12 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Broadway School of Music & the Arts for the Community Arts Instruction and Enrichment Program for the public purpose of providing art and music instruction to youth residing in the city of Cleveland through the use of Wards 5 and 12 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 188.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

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

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

Ord. No. 462-15.

By Council Member Dow.

An emergency ordinance consenting and approving the issuance of a permit for the United Cerebral Palsy of Greater Cleveland Run on May 3, 2015, sponsored by Hermes Sports & Events, Inc.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the United Cerebral Palsy of Greater Cleveland Run on May 3, 2015, start: United Cerebral Palsy Office, 10011 Euclid Avenue; Euclid east to East 105th Street; East 105th north to Martin Luther King, Jr. Boulevard; Martin Luther King, Jr. Boulevard north to Superior Avenue ramp turn around, return same route back to United Cerebral Palsy Office, finish line at rear of United Cerebral Palsy Office in parking lot off East 100th Street; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting

from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 434-15.

By Council Member Kelley.

An emergency resolution fixing the 2015 summer schedule of meetings of the Council of the City of Cleveland.

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

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

Section 1. That the 2015 summer schedule of meetings of the Council of the City of Cleveland is as follows:

July 22, 2015
August 19, 2015

A notice identifying the time of the meeting as well as a schedule of committee meetings, if any, to be held prior to the meeting shall be prepared by the Clerk prior to each of the above meeting dates. The Council will resume its regular session at 7:00 p.m. on Monday, September 14, 2015.

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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 463-15.

By Council Member J. Johnson.

An emergency resolution withdrawing objection to the transfer of location of a D5 and D6 Liquor Permit at 5379 St. Clair Avenue and repealing Resolution No 84-15, objecting to said transfer.

Whereas, this Council objected to the transfer of location of a D5 and D6 Liquor Permit to Mrki Enterprises, LLC, DBA Mrkis Place, 5379 St. Clair Avenue, 1st floor and patio, Cleveland, Ohio 44103, Permanent No. 6202749 by Resolution No. 84-15 adopted by the Council on January 26, 2015; and

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

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

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

Section 1. That objection to the transfer of location of a D5 and D6 Liquor Permit to Mrki Enterprises, LLC, DBA Mrkis Place, 5379 St. Clair Avenue, 1st floor and patio, Cleveland, Ohio 44103, Permanent No. 6202749, be and the same is hereby withdrawn and Resolution No. 84-15, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

Res. No. 464-15.

By Council Member Dow.

An emergency resolution withdrawing objection to the transfer of liquor license of a C2 Liquor Permit at 2701 Chester Avenue and repealing Resolution No. 1641-14, objecting to said transfer.

Whereas, this Council objected to the transfer of liquor license of a C2 Liquor Permit to AJD Gas, LLC, DBA Liberty Gas USA, 2701 Chester Avenue, Cleveland, Ohio 44114, Permanent Number 00037080001 by Resolution No. 1641-14 adopted by the Council on December 8, 2014; and

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

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

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

Section 1. That objection to a C2 Liquor Permit to AJD Gas, LLC, DBA Liberty Gas USA, 2701 Chester Avenue, Cleveland, Ohio 44114, Permanent Number 00037080001, be and the same is hereby withdrawn and Resolution No. 1641-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

Res. No. 465-15.

By Council Member Reed.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 4025 East 131st Street and repealing Resolution No. 201-15, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C2 and C2X Liquor Permit to Speedy Harvard, LLC, 4025 East 131st Street, Cleveland, Ohio 44105, Permanent Number 8429701 by Resolution No. 201-15 adopted by the Council on February 23, 2015; 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 and C2X Liquor Permit to Speedy Harvard, LLC, 4025 East 131st Street, Cleveland, Ohio 44105, Permanent Number 8429701, be and the same is hereby withdrawn and Resolution No. 201-15, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 466-15.

By Council Member Dow.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 8812 Hough Avenue and repealing Resolution No. 1531-14, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C2 and C2X Liquor Permit to Taleen Corporation, DBA Hough Beverage & Deli, 8812 Hough Avenue, Cleveland, Ohio 44106, Permanent Number 8785118 by Resolution No. 1531-14 adopted by the Council on November 17, 2014; 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 and C2X

Liquor Permit to Taleen Corporation, DBA Hough Beverage & Deli, 8812 Hough Avenue, Cleveland, Ohio 44106, Permanent Number 8785118, be and the same is hereby withdrawn and Resolution No. 1531-14, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 467-15.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 6506 Fleet Avenue and repealing Resolution No. 93-15, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to SAS Grocery, Inc., DBA Mr. Z, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7748295 by Resolution No. 93-15 adopted by the Council on January 26, 2015; 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 C1 and C2 Liquor Permit to SAS Grocery, Inc., DBA Mr. Z, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7748295, be and the same is hereby withdrawn and Resolution No. 93-15, 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

Res. No. 468-15.

By Council Members Cimperman and Cleveland.

An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 1144-46 Prospect Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from NDV, LLC, DBA Rathskeller, 1144-46 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 6277205 to Birdland Waffle - Cleveland LLC, DBA Chicago Home of Chicken & Waffle, 1144-46 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 0700005; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D5 and D6 Liquor Permit from NDV, LLC, DBA Rathskeller, 1144-46 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 6277205 to Birdland Waffle - Cleveland LLC, DBA Chicago Home of Chicken & Waffle, 1144-46 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 0700005; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

and after the earliest period allowed by law.

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 931-14.

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

An emergency ordinance to repeal various sections of the Codified Ordinances of Cleveland, Ohio, 1976, as enacted and amended by various ordinances; and to supplement the codified ordinances by enacting new Sections 627.01 to 627.27 relating to weapons; and to supplement the Codified Ordinances by enacting new Sections 628.01 to 628.10 and 628.99 relating to gun offender registry.

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

1. In Section 1, last line, strike the period after "March 18, 1996" insert a semicolon and the following:

"Section 674.01, as amended by Ordinance No. 90-96, passed March 18, 1996,

Section 674.02, as amended by Ordinance No. 1107-76, passed May 10, 1976,

Section 674.03, as amended by Ordinance No. 975-A-75, passed February 9, 1976,

Sections 674.04 and 674.05, as amended by Ordinance No. 2393-02, passed February 3, 2003,

Sections 674.06 and 674.07, as amended by Ordinance No. 90-96, passed March 18, 1996,

Section 674.08, as amended by Ordinance No. 975-A-75, passed February 9, 1976,

Section 674.09, as amended by Ordinance No. 1107-76, passed May 10, 1976, and

Sections 674.10, 674.11, and 674.99, as amended by Ordinance No. 975-A-75, passed February 9, 1976."

2. In Section 2, at new Section 627.02(f)(1), line 2, between "division" and the comma insert **"or division (f)(2) of this section"**.

3. In Section 2, strike new Section 627.03 in its entirety and insert: **"Section 627.03 Reserved"**.

4. In Section 2, at new Section 627.05(h)(2)A., line 2, strike "division (h)(6)" and insert **"division (h)(3)";** and Section 627.05(h), renumber subdivisions **"(6)", "(7)"** and **"(8)"** to **"(3)", "(4)",** and **"(5)";** and at division (i), line 1, strike **"(h)(5)A."** and insert **"(h)(2)A."**

5. In Section 2, at new Section 627.06, strike (b) in its entirety and insert:

"(b) Whoever violates this section is guilty of failure to secure dangerous ordinance, a misdemeanor of the first degree. (RC Section 2923.19)".

6. In Section 2, at new Section 627.07(a), line 3, strike "firearms" and insert "firearm"; and strike division (b) in its entirety and insert:

"(b) A person who violates this section is guilty of a misdemeanor of the first degree, and shall be fined \$1,000 and imprisoned one hundred and eighty (180) days. The Court shall not suspend all or any

portion of the fine and imprisonment."

7. In Section 2, at new Section 627.08, in the title of the section, strike "Firearms" and insert **"Handgun"**.

8. In Section 2, at new Section 627.09(c), strike the period after "degree" and insert **"and shall be fined one thousand dollars (\$1,000.00) and imprisoned for 180 days."**

9. In Section 2, at new Section 627.17(b), line 2, strike "Section 627.06 or".

10. In Section 2, strike new Section 627.12 in its entirety and insert: **"Section 627.12 Seizure and Confiscation of Deadly Weapon**

(a) In any situation where a deadly weapon is present and a person has been drinking or disturbing the peace, threatening bodily harm or causing or threatening a disturbance or violence, and there is reasonable cause for the investigating police officer to believe that such deadly weapon may be used to cause bodily harm, such deadly weapon may be seized by the police and kept in the custody of the Chief of Police.

(b) After confiscation, any deadly weapon seized by a police officer shall be promptly returned to the person from whom it was seized if no complaint, indictment, or charge is issued against the person. However, any deadly weapon seized which has been reported stolen shall be returned to the owner thereof, unless possession by the owner would constitute a violation of any provision of these Codified Ordinances or of State or Federal law.

(c) Any deadly weapon seized by a police officer upon the arrest of any person, firm or corporation charged with a violation of any of the provisions of this chapter, or any felony or misdemeanor involving the use of a deadly weapon or the use of force or violence or the threat of the use of force or violence against the person of another, shall be confiscated by the Division of Police subject to the provisions of RC 2981.04.

(d) If the deadly weapon is a firearm, the Division of Police shall maintain the integrity and identity of the firearm in such a manner so that if the firearm subsequently is to be returned to the person it can be identified and returned to the person in the same condition it was in when it was seized."

11. In Section 2, in Section 627.13, strike (a) in its entirety and insert:

"(a) Effective November 1, 2015, except for transfers involving a licensed gun dealer, or taking place at an event held by a non-profit corporation organized under the laws of the state of Ohio for the purpose of hosting gun collectors in a venue with a minimum of 100 participants, no person shall sell or transfer a firearm without reporting the sale or transfer to the Division of Police. The Director of Public Safety may promulgate rules and regulations governing the reporting process,"; and in division (b), line 1, strike **"A Person"** and insert **"Effective November 1, 2015, a person"**.

12. In Section 2, at Section 627.18(b), line 1, strike **"to the Division of Police"** and after **"shall contain"** insert **"such information as required by the Division of Police which may include"**.

13. In Section 3, at new Section 628.01(c), line 3, after **"on appeal"** insert **", expunged or sealed pursuant to a court order,"**.

14. In Section 3, at new Section 628.02(g)(1), line 4, after **"otherwise invalid; or"** insert **"(iii) expunged or sealed pursuant to a court order; or"**.

15. In Section 3, at new Section 628.06, line 3, strike **"registered of gun"** and insert **"registered gun"**.

16. Insert new Sections 4 and 5 to read as follows:

"Section 4. That the Director of Public Safety shall provide an annual report to Council on the effectiveness of the Gun Offender Registry."

Section 5. That Sections 628.01 to 628.10 and 628.99 of the Codified Ordinances of Cleveland, Ohio, 1976, shall take effect and be in force on November 1, 2015."

17. Renumber existing Section 4 to new **"Section 6"**.

Amendments agreed to.

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

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

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

Those voting nay: Council Member Reed.

Ord. No. 324-15.

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

An emergency ordinance authorizing the Director of Capital Projects to enter into an agreement with Dominion East Ohio Gas relating to implementation of Dominion's Pipeline Infrastructure Replacement Program; authorizing the Director of Capital Projects to accept funds from Dominion East Ohio Gas for this purpose; and authorizing the Director of Capital Projects to employ one or more professional services needed to implement the agreement, for a period of two years, with one-year options to renew, exercisable by the Director of Capital Projects.

Approved by Directors of Capital Projects, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Utilities, Finance, when amended, as follows:

1. Insert new Section 4 to read as follows:

"Section 4. That the local Council representative will be notified when permits are issued in their area and before work begins, along with the identity of the City employee who will be overseeing the operation."

2. Renumber existing Section 4 and 5 to new **"Section 5"** and **"Section 6"**.

Amendments agreed to.

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

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

Ord. No. 327-15.

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

An emergency ordinance authorizing the purchase by one or more

requirement contracts of duct line, street lighting bases and pull boxes, labor and materials necessary to install, repair, replace or maintain the duct line, street lighting bases and pull boxes, and other related incidentals, for the Division of Cleveland Public Power, Department of Public Utilities, for a period up to two years, with two one-year options to renew, the first of which requires additional legislative authority.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Utilities, Finance.

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

Ord. No. 328-15.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of rigging services, and labor, materials, and services needed to maintain, repair, or refurbish material handling equipment, crane and hoist, including training if needed; and authorizing the rental of material handling equipment, cranes, and various heavy duty equipment, material and safety equipment, including training if needed, for the Divisions of Water, Cleveland Public Power, and Water Pollution Control, Department of Public Utilities, for a period of two years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Utilities, Finance.

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

Ord. No. 341-15.

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

An emergency ordinance authorizing the Director of Public Safety to enter into a contract or an amendment to Contract No. CT 6001 PS 2014-141 with Winbourne Consulting, LLC to provide additional services needed to upgrade the Record Management System of the Department of Public Safety, for a period of one year.

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

1. Strike Section 3 in its entirety and insert: **"Section 3. That the cost of the contract or contract amendment shall not exceed \$159,000 and shall be paid from Fund No. 10 SF 025 (RQS 6001, RL 2015-69)."**

Amendment agreed to.

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

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

Ord. No. 417-15.

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of various on-

road vehicles, apparatus, and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the Director of Public Works, for a period of one year.

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

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

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 409-15.

By Council Members Cimperman, Brady, J. Johnson, Cleveland, Kelley, Zone, Cummins and Mitchell.

An emergency resolution supporting marriage equality and the work of Why Marriage Matters Ohio.

Approved by Committee on Finance.

The rules were suspended. Yeas 14. Nays 2. Read second time. Read third time in full. Adopted. Yeas 14. Nays 2.

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

Those voting nay: Council Members Conwell and Reed.

Res. No. 433-15.

By Council Members Cummins, Zone, Brancatelli and Reed.

An emergency resolution supporting the renewal of the Cuyahoga County Arts and Culture tax and urging the Cuyahoga County Council to place the renewal referendum on the November ballot.

Approved by Committee on Finance.

The rules were suspended. Yeas 15. Nays 1. Read second time. Read third time in full. Adopted. Yeas 15. Nays 1.

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

Those voting nay: Council Member Conwell.

MOTION

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

MOTION

The Council Meeting adjourned at 8:37 p.m. to meet on Monday, April 27, 2015, 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

April 15, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 15, 2015 at 10:35 a.m. with Director Dumas presiding.

Present: Director/Interim Director Dumas, Acting Director Johnson, Director Parrilla, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson, Directors Langhenry and Smith.

Others: Tiffany White, Commissioner, Division of Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 120-15.

By Director Dumas.

Resolved by the Board of Control of the City of Cleveland, that under Section 101 of the Charter, Section 181.19 of the Codified Ordinances of Cleveland, Ohio 1976, and Resolution No. 921-52, adopted by the Board of Control on November 26, 1952, the report of the Commissioner of Purchases and Supplies for the sale of scrap, personal property, and by-products during the month of March, 2015 in the amount of \$31,072.51, attached and made a part of this resolution is received, approved and ordered filed.

Yeas: Director/Interim Director Dumas, Acting Director Johnson, Director Parrilla, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Langhenry and Smith.

Resolution No. 121-15.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Millcraft, Inc. for an estimated quantity of Bulk Paper and Envelopes, all items, for the Division of Printing & Reproduction, Department of Finance, for a period of one (1) year, beginning with the date of execution of a contract, with a one (1) year option to renew, received on March 12, 2015, under the authority of Ordinance No. 1192-14 passed by Cleveland City Council on September 22, 2014, which on the basis of the estimated quantity would amount to \$357,146.80, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services specified.

The requirement contract shall further provide that the Contractor shall furnish the remainder of the

City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified against the contract.

Yeas: Director/Interim Director Dumas, Acting Director Johnson, Director Parrilla, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson, Directors Langhenry and Smith.

Resolution No. 122-15.

By Interim Director Dumas.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 219-15, passed by the Council of the City of Cleveland on March 23, 2015, the firm of MidAmerican Energy Company is selected, upon nomination of the Director of Finance, as the firm to be employed by contract to provide electric generation service for City buildings serviced by the Cleveland Electric Illuminating Company, for a period of three years, for the various departments of the City of Cleveland.

Be it further resolved that the Director of Finance is authorized to enter into a contract with MidAmerican Energy Company, based upon its April 6, 2015 proposal, which contract shall be prepared by the Director of Law, shall provide for rendering the above-mentioned electric generation service, as may be further described in the proposal, for compensation determined at the rate of not to exceed \$0.05383 per kilowatt-hour, and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest

Yeas: Director/Interim Director Dumas, Acting Director Johnson, Director Parrilla, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson, Directors Langhenry and Smith.

Resolution No. 123-15.

By Interim Director Dumas.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Thatcher Company of New York, Inc. for an estimated quantity of powdered activated carbon, items 1 A and 1 B, for the Division of Water, Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on March 13, 2015 under the authority of Section 129.24 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$1,090,800.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

The requirement contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the

estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Director/Interim Director Dumas, Acting Director Johnson, Director Parrilla, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson, Directors Langhenry and Smith.

Resolution No. 124-15.

By Interim Director Dumas.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on March 13, 2015 for an estimated quantity of powdered activated carbon, item 1C, for the Division of Water, Department of Public Utilities, under the authority of Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Director/Interim Director Dumas, Acting Director Johnson, Director Parrilla, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson, Directors Langhenry and Smith.

Resolution No. 125-15.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 120-06-001 and 120-06-003 located on East 105th Street; and

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

Whereas, Famicos Foundation, Inc. has proposed to the City to purchase and develop the parcels; and

Whereas, the following conditions exist:

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Famicos Foundation, Inc. for the sale and development of Permanent Parcel Nos. 120-06-001 and 120-06-003 located on East 105th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels shall be \$200.00 each, which amount is determined to be not less than the fair market value of the parcels for uses according to the Program.

Yeas: Director/Interim Director Dumas, Acting Director Johnson, Director Parrilla, Acting Directors Withers, Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.
Absent: Mayor Jackson, Directors Langhenry and Smith.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 11, 2015

9:30 A.M.

Calendar No. 15-68: 3275 West 117th Street (Ward 11)

Bruce Zavotka, owner, and Mike Hohlakis, prospective purchaser, propose to add Motor Vehicle Sales Facility to existing, nonconforming Motor Vehicle Service Garage in a C1 Local Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.01 which states that Motor Vehicle Sales Facility is not permitted in a Local Retail Business District but first permitted in a General Retail Business District.

2. Section 352.07(b) which states that when an expansion of use is proposed to a lot that is non-conforming in required landscaping, a

determination of the Board of Zoning Appeals is required for non-conformity to continue. The existing lot is non-conforming in the lack of a six foot wide landscape frontage strip providing 50% opacity along West 117th Street and the lack of a ten foot wide landscaped transition strip providing 75% year round opacity at the rear where the property abuts a residential district.

3. Section 357.01 and 357.13 which states that an 18 foot wide front yard is required in a Local Retail Business District. Parking and automobile storage is not permitted in the required front yard area.

4. Section 359.01(a) which states that substitution and or expansion of existing non-conforming use requires approval of the Board of Zoning Appeals. (Filed April 2, 2015)

Calendar No. 15-69: 1965 East 6th Street (Ward 3)

Corning Place Ohio LLC, owner, proposes to change use of a twelve story building to 123 apartment units and retail space in an E6 General Retail Business District and the Central Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of a building for residential use is 20,876 square feet and the proposed square footage is 125,253.

2. Section 357.08 which states that the required rear yard is 74 feet and none are proposed. (Filed April 7, 2015)

Calendar No. 15-70: 2151 Tuck's Track (Ward 15)

Clifton and Heather Barber, owners, propose to erect a 20' x 20' and 2 story frame accessory garage with second floor for personal storage in a B1 Two Family Residential District. The owners appeal for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.23(A) which states that the maximum square footage allowed for an accessory garage is 650 square feet and 800 feet are proposed.

2. Section 353.05 which states that the maximum height for an accessory garage is 15 feet and the proposed overall height is 21 feet and the proposed mean height is 18 feet 6 inches. (Filed April 8, 2015)

Calendar No. 15-71: 2562 West 18th Place (Ward 3)

Adam Sywank, owner, proposes to erect a 24' x 57' and 2 story frame and masonry single family residence flex room and attached 3 car garage addition in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that accessory parking spaces, driveways, maneuvering areas shall be properly graded and drained.

2. Section 357.09(2)(C) which states that interior side yard shall not be less than one fourth the height of the main building on the same premises of 6' - 6" and 1' - 6" are proposed. (Filed April 8, 2015)

POSTPONED FROM APRIL 20, 2015

Calendar No. 15-023: 3179 West 25th Street (Ward 14)

Woodland Inc. (aka Ali Farai) proposes to establish use of 16,698 square foot building as a banquet/assembly hall in a C2 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b) which states that a banquet hall is not permitted in a Local Retail Business District.

2. Section 343.11(b)(2)(L) which states that a banquet hall is first permitted in a General Retail Business District only if 500 feet away from a residential district per Section 347.12(a)(1). Proposed use abuts a residential District.

3. Section 349.04(e) which states that an accessory off-street parking area equal to three times the gross floor area is required and none are provided.

4. Section 357.02 which states that a nonconforming use of a building or premises which has been discontinued shall not thereafter be returned to such nonconforming use. A nonconforming use shall be considered discontinued: (1) When the intent of the owner to discontinue the use is express; or (2) When the use is voluntarily discontinued for six (6) months or more. The intent to voluntarily discontinue a use may be implied from acts or the failure to act, including, but not limited to, the removal of and failure to replace the characteristic equipment and furnishings; or (3) The cessation of business operations for two (2) years or more unless the cessation of business operations was caused by factors out of the control of the business such as the disability or illness of the proprietor or governmental action unrelated to the behavior of the business.

5. Section 352.08 through 352.12 which states that a ten foot wide landscaped transition strip providing 75% year round opacity is required at the rear of the property where it abuts a residential district.

6. Section 343.23(h) which states that in a Pedestrian Retail Overlay District for any nonresidential building or storefront facing a Pedestrian Retail Street Frontage, not less than sixty percent (60%) of the front facade between two and one-half (2-1/2) and seven and one-half (7-1/2) feet in height shall be composed of transparent windows or doors. (Filed February 4, 2015)

First postponement made at the request of the councilman to allow for more time for community engagement.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 20, 2015

At the meeting of the Board of Zoning Appeals on Monday, April 20, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 15-53: 3850 West 20th Street

K.I.S.S. Foundation, owner, proposes to establish use as a two story "sober living" boarding house for 11 residents on a 3,150 square foot lot in a B1 Multi-Family Residential District.

Calendar No. 15-55: 2472 Tremont Avenue

Civic Builders, owner, proposes to erect a 55' x 46', 3 story frame triangular single family residence with an attached garage in a C1 General Retail Business District.

The following appeals were **DENIED:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following cases were postponed:

Calendar No. 14-227: 4 Ever Social Club

5437 Broadway Avenue. Postponed to August 10, 2015.

Calendar No. 15-23: Woodland Inc.

3179 West 25th Street. Postponed to May 11, 2015.

Calendar No. 15-54: St. Martin de Porres High School

6202 St. Clair Avenue. Postponed to June 1, 2015.

Calendar No. 15-57: Christopher Flynn

3047 West 47th Street. Postponed to June 1, 2015.

Calendar No. 15-58: Christopher Flynn

3051 West 47th Street. Postponed to June 1, 2015.

The following cases were heard and approved by the Board of Zoning Appeals on Monday, April 13, 2015 and the decisions were adopted and approved on Monday, April 20, 2015.

Calendar No. 15-50: 308 Bonniewood Drive

Scott and Karin Hudson, owners, propose to erect a 14' x 18' 1 story frame open rear porch attached to a single family residence located in an A1 One-Family Residential District.

Calendar No. 15-51: 2100 Fulton Road

B.R. Knez Construction, owner, proposes to erect a 20' x 45' and 2 story frame single family residence on a 30' x 105' lot in a B1 Two-Family Residential District.

Calendar No. 15-52: 2156 West 41st Street

B.R. Knez Construction, owner, proposes to erect a 20' x 45' and 2 story frame single family residence in a B1 Two-Family Residential District.

Calendar No. 15-20: 2135 Columbus Road
CBGC LLC., owner, proposes to expand the existing office and factory/assembly use in a C3 Semi-Industry District.

The following case was heard and approved by the Board of Zoning Appeals on Monday, August 25, 2014 and the decision was adopted and approved on Monday, April 20, 2015.

Calendar No. 14-75: 5709 Lorain Avenue
Ibrahim Kalini appealed to change the use from service station to motor vehicle service garage in a Local Retail Business District and a Pedestrian Retail Overlay District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of April 15, 2015

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

* * *

Docket A-24-15.

RE: Appeal of Chantell Mims-Penland, Owner of the Residential Property, located on the premises known as 13909 Benwood Avenue from a LIMITATION ON THE PERMITS, dated September 23, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until May 15, 2015 to re-submit a plan for rehabilitation of the property to the Department of Building and Housing indicating the cost, the contractors involved, and a time schedule to complete the project; noting that failure to meet that date will REMAND the property immediately; and to require that the exterior work be addressed first and completed by August 31, 2015. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

* * *

Docket A-26-15.

RE: Appeal of Levander Malone, Owner of the Three Dwelling Units Three-Family Residence Two & One-half Story Frame Property, located on the premises known as 778 East 100th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated February 4, 2015 of the Director of the Department of Building and Housing,

requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until April 30, 2015 to clean up and maintain the exterior of the property and allow for an interior inspection of the property; and to grant the Appellant until May 15, 2015 to submit a rehabilitation plan to the Department of Building and Housing to obtain all required permits; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

* * *

Docket A-27-15.

RE: Appeal of Brauhaus Cleveland LLC, Owner of the Property, located on the premises known as 1629 Dodge Court (aka 1550 Chester Avenue) from an ADJUDICATION ORDER, dated January 29, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to permit the use of the third floor room as an assembly, with the provisions that the room and corridor leading to that room must be sprinkled, and that the stair door must swing into the stair, and to allow the balance of the building to remain unsprinkled. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None

* * *

Docket A-28-15.

RE: Appeal of Kirby Ave. Property, Inc., Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 4271 Rocky River Drive from a CONDEMNATION ORDER — MAIN STRUCTURE, dated February 2, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until May 15, 2015 to submit a rehabilitation plan to the Department of Building and Housing to obtain all required permits, and require that the property be maintained boarded and secured and the exterior of the property be maintained clean and debris free during that period of time; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

Docket A-29-15.

RE: Appeal of Birlus Wordlaw, Owner of the MXD Mixed Uses — Multiple Uses In One Building Two Story Masonry Walls/Wood Floors Property, located on the premises known as 11508 Superior Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated February 3, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the appeal request for additional time, noting that the existing conditions of the property, no work has been done, and the Appellant is not present for the hearing; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

* * *

Docket A-30-15.

RE: Appeal of Donna & Danielle Haldeman, Owners of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 11321 Florian Avenue from a NOTICE OF VIOLATION — HAZARDOUS CONDITIONS & EXTERIOR MAINTENANCE, dated February 2, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until July 30, 2015 in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

* * *

Docket A-31-15.

RE: Appeal of U.S. Bank, N.A. As Trustee, Trustee of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 2990 East 65th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated February 5, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-31-15 has been POSTPONED; to be rescheduled for April 29, 2015.

* * *

Docket A-33-15.

RE: Appeal of Robshir Property, Owner of the R-2 Residential — Non-transient; Apartments (Shared

Egress) Four Story Masonry Walls/Wood Floors Property, located on the premises known as 1384 West 83rd Street from a NOTICE OF VIOLATION — FIRE DAMAGE, dated February 10, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the appeal request for more time, noting that no work has been done on the property and that no constructive plans have been made to rehabilitate the property; the property is REMANDED at this time to Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

* * *

Docket A-34-15.

RE: Appeal of Mic-Ray Metal Products, Inc., Owner of the F-2 Factory — Low Hazard (Non-combustibles) One Story Masonry Property, located on the premises known as 9016 Manor Avenue from a CONDEMNATION ORDER — GARAGE, dated February 5, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until August 1, 2015 to obtain all required permits and abate the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

* * *

APPROVAL OF RESOLUTIONS:

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

- A-18-15 — I'M In Transition Ministries
- A-19-15 — Wells Fargo Bank, N.A.
- A-20-15 — Robert C. Banks, Sr.
- A-21-15 — Natasha Stupnitski
- A-23-15 — Jim Mikolanda
- A-25-15 — Michael C. Kantos

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Saab Approval and Adoption of the

Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

April 1, 2015

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

Each bid must be made in accordance with the specifications and must be submitted on the blanks supplied for the purpose, all of which may be obtained at the office of the said Commissioner of Purchases and Supplies, but no bid will be considered unless delivered to the office of the said commissioner previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, MAY 7, 2015

File No. 52-15 — Citywide Tree Damaged Sidewalk Program, for the Division of Engineering and Construction, Mayor's Office of Capital Projects, as authorized by Ordinance No. 563-14, passed by the Council of the City of Cleveland, November 17, 2014.

*THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY FIVE DOLLARS (\$75.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER MADE OUT TO THE CITY OF CLEVELAND (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, APRIL 30, 2015 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

*Bidders must purchase plans and specifications directly from the office of the Commissioner of Purchases and Supplies. Only registered Plan Holders will receive Addenda. Bids cannot be accepted from Bidders who only purchase plans from other entities such as Plan Rooms and/or who fail to register to be on the City of Cleveland Plan Holders List.

April 22, 2015 and April 29, 2015

FRIDAY, MAY 8, 2015

File No. 53-15 — Labor and Materials for Sewer Test Inspection, Installation and Snaking 2015 (Re-Bid), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 541.13 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, MAY 1, 2015 AT 11:00 A.M. DIVISION OF WATER POLLUTION CONTROL, RED CONFERENCE ROOM, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

April 22, 2015 and April 29, 2015

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 419-15.
By Council Member Brady.

An emergency resolution with drawing objection to the renewal of a D1, D2, D3 and D3A Liquor Permit at 9401-03 Denison Avenue, 1st floor and basement and repealing Resolution No. 889-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to Bartlett Tavern, LLC, DBA Bonkers Tavern, 9401-03 Denison Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 0488925 by Resolution No. 889-14, adopted by the Council on July 16, 2014; and

Whereas, this Council wishes to withdraw its objection to the above

permit and consents to said permit; and

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

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

Section 1. That objection to the renewal of a D1, D2, D3 and D3A Liquor Permit to Bartlett Tavern, LLC, DBA Bonkers Tavern, 9401-03 Denison Avenue, 1st floor and basement, Cleveland, Ohio 44111, Permanent Number 0488925, be and the same is hereby withdrawn and Resolution No. 889-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 13, 2015.
Effective April 14, 2015.

Res. No. 420-15.

By Council Member Cimperman.
An emergency resolution withdrawing objection to the transfer of ownership and location of a D5 and D6 Liquor Permit at 2710 Lorain Avenue and repealing Resolution No. 1574-14, objecting to said permit.

Whereas, this Council objected to the transfer of ownership and location of a D5 and D6 Liquor Permit to Burlap, Inc., DBA The Supperclub, 2710 Lorain Avenue, Cleveland, Ohio 44113, Permanent Number 1116014 by Resolution No. 1574-14 adopted by the Council on November 24, 2014; 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 and location of a D5 and D6 Liquor Permit to Burlap, Inc., DBA The Supperclub, 2710 Lorain Avenue, Cleveland, Ohio 44113, Permanent Number 1116014, be and the same is hereby withdrawn and Resolution No. 1574-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 13, 2015.
Effective April 14, 2015.

Res. No. 421-15.

By Council Member Cummins.
An emergency resolution objecting to the transfer of location of a C2 and C2X Liquor Permit to 3726 Clark Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a C2 and C2X Liquor Permit from R K 4606, Inc., DBA Shoprite & Bsmt., 4606 West 130th Street, Cleveland, Ohio 44135, Permanent Number 7149280 to Clark Mart Corporation, DBA Clark Sunoco, 3726 Clark Avenue, Cleveland, Ohio 44113, Permanent Number 1525480; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a C2 and C2X Liquor Permit from R K 4606, Inc., DBA Shoprite & Bsmt., 4606 West 130th Street, Cleveland, Ohio 44135, Permanent Number 7149280 to Clark Mart Corporation, DBA Clark Sunoco, 3726 Clark Avenue, Cleveland, Ohio 44113, Permanent Number 1525480; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all

the members elected to Council, it shall take effect and be in force immediately upon its adoption and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Adopted April 13, 2015.
Effective April 14, 2015.

Res. No. 422-15.

By Council Member J. Johnson.
An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 720 East 131st Street, 1st floor front and basement.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from Keila Malone, DBA Alyakaj, 720 East 131st Street, 1st floor front and basement, Cleveland, Ohio 44108, Permanent Number 5461550 to Cheryl Edwards, DBA Brackland Grocery Store, 720 East 131st Street, 1st floor front and basement, Cleveland, Ohio 44108, Permanent Number 1495525; 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 Liquor Permit from Keila Malone, DBA Alyakaj, 720 East 131st Street, 1st floor front and basement, Cleveland, Ohio 44108, Permanent Number 5461550 to Cheryl Edwards, DBA Brackland Grocery Store, 720 East 131st Street, 1st floor front and basement, Cleveland, Ohio 44108, Permanent Number 1495525; and requests the Superintendent of Liquor Control to set a hearing for

said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 13, 2015.
Effective April 14, 2015.

Res. No. 423-15.

By Council Member J. Johnson.

An emergency resolution objecting to a New D3A Liquor Permit at 6201-05 St. Clair Avenue, 1st floor.

Whereas, Council has been notified by an the Division of Liquor Control application for a New D3A Liquor Permit at Cheri Caldwell, DBA Dot & Beans Tavern, 6201-05 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 1189725; 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 D3A Liquor Permit at Cheri Caldwell, DBA Dot & Beans Tavern, 6201-05 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 1189725; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted April 13, 2015.
Effective April 14, 2015.

Res. No. 424-15.

By Council Member Pruitt.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 14005 Benwood Avenue and repealing Resolution No. 26-15, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C2 and C2X Liquor Permit to Short Cut Deli, Inc., 14005 Benwood Avenue, Cleveland, Ohio 44128, Permanent Number 8107930 by Resolution No. 26-15 adopted by the Council on January 5, 2015; 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 and C2X

Liquor Permit to Short Cut Deli, Inc., 14005 Benwood Avenue, Cleveland, Ohio 44128, Permanent Number 8107930, be and the same is hereby withdrawn and Resolution No. 26-15, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 13, 2015.
Effective April 14, 2015.

Res. No. 425-15.

By Council Member Brady.

An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 3590 Bosworth Road and repealing Resolution No. 1643-14, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C2 and C2X Liquor Permit to FJN 3596, Inc., 3590 Bosworth Road, Cleveland, Ohio 44111, Permanent Number 2600068 by Resolution No. 1643-14 adopted by the Council on December 8, 2014; 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 and C2X Liquor Permit to FJN 3596, Inc., 3590 Bosworth Road, Cleveland, Ohio 44111, Permanent Number 2600068, be and the same is hereby withdrawn and Resolution No. 1643-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 13, 2015.
Effective April 14, 2015.

Ord. No. 1394-14.

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

An emergency ordinance to amend Sections 131.78 and 453.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to parking fees and parking regulations in parking meter zones.

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 131.78 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 332-11 passed April 25, 2011, and Section 453.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 169-13, passed April 22, 2013, are amended to read as follows:

Section 131.78 Parking Fees

(a) The Commissioner of Parking Facilities shall cause to be collected fees and charges, which include tax, at the following parking facilities under the following schedule:

(1) <i>Willard Park Garage:</i>	
A. First hour or portion thereof	\$3.25
B. Each additional half hour or portion	\$1.50
C. Daily maximum rate from 5:00 a.m. to 11:00 p.m.	up to \$15.00
D. Additional overnight charge from 11:00 p.m. to 5:00 a.m.	up to \$15.00
E. General monthly rate	up to \$125.00
F. 1. Special monthly rate for City employees	\$55.00
F. 2. Special monthly rate for federal, state and county employees	up to \$125.00
G. Special events (flat rate – pay enter)	up to \$30.00
H. Charge for lost or stolen key card	\$50.00
I. Late payment charge	\$5.00
J. Early Bird Rate (time to be determined by the Director of Public Works)	up to \$10.00
K. Special Event flat rate in conjunction with City Hall Rotunda rental (for weekend events)	\$450.00
(2) <i>Canal Basin Lot:</i>	
A. Daily rate from 6:00 a.m. to 6:00 p.m. (flat rate – pay enter)	up to \$3.00
B. General monthly rate (weekdays between 6:00 a.m. and 6:00 p.m.)	up to \$40.00
C. Special events, weekdays between 6:00 p.m. and 6:00 a.m., weekends and holidays (flat rate – pay enter)	up to \$10.00
D. Late payment charge	\$5.00
E. Charge for lost or stolen key card	\$50.00
(3) <i>North Coast Municipal Parking Lot:</i>	
A. Daily rate (flat rate – pay enter) (cars, SUVs, small trucks)	up to \$5.00
B. Daily rate (flat rate - pay enter) (RVs, buses, oversize trucks, trailers)	\$35.00
C. City of Cleveland employees	no charge
D. General monthly rate – non-City of Cleveland employees	up to \$75.00
E. Special Events (flat rate – pay enter)	up to \$30.00
F. Charge for lost or stolen key card	\$50.00
G. Late payment fee	\$5.00
H. Overnight Rate (RVs, buses, oversize trucks, trailers)	\$75.00
I. Overnight Rate (cars, SUVs, small trucks)	\$25.00

(b) Wherever the schedule contained in division (a) of this section specifies a maximum fee, the fee to be charged shall be fixed by the Commissioner of Parking Facilities with the consent of the Director of Public Works up to the maximum specified.

(c) Monthly rate customer parking privileges at Willard Park Garage, Canal Basin Lot, and North Coast Municipal Parking Lot do not include entry to these garages and lots for special events held on weekends, holidays or after 6:00 p.m. on weekdays.

(d) Fees collected from the Willard Park Garage, Canal Basin Lot, and North Coast Municipal Parking Lot shall be credited to the Division of Parking Facilities Enterprise Fund for general operations.

(e) The Commissioner of Parking Facilities shall fix and collect the fees and charges as the Commissioner shall determine at parking facilities not identified in division (a) of this section but under the Commissioner's control until the Council and the Board of Control fix fee schedules for the parking facilities.

(f) Notwithstanding any provision in this section to the contrary, the Commissioner of Parking Facilities shall:

(1) Designate ten (10) parking spaces in Willard Garage located as close as practical to the entrance to City Hall to be assigned by the Director of Public Works to City employees with the greatest number of years seniority as a City employee; and

(2) Designate a sufficient number of parking spaces located either in the North Mall Lot or in Willard Garage for City employees who are employed to clean City Hall and who begin work at 3:00 p.m. or later and work later than the closing of Willard Garage.

(g) In addition to the schedule contained in division (a) of this section, the Commissioner of Parking Facilities may enter into agreements with the sponsors of events that wish to reserve specific parking spaces in the Willard Park Garage, or the North Coast Municipal Parking Lot that provide for the payment by the sponsor of up to thirty dollars (\$30.00) per parking space.

Section 453.01 Parking Regulations in Parking Meter Zones

(a) No person shall park a vehicle in a space adjacent to a street parking meter unless the curb side wheels of such a vehicle are parallel with and not more than twelve (12) inches from the curb. The front and rear extremities of the vehicle shall be between adjacent meter posts or not more than three (3) feet from the post of an end meter. Whenever a vehicle is parked in a street parking meter zone where a meter has been installed, the person parking such vehicle shall deposit in such parking meter a coin of United States money of the denomination designated on the plates attached to such parking meter, if such meter displays the signal showing that legal parking is only permitted on such deposit.

(b) The coins required in parking meter zones shall be as follows:

(1) In the Downtown Parking Area, as defined in Section 403.04, but excluding Institutional Areas and long-term parking zones, as defined herein, one dollar (\$1.00) per hour or twenty-five cents (\$0.25) per fifteen (15) minute period;

(2) In Institutional Areas, seventy-five cents (\$0.75) per hour or any portion thereof. For purposes of this section, an "Institutional Area" means the area adjacent to any hospital or educational institution in the City;

(3) In all other areas of the City, fifty cents (\$0.50) per hour or any portion thereof;

(4) In long term parking zones, within the Downtown Parking Area, as defined in Section 403.04, fifty cents (\$.50) per hour up to a maximum of three dollars (\$3.00) (all day rate). For purposes of this section, "long term parking zone" means an area where parking is permitted for up to ten (10) hours.

(c) Notice to the public shall be given by appropriate signs, setting forth the length of time for which parking is permitted and the conditions thereof. These may be upon the parking meter stand or in the immediate vicinity. Any vehicle which remains in a metered parking zone after the prescribed time for parking is hereby determined to be illegally parked. At each place where street metered parking zones are so established as provided in Section 403.06 and are so marked off, each vehicle shall be parked entirely within a metered parking zone space. The provisions of this section shall not apply to vehicles parking upon the street of the City between the hours of 6:00 p.m. in the evening until 7:00 a.m. the following morning and upon Saturdays, Sundays, New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day, Christmas Day, and Martin Luther King Day, unless a different rule or regulation is otherwise set forth in this Traffic Code, and shall not apply to any parking meter space in the downtown parking area, as defined in Section 403.04, on the day after Thanksgiving ("Black Friday") and December 26th.

Section 2. That the amendment and repeal under this ordinance of existing Section 131.78 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 332-11 passed April 25, 2011, and existing Section 453.01 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 169-13, passed April 22, 2013, shall be effective January 1, 2015.

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

Passed April 13, 2015.

Effective April 14, 2015.

**Ord. No. 220-15.
By Council Members Keane and Kelley (by departmental request).**

An emergency ordinance determining the method of making the public improvement of relocating and upgrade the Computed Tomography Explosive Detection System, also known as the In-line Baggage System; and authorizing the Director of Port Control to enter into one or more public improvement contracts to construct the improvement.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of relocating and upgrading the Computed Tomography Explosive Detection System, also known as the In-line Baggage System, and making other infrastructure improvements to accommodate the relocation (the "Improvement"), for the Division of Cleveland Hopkins International Airport, Department of Port Control, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

Section 2. That the Director of Port Control is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the Director of Port Control is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the cost of the contracts and other expenditures authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 112, 60 SF 114, 60 SF 115, 60 SF 116, 60 SF 117, 60 SF 119, 60 SF 121, 60 SF 122, 60 SF 126, 60 SF 128, 60 SF 130, 60 SF 141, 60 SF 160, and from the fund or funds to which are credited any grant proceeds accepted for this purpose and federal passenger facility charges, if authorized for this purpose, Request No. RQS 3001, RL 2015-30.

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

Passed April 13, 2015.

Effective April 14, 2015.

**Ord. No. 226-15.
By Council Members K. Johnson and Kelley (by departmental request).**

An emergency ordinance authorizing the purchase by one or more contracts of parking revenue control equipment and software with reporting features for the Willard Park Garage and the East Gateway Garage, including labor and installation, for the Division of Parking Facilities, Department of Public Works.

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

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

Section 1. That the Director of Public Works is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: parking revenue control equipment and software with reporting features for the Willard Park Garage and the East Gateway Garage, including labor and

installation, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Parking Facilities, Department of Public Works.

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

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 65 SF 009, RQS 7008, RL 2015-33.

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

Passed April 13, 2015.

Effective April 14, 2015.

**Ord. No. 245-15.
By Council Members Keane and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to execute a deed of easement granting to Dominion East Ohio Gas Company certain easement rights in property located at Cleveland Hopkins International Airport and declaring the easement rights no longer needed for the City's public use.

Whereas, Dominion East Ohio Gas Company ("Dominion") has requested the Director of Port Control to convey certain easement rights located at Cleveland Hopkins International Airport for the purpose of replacing an existing underground regulator facility station that supplies gas services to buildings on Five Points Road and Cargo Road with an above-ground regulator facility station, and to

install other related equipment and/or materials needed to protect the new facility; and

Whereas, the easement rights to be granted are no longer needed for the City's public use; and

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

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

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

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original Middleburg Township Lot No. 6 Section No. 12;

Starting at the intersection of the centerlines of Berea Freeway, a.k.a. State Route 237, width varies, and the centerline of Vacated Five Points Road; thence North 88° 14' 51" West along said centerline of Vacated Five Points Road, 227.71 feet to the Principal Place of Beginning of the easement herein Intended to be described;

Thence South 01° 45' 09" West, 48.66 feet;

Thence North 88° 14' 51" West, 20.00 feet;

Thence North 01° 45' 09" East, 48.66 feet to a point in said centerline of Vacated Five Points Road;

Thence South 88° 14' 51" East along said centerline of Vacated Five Points Road, 20.00 feet to the Principal Place of Beginning and containing 973.1711 square feet (0.0223 acres) of land as described on October 18, 2013 by R.M. Kole & Assoc. Corp., Professional Land Surveyors

Section 2. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to Dominion, subject to any conditions stated, at a price not less than fair market value as determined by the Board of Control.

Section 3. That the easement shall be non-exclusive and the purpose of the easement shall be to replace an existing underground regulator facility station that supplies gas services to buildings on Five Points Road and Cargo Road with an above-ground regulator facility station, and to install other related equipment and/or materials needed to protect the new facility.

Section 4. That the duration of the easement shall be until the easement is abandoned by Dominion by the removal of equipment or cessation of use; that the easement may include right-of-entry-rights to the City; that the easement shall be assignable upon approval of the Board of Control; that the easement shall require that Dominion indemnify the City, provide reasonable insurance, maintain any Dominion improvements located within the easement, and pay any applicable taxes and assessments.

Section 5. That the conveyance referred to above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Port Control on behalf of the City of Cleveland. The deed of easement shall contain such addition-

al terms and conditions as are required to protect the interests of the City. The Directors of Port Control and Law are authorized to execute such other documents, including but not limited to, contracts for right of entry, that are necessary to effectuate this ordinance.

Section 6. That the City acknowledges, states and affirms, under Article IX of the Trust Indenture, dated November 1, 1976, as amended, that the City desires and requests that certain portion of its land heretofore subject to the Indenture be released and removed from all obligations under the Indenture. Further, the City acknowledges, states and affirms that it is not in default under the Indenture and that release of the land is necessary in order to serve the public purpose.

Section 7. The Director of Port Control is authorized to apply to The Bank of New York Mellon Trust Company, National Association, as successor trustee, for a land release under the Indenture.

Section 8. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 13, 2015.

Effective April 14, 2015.

Ord. No. 246-15.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance determining the method of making the public improvement of constructing and relocating the City Kennel, rehabilitating, renovating, or otherwise improving various public facilities, including site improvements and appurtenances; authorizing the Director of Public Works, Public Safety, Public Health, or Capital Projects, as appropriate, to enter into one or more contracts for the making of the improvements; authorizing the employment of professional consultants for design and other services needed to implement the improvement; and to enter into various written standard purchase and requirement contracts needed in connection with the improvement.

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

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

Section 1. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing and relocating the City Kennel to 9305 Detroit Avenue, and rehabilitating, renovating, or otherwise improving the McCafferty Health Center, Law Department, and Willard Garage, including site improvements and appurtenances, for the Departments of Public Works, Public Safety, Public Health, or Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

Section 2. That, provided the City sells the bonds authorized by Ordinance No. 1628-14, passed January 12, 2015, the Director of Public Works, Public Safety, Public Health, or Capital Projects, as appropriate, is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of improving the West Side Market Main Parking Lot and the former Hicks School Parking Lot, including installing green infrastructure, site improvements, and appurtenances, for the Director of Public Works or Capital Projects, as appropriate, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 4. That, provided the City sells the bonds authorized by Ordinance No. 1628-14, passed January 12, 2015, the Director of Public Works, Public Safety, Public Health, or Capital Projects, as appropriate, is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 5. That, provided the City sells the bonds authorized by Ordinance No. 1628-14, passed January 12, 2015, the Director of Public Works, Public Safety, Public Health, or Capital Projects, as appropriate, is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials necessary to implement this ordinance, including the rental of necessary equipment to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Director of Public Works, Public Safety, Public Health, or Capital Projects, as appropriate.

Section 6. That, provided the City sells the bonds authorized by Ordinance No. 1628-14, passed January 12, 2015, the Director of Public Works, Public Safety, Public Health, or Capital Projects, as appropriate, is authorized to employ by contract one or more architects, landscape architects, engineers, or other professional services, or one or more firms of architects, landscape architects, engineers, or other professional services necessary to implement this ordinance. The selection of the consultants for the services shall be made by the Board of Control on the nomination of the

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

Section 7. That the Director of Public Works, Public Safety, Public Health, or Capital Projects, as appropriate, is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 8. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements with other governmental agencies. The Director of Public Works, Public Safety, Public Health, or Capital Projects, as appropriate, 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 9. That the cost of any expenditure authorized by this ordinance shall be paid from the fund or funds which are credited the proceeds of the sale of 2015 bonds authorized by Ordinance No. 1628-14, passed January 1, 2015, and sold for this purpose.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 13, 2015.

Effective April 14, 2015.

Ord. No. 247-15.

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

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, or otherwise improving various recreation facilities and Loew Park, including site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts for the making of the improvements; authorizing the employment of professional consultants for design and other services; and to enter into various written standard purchase and requirement contracts needed in connection with the improvement.

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

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

Section 1. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of constructing the new Ward 1 Recreation Center, and rehabilitating, renovating, or otherwise improving the Ken Johnson Recreation Center, Central Recreation Center, Morgana Athletic Complex, and the Glenville Recreation Center, including site improvements and appurtenances, for the Departments of Public Works or Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the improvement.

Section 2. That, provided the City sells the bonds authorized by Ordinance No. 1629-14, passed January 12, 2015, the Director of Public Works or Capital Projects, as appropriate, is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding for a gross price for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the improvement.

Section 3. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvement of renovating the ball diamonds and drainage system, or otherwise improving Loew Park, including site improvements and appurtenances, for the Director of Public Works or Capital Projects, as appropriate, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 4. That, provided the City sells the bonds authorized by Ordinance No. 1629-14, passed January 12, 2015, the Director of Public Works or Capital Projects, as appropriate, is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 5. That, provided the City sells the bonds authorized by Ordinance No. 1629-14, passed January 12, 2015, the Director of Public Works or Capital Projects, as appropriate, is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the items comprising the necessary supplies and materials necessary to implement this ordinance, including the rental of necessary equipment to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Director of Public Works or Capital Projects, as appropriate.

Section 6. That, provided the City sells the bonds authorized by Ordinance No. 1629-14, passed January 12,

2015, the Director of Public Works or Capital Projects, as appropriate, is authorized to employ by contract one or more architects, landscape architects, engineers, or other professional services, or one or more firms of architects, landscape architects, engineers, or other professional services necessary to implement this ordinance. The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works or Capital Projects, as appropriate, from a list of qualified consultants available for the employment as may be determined after a full and complete canvass by the Director of Public Works or Capital Projects, as appropriate, for the purpose of compiling the list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Works or Capital Projects, as appropriate, and certified by the Director of Finance.

Section 7. That the Director of Public Works or Capital Projects, as appropriate, is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 8. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements with other governmental agencies. The Director of Public Works or Capital Projects, as appropriate, 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 9. That the cost of any expenditure authorized by this ordinance shall be paid from the fund or funds which are credited the proceeds of the sale of 2015 bonds authorized by Ordinance No. 1629-14, passed January 1, 2015, and sold for this purpose.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed April 13, 2015.

Effective April 14, 2015.

Ord. No. 267-15.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more real estate appraisers or one or more firms of real estate appraisers to provide professional services necessary to appraise real and/or personal property, rights of way and/or easements and other interests in real property, on an as-needed basis, for a period of one year with three one-year options to renew, the second of which requires 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 employ by contract or contracts one or more real estate appraisers or one or more firms of real estate appraisers for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to appraise real and/or personal property, rights of way and/or easements as required by the various divisions of the Department of Port Control, as directed by the Director of Port Control, on an as-needed basis, for a period of one year with three one-year options to renew, the second of which requires additional legislative authority. 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 of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. The selection of the real estate appraisers for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified real estate appraisers available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 3. That the cost of the contract or contracts authorized by this ordinance shall be paid from Fund No. 60 SF 001, RQS 3001, RL 2015-34.

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

Passed April 13, 2015.
Effective April 14, 2015.

**Ord. No. 268-15,
By Council Members Keane and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to employ one or more surveyors or one or more firms of surveyors to provide professional services necessary to survey real and/or personal property, rights of way and/or easements and other interests in real property, on an as-needed basis, for a period of one year with three one-year options to renew, the second of which requires 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 employ by contract or contracts one or more surveyors or one or more firms of surveyors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to survey real and/or personal property, rights of way and/or easements as required by the various divisions of the Department of Port Control, as directed by the Director of Port Control, on an as-needed basis, for a period of one year with three one-year options to renew, the second of which requires additional legislative authority. 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 of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. The selection of the surveyors for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified surveyors available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

Section 3. That the cost of the contract or contracts authorized by this ordinance shall be paid from Fund No. 60 SF 001, RQS 3001, RL 2015-35.

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

Passed April 13, 2015.
Effective April 14, 2015.

**Ord. No. 353-15,
By Council Members Cleveland, K. Johnson and Kelley (by departmental request).**

An emergency ordinance determining the method of making the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Dwayne Browder Football Field at the Lonnie Burten Recreation Center, including but not limited to site improvements and appurtenances; authorizing the Director of Public Works or Capital Projects, as appropriate, to enter into one or more contracts for the making

of the improvement; and authorizing applying for and accepting gifts and grants from various entities for this project.

Whereas, the unique design, time, budgetary, or other material elements of this project can benefit from the special care, coordination, and expeditiousness possible by performance of both the professional design services and the construction under a design-build approach contract with a single entity; and

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing, rehabilitating, renovating, replacing or otherwise improving the Dwayne Browder Football Field at the Lonnie Burten Recreation Center, including but not limited to site improvements and appurtenances (the "Improvement"), for the Department of Public Works, by one or more design-build or engineer-procure-construct contracts duly let to the person, firm, or corporation or combination of them submitting the best proposal, taking into consideration the engineering and design, the construction method, the proposed design and construction costs, the total life-cycle costs, the qualifications of the proposed design professional and construction firm, and the other objectives of the Improvement.

The selection of the person, firm, or corporation to design and construct the Improvement shall be made by the Board of Control on the nomination of the Director of Public Works or Capital Projects, as appropriate from a list of qualified and available persons, firms, or corporations, as may be determined by the Director of Public Works or Capital Projects, as appropriate, after making a full and complete canvass for the purpose of compiling the list. The Board of Control shall fix the total compensation to be paid for all design and construction and procurement necessary for the Improvement. The contract or contracts shall be prepared by the Director of Law, approved by the Director of Public Works or Capital Projects, as appropriate, and certified by the Director of Finance.

Section 2. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of Codified Ordinances of the City of Cleveland, the Director of Public Works or Capital Projects, as appropriate, is authorized to execute all documents and pay all fees necessary to acquire any real estate interests needed for the Improvement.

Section 3. That the Director of Public Works or Capital Projects, as appropriate, is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the Director of Public Works or Capital Projects, as appropriate is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements

to be determined by the director, for the necessary items of materials, equipment, supplies, and services necessary to construct the Improvement, including labor and materials if necessary, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Public Works or Capital Projects, as appropriate. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines.

Section 5. That the Director of Public Works or Capital Projects, as appropriate is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive any gift or grant funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 6. That the costs of the requirement contract or contracts shall be paid from Fund Nos. 20 SF 516, 20 SF 523, 20 SF 535, 20 SF 538, 20 SF 544, 20 SF 552, 20 SF 558, 20 SF 561 and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

Section 7. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works or Capital Projects, as appropriate 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 8. That the cost of the Improvement and purchases made using standard contracts authorized shall be paid from Fund Nos. 20 SF 516, 20 SF 523, 20 SF 535, 20 SF 538, 20 SF 544, 20 SF 552, 20 SF 558, 20 SF 561, from the fund or funds to which are credited any gift or grant received for this project and the cash donation received from Burten, Bell, Carr Development, Inc. authorized under Ordinance No. 1381-14, passed November 17, 2014, and any other funds approved by the Director of Finance, Request No. RQS 0103, RL 2015-43.

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

Passed April 13, 2015.
Effective April 14, 2015.

Ord. No. 381-15.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Fraternal Order of Police, Lodge 8; and to amend Section 55 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 Fraternal Order of Police, Lodge 8, under the terms contained in File No. 381-15-A, for the period from April 1, 2013 through March 31, 2016, 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
1%	April 1, 2013
2%	April 1, 2014
2%	April 1, 2015

Section 2. That Section 55 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

Section 55. Fraternal Order of Police, Lodge No. 8 (F.O.P.). The annual salaries of persons appointed to the following ranks of the Division of Police shall be fixed by the appointing authority within the limits established in the following schedules:

	Minimum	Maximum
1. Commander of Police	\$105,171.70	\$105,671.70
2. Commissioner of Traffic Control	105,171.70	105,671.70
3. Captain	90,596.28	91,096.28
4. Lieutenant	78,031.28	78,531.28
5. Sergeant	67,199.38	67,699.38

Section 3. That existing Section 55 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.

Passed April 13, 2015.
Effective April 14, 2015.

Ord. No. 418-15.

By Council Member Dow.

An emergency ordinance authorizing the Director of the City Planning Commission to enter into an agreement with Hough Development Corporation Inc., for the Hough Master Plan Project through the use of Ward 7 Casino Revenue Funds.

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

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

Section 1. That the Director of the City Planning Commission is authorized to enter into an agreement with Hough Development Corporation Inc.,

for the Hough Master Plan for the public purpose of promoting residential and commercial development in the Hough neighborhood in the city of Cleveland through the use of Ward 7 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$66,000 and shall be paid from Fund No. 10 SF 188.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed April 13, 2015. Effective April 14, 2015.

Ord. No. 426-15. By Council Member J. Johnson. An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the St. Clair Superior Development Corporation for the 8th Day Project through the use of Ward 10 Casino Revenue Funds. Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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

Section 1. That the Director of the Department of Community Development is authorized to enter into an agreement with the St. Clair Superior Development Corporation for the 8th Day Project for the public purpose of providing employment training and housing rehabilitation services to Cleveland residents through the use of Ward 10 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$40,000 and shall be paid from Fund No. 10 SF 188.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed April 13, 2015. Effective April 14, 2015.

COUNCIL COMMITTEE MEETINGS

Monday, April 20, 2015 2:00 p.m.

Development, Planning and Sustainability Committee & Finance Committee: Cancelled.

Finance Committee: Present: Kelley, Chair; Cleveland, Vice Chair; Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

Tuesday, April 21, 2015 9:30 a.m.

Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Cimperman, Cummins, Zone. Authorized Absence: Dow, Pruitt.

Wednesday, April 22, 2015 10:00 a.m.

Transportation Committee: Present: Keane, Chair; J. Johnson, K. Johnson, Kazy, Reed. Authorized Absence: Dow, Vice Chair. Unauthorized Absence: Conwell. Pro Tempore: Brancatelli.

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