

The City Record

Official Publication of the Council of the City of Cleveland



June the Twenty-Ninth, Two Thousand and Sixteen

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 Kerry McCormack
- 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	Kerry McCormack	1429 West 38th Street	44113
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 – _____ 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; Robin Wood, Law Librarian,
 Room 100

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

Natasha Brandt, Manager, Internal Audit

DIVISIONS:
 Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, Interim Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – 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 – Robert L. Davis, Director, 1201 Lakeside Avenue

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

DEPT. OF PORT CONTROL – Fred Szabo, Interim Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:
 Administration – John Laird, Manager
 Special Events and Marketing – Tangee Johnson, Manager

DIVISIONS:
 Motor Vehicle Maintenance – Jeffrey Brown, Commissioner
 Park Maintenance and Properties – Richard L. Silva, Commissioner
 Parking Facilities – Antonette Thompson, Interim Commissioner
 Property Management – Tom Nagle, Commissioner
 Recreation – Samuel Gissentaner, Interim Commissioner
 Streets – Frank D. Williams, Interim Commissioner
 Traffic Engineering – Robert Mavec, Commissioner
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

DEPT. OF PUBLIC HEALTH – _____, Director, 75 Erieview Plaza

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

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

DIVISIONS:
 Animal Control Services – Edward Jamison, Chief Animal Control Officer, 2690 West 7th Street
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – 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 – Nycole West, Interim 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, 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 – Julie Trott, Chair; Giancarlo Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Council Member Terrell H. Pruitt, Robert Strickland, Donald Petit, Secretary.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Kevin J. Kelley; Law Director Barbara A. Langhenry.

CLEVELAND MUNICIPAL COURT JUSTICE CENTER – 1200 ONTARIO STREET JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 15C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Michael R. Sliwinski – Courtroom 12A
 Judge Janet Rath Colaluca – Courtroom 12B
 Judge Suzan Marie Sweeney – Courtroom 12C
 Judge Ed Wade – Courtroom 13C
 Judge Joseph J. Zone – Courtroom 14D
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

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Vol. 103

WEDNESDAY, JUNE 29, 2016

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CITY COUNCIL

MONDAY, JUNE 27, 2016

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), Cummins, Dow, McCormack, 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 Community Benefits Committee:** Cleveland (CHAIR), Zone (VICE-CHAIR), J. Johnson, Kazy, Polensek, Pruitt, Reed.

WEDNESDAY — Alternating

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

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

The following committees meet at the Call of the Chair:

Mayor's Appointments Committee: Mitchell (CHAIR), Brady, Cleveland, Dow, Kelley.

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

June 22, 2016

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 22, 2016 at 10:42 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Absent: Mayor Jackson.

Others: Tiffany White, Commissioner, Purchases & Supplies.

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

Resolution No. 295-16.

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 May, 2016 in the amount of \$16,719.82, attached and made a part of this resolution is received, approved and ordered filed.

Yeas: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 296-16.

By Director Davis.

Whereas, Board of Control Resolution No. 67-16, adopted February 17, 2016 authorized charges by the Division of Water, Department of Public Utilities, for water service; and

Whereas, Resolution No. 67-16 stated Cleveland Heights as a master meter charge in Section A) Water Rates subsection (3); and

Whereas, under the authority of Ordinance No. 579-16, passed June 6, 2016, the Director of Public Utilities is authorized to enter into new or restated water service agreements with the City of Cleveland Heights in order to transition Cleveland Heights from a Master Meter Community to a Direct Service Community, effective January 3, 2017; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Board of Control Resolution No. 67-16, adopted February 17, 2016, is amended by changing Cleveland Heights from a Master Meter Charge to Direct Service in Section A) Water Rates subsection (4).

Be it further resolved that under Section 112 of the Charter of the City of Cleveland, charges of the Division of Water, Department of Public Utilities, for water service for Cleveland Heights Direct Service, approved by the

Cleveland City Council under the authority of Section 535.04 of the Codified Ordinances of Cleveland Ohio, 1976, are fixed as follows:

(3) Monthly Master Meter Water Rate Schedule

Master Meter Charge (per MCF)						
Community	Current	4/1/2016	1/1/2017	1/1/2018	1/1/2019	1/1/2020
Bedford	\$33.35	\$33.35	\$33.35	\$33.35	\$35.05	\$36.69
Chagrin Falls	\$38.56	\$38.56	\$38.56	\$38.56	\$40.53	\$42.42
Lakewood	\$27.10	\$27.10	\$27.10	\$27.10	\$28.48	\$29.81
Geaucia County	\$38.72	\$38.72	\$38.72	\$38.72	\$40.69	\$42.60

(4) Additional Transition Rate to be Charged to customers of Cleveland Heights water system converting to Cleveland Direct Service (Customers will also be charged Cleveland's Suburban Direct Service First and Second High Rates as appropriate):

- Customers within Cleveland Heights proper (2017-2021): \$38.91 per MCF
- Cleveland Heights customers within University Heights (2017-2026): \$11.81 per MCF
- All other Customers of Cleveland Heights' water system (2017-2021): \$30.74 per MCF

Yeas: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 297-16.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of M-A Building and Maintenance Company, Inc. for the public improvement of 1201 Lakeside Avenue Marble Reinstallation and Repairs, including a \$70,862.00 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on March 11, 2016, under the authority of Ordinance No. 1554-13, passed February 10, 2014, upon a gross price for the improvement in the aggregate amount of \$779,482.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by M-A Building and Maintenance Company, Inc. for the above-mentioned public improvement is approved:

SUBCONTRACTORS	WORK PERCENTAGE
W.L. Tucker Supply, Inc. (FBE)	\$35,000.00 4.5%
Ohio High Reach (CSB/FBE)	\$ 7,000.00 0.9%
Commons Painting, LLC (non-certified)	\$67,570.00 0.0%

Yeas: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 298-16.

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that

the bid of Terrace Construction Co., Inc. for the public improvement of Bryant Avenue, East 150th Street, West 48th Street and West 134th St. Sewer Projects (Base Bid All Items including the 10% contingency allowance) for the Division of Water Pollution Control, Department of Public Utilities, received on March 23, 2016, under the authority of Ordinance No. 1292-15, passed by the Council of the City of Cleveland on December 7, 2015, upon a unit basis for the improvement, in the aggregate amount of \$3,478,246.65, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Co., Inc. for the above-mentioned public improvements is approved:

SUBCONTRACTOR	CSB/MBE/FBE WORK
Rockport Construction	CSB \$657,487.00 (18.903%)
The Vallejo Company	CSB \$126,991.00 (3.651%)
United Survey, Inc.	CSB \$22,230.00 (.639%)
Cook Paving & Construction	CSB \$236,770.00 (6.807%)

Yeas: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 299-16.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Noce Enterprises, Inc. for an estimated quantity of labor,

materials and installation necessary to repair or replace water mains, fire hydrants, valves, service connections and appurtenances - Area B, including underground enclosures and tree lawn restoration, all items, for the Division of Water, Department of Public Utilities, starting after the later of the date of execution of a contract or the day following expiration of the currently effective contract for the goods or services, and ending on June 1, 2017, received on April 1, 2016 under the authority of Ordinance No. 607-15, passed June 1, 2015, which on the basis of the estimated quantity would amount to \$6,861,011.14 (0%, 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.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Noce Enterprises, Inc. for the above-mentioned service is approved:

SUBCONTRACTOR	WORK PERCENTAGE
AMROC Construction, Inc. (CSB)	\$2,000,000.00 29.15%
Corlett Trenching and Plumbing (CSB)	\$ 100,000.00 1.46%

Yeas: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 300-16.

By Director Davis.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Terrace Construction Company, Inc. for the public improvement of the 2016-B Water Main Renewal, including a \$290,290.17 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on April 7, 2016, under the authority of Ordinance No. 1366-15, passed November 30, 2015, upon a unit basis for the improvement in the aggregate amount of \$3,193,191.82, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Terrace Construction Company, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTORS</u>	<u>WORK PERCENTAGE</u>
Rockport Construction & Materials, Inc. (CSB)	\$556,866.00 17.4%
The Vallejo Company (CSB)	\$401,134.00 12.6%

Yeas: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 301-16.

By Director Davis.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of AAA Flexible Pipe Cleaning Corporation for an estimated quantity of sewer test tee inspection, installation, and snaking (all items), for the Division of Water Pollution Control, Department of Public Utilities, for a period of one (1) year starting upon the later of execution of a contract or the day following expiration of the currently effective contract for the goods and/or services, received on April 15, 2016, under the authority of Section 541.13 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$251,908.80 (0%), 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 specified goods and/or services.

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 Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors

Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 302-16.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that all bids received on May 20, 2016 for the purchase of three-wheeled motorcycles and related equipment, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, under the authority of the Ordinance No. 880-14, passed by Cleveland City Council on July 16, 2014, are rejected.

Yeas: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 303-16.

By Director Rush.
Whereas, Ordinance No. 260-16 passed April 12, 2016 authorizes the Commissioner of Purchases and Supplies to enter into an option agreement with Shaia's Parking Inc. ("Shaia") or its designee to purchase certain City-owned property used as a surface parking lot at 1301-1325 Chester Avenue on Permanent Parcels Numbers 102-22-013 and 102-23-061, found and determined to be no longer needed for the City's public use as fully depicted in the map in Council File No. 260-16-A, for consideration not less than fair market value as determined by the Board of Control, and further authorizes the Commissioner, by and at the direction of the Board of Control, to convey the existing Parking Lot Property to Shaia under the option to purchase agreement at a price determined by appraisal to be \$1,500,000, less any environmental remediation costs; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Ordinance No. 260-16, passed April 12, 2016, by the Council of the City of Cleveland, the consideration to be paid by Shaia for the option to purchase the existing Parking Lot Property of \$10,000, which is determined to be not less than fair market value.

Be it further resolved that the Commissioner of Purchases and Supplies is directed to convey the Parking Lot Property to Shaia under the Option to Purchase Agreement at a price not less than \$1,500,000.

Be it further resolved that the Mayor is requested to execute and deliver the official deed of the City of Cleveland conveying the aforementioned City-owned properties, which deed shall contain such additional terms and provisions as the Director of Law shall determine are necessary to protect and benefit the City's interests.

Yeas: Director Langhenry, Acting Director Shaw, Interim Director Szabo, Acting Director Johnson, Director Gordon, Acting Directors Withers, Cosgrove, Interim Director West, Directors Nichols, Fumich, O'Leary.

Nays: None.
Absent: Mayor Jackson.

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, JULY 11, 2016

9:30 A.M.

Calendar No. 16-137: 7104 Clinton Avenue (Ward 15)

Scott Francis, owner, proposes to erect 13' x 14' - 7" one story frame kitchen addition to existing single family residence in a B1 Two-Family Residential District. The owner appeals for relief from Section 357.09(2)(B) which states that the minimum Required Interior Side Yard is 8' - 6" where the appellant is proposing 3 feet. (Filed June 1, 2016)

Calendar No. 16-138: 1876 West 47th Street (Ward 3)

Michael Camaglia, owner, proposes to construct a 1,810 square foot two story single family house and a 2 car detached garage on a 3,780 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum lot width for a single family dwelling in a "B" area district is 40 feet and a 30 foot wide lot is proposed.

2. Section 355.04(a) which states that a minimum lot area of 4,800 square feet is required for a single family dwelling and a lot area of approximately 3,780 square feet is proposed

3. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from a

main building on an adjoining lot. The proposed distance to the adjacent residence is unknown/not shown.

4. Section 357.09(b)(2)(B) which states that in a Two-Family District no interior side yard shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The building mean height is approximately 26' - 4" feet thus no interior side yard shall be less than 6' - 6" and a 5' - 0" side yard is proposed.

5. Section 357.13(b)(4) which states that an open front porch shall not project more than 6 feet and the proposed porch projects 8 feet. (Filed June 1, 2016)

Calendar No. 16-141: 1458 West 52nd Street (Ward 15)

Ryan Edlinger, owner, proposes to erect a 15' x 40' one story frame living room addition to existing single family residence in a B1 Two-Family Residential District. The owner appeals for relief from Section 357.09(b)(2)(B) of the Cleveland Codified Ordinances which states that the Required Interior side yard is 4' - 8" where the appellant is proposing 3 feet for the structure and 2 feet for roof eaves and gutters. (Filed June 6, 2016)

Calendar No. 16-142: 1644 Lorain Avenue (Ward 3)

Gloria Gates, owner, proposes to erect 42' x 50' 3 story frame single family residence with attached garage on irregular shaped lot in a B1 Two-Family Residential District. The owner appeals for relief from Section 355.04(a) of the Cleveland Codified Ordinances which states that the maximum gross floor shall not be greater than 50% of lot size which is 2,934 square feet and the appellant is proposing 3,200 square feet. (Filed June 8, 2016)

Calendar No. 16-143: 2253 West 14 Street (Ward 3)

Grace Center Properties, owner, proposes to build a 7,200 square foot market addition in a D2 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 325.03 which states that the minimum area for an off-street parking space shall be 180 square feet and the proposed spaces range in area from 128 to 144 square feet.

2. Section 347.08(a) which states that trash areas and refuse containers shall be screened with opaque fencing not lower than the height of the refuse container and no screening is proposed.

3. Section 349.04(f) which states that fifty additional spaces are required for the market and no additional spaces are proposed

4. Section 352.04 which states that a landscape plan is required and no landscaping plan was submitted.

5. Sections 352.08 thru 11 which state that an eight (8) foot wide transition strip is required where General Retail Business District

abuts a Residential District and no landscaping is proposed. (Filed June 8, 2016)

Calendar No. 16-151: 1346 West 73rd Street (Ward 15)

Great Lakes Developers, owner, proposes to erect an 8' - 11" two story frame rear addition to a single family residence in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of Section 357.09(b)(2)(b) which states that the required Interior Side Yard is 7' - 6" and the appellant is proposing 3 feet. (Filed June 16, 2016)

POSTPONED FROM JUNE 6, 2016

Calendar No. 16-067: 1626 East 33rd Street (Ward 7)

Tam Shiu-Young, owner, proposes to construct a 600 square foot addition to an existing single family dwelling in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 357.08 which states that in a residence district the depth of a rear yard shall be not less than fifteen percent (15%) of the depth of the lot but in no case less than twenty feet provided that in Two-Family such depth shall not be less than the height of the main building. The required rear yard is approximately 29' - 3" and the proposed rear yard is 12 feet.

2. Section 357.09(b)(2)(B) which states that in a Two-Family Residential District no interior side yard shall be less than five feet in width for a corner lot, nor less than 3 feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. In this case the building height is approximately 29' - 3" thus no interior side yard shall be less than 7' - 4" where a 3 foot side yard is proposed. The proposed aggregate width of side yards is approximately 6 feet. (Filed April 13, 2016 - Testimony Taken)

Second postponement made at the request of the appellant in order to meet with Engineering regarding constructing a bioswale. First postponement made at the request of the Board in order for the appellant to complete drawings showing paving and drainage.

POSTPONED FROM MAY 31, 2016

Calendar No. 16-076: Appeal from decision of Landmarks Commission (Ward 3)

Kathleen Thomas appeals under the authority of Section 76-6(b) of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from the decision of the City of Cleveland Landmarks Commission rendered on March 24, 2016 regarding landscaping and parking lot improvements at 1911 West 30th Street in Case 15-009 and 15-010. (Filed April 22, 2016 - No Testimony)

First postponement made at the request of the appellant due to a scheduling conflict.

POSTPONED FROM JUNE 6, 2016

Calendar No. 16-087: 5609 Whittier Avenue (Ward 7)

Eleanor B. Rainey Institute, owner, proposes to construct a parking lot in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that in a Two-Family District a parking lot is not a permitted use.

2. Section 349.13(c) which states that The Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a Residence District, other than a Limited One-Family District, for a parking lot when the best interests of the community will be served, and provided that:

(1) The lot is to be used only for the parking of passenger automobiles of employees, customers or guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance;

(2) No charge is to be made for parking on the lot;

(3) The lot is not to be used for sales, repair work or servicing of any kind;

(4) Entrance to and exit from the lot are to be located so as to do the least harm to the Residence District;

(5) No advertising sign or material is to be located on the lot;

(6) All parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board;

(7) The parking lot and that portion of the driveway back of the building line are to be adequately screened from the street and from adjoining property in a Residence District by a hedge, slightly fence or wall not less than four (4) feet six (6) inches high and not more than five (5) feet high located back of the setback building line. All lighting is to be arranged so that there will be no glare that is annoying to the occupants of adjoining property in a Residence District, and the surface of the parking lot is to be smoothly graded, hard surfaced and adequately drained;

(8) The building permit number under which the lot is established is to be posted;

(9) Such other and further conditions may be imposed as the Board may deem necessary in any specific case to reduce the adverse effect of the proximity of a parking lot upon the character, development and maintenance of the Residence District in which the parking lot is to be located.

3. Section 339.02(a) which states that accessory off-street parking shall be located no closer than ten feet to any adjacent residential building. (Filed May 6, 2016 - Testimony Taken)

First postponement made at the request of the appellant in order to allow for time to meet with Traffic Engineering regarding placement of the driveways.

RESCHEDULED FROM JULY 25, 2016

Calendar No. 16-092: 4506 Lorain Avenue (Ward 3)

Northcoast Shuffleboard Club, owner, proposes to erect a 4,000 square foot addition to building and

establish use of new expanded space as bar, restaurant, and amusement/recreation use with indoor and outdoor shuffleboard courts and patio, and 17 car parking lot. The project area includes 4 separate parcels (to be consolidated) that are located in a B1 Two-Family Residential District or 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 Amusement/recreation use is not permitted in Local Retail Business District but first permitted in General Retail Business District per Zoning Code Section 342.11(b)(2)(L), and only in such district if use is at least 500 feet from residence district per section 347.12(a)(2)(b). The proposed use is adjacent to and in residence district.

2. Section 337.03(b) which states that the proposed 17 car parking spot is not permitted in Two Family Residential District.

3. Section 349.04(e) which states that a Parking Area equal to two times the gross floor area is required after 1/3 parking reduction allowed for use in Pedestrian Retail overlay district section 342.23(i). The gross floor area is approximately 10,500 square feet requiring a 21,000 square feet parking area and a parking area of approximately 9,375 square feet is proposed.

4. Sections 352.08 through 352.12 which states that a 10 foot wide landscaped transition strip providing at 75% year round opacity is required where the property abuts a residence district where the proposed landscaping varies from zero to six feet. Also, the Dumpster is located in required landscape transition strip area. Landscape plan is required.

5. Section 343.23(g)(3) which states that a building with an outdoor café can be setback a maximum of 15 feet where a 58 foot setback is proposed. (Filed May 11, 2016 - No Testimony)

First postponement to July 25, 2016 made at the request of the appellant to allow for more time to meet Landmarks Commission. Reschedule request to July 11, 2016 was made by the administration.

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JUNE 27, 2016

At the meeting of the Board of Zoning Appeals on Monday, June 27, 2016 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED**:

Calendar No. 16-118: 2063 West 19th Street

Matt Berges, owner, proposes to erect a 3,109 square foot single family house in a B1 Multi-Family Residential District.

Calendar No. 16-119: 2138 West 18th Street

Matt Berges, owner, proposes to erect a 2,075 square foot single family house

in a B1 Multi-Family Residential District.

Calendar No. 16-122: 2031 West 45th Street

Graham Binnig, owner, proposes to build a 835 square foot addition to existing 1,368 single family residence on 4,012 square foot lot in a B1 Two-Family Residential District.

Calendar No. 16-124: 4211 Lorain Avenue

4211 Lorain LLC, owner proposes to change use to 4 apartments and a restaurant in a D3 Local Retail Business District and a Pedestrian Retail Overlay District (PRO).

Calendar No. 16-126: 2097 Columbus Avenue

Industrial Fasteners Enterprises, owner, proposes to change use of premises to 11 unit apartment building on a 12,590 square foot lot in a C3 Semi-Industry District.

Calendar No. 16-129: 12000 Fairhill Road

Fairhill Towers LLC., owner, proposes to install a 30 square foot LED illuminated, monument sign with electronic message display in an E3 Multi-Family Residential District.

The following appeals were **DENIED**:

None.

The following appeals were **WITHDRAWN**:

None.

The following appeal was **DISMISSED**:

Calendar No. 16-121: 833 East 149th Street/Waste Collection Ticket JKJM Holdings LLC, owner, appeals the decision rendered by the City of Cleveland Waste Collection on April 20, 2016.

The following cases were **POSTPONED**:

Calendar No. 16-52: Eishon's House, LLC 7114 Street Clair Avenue. Postponed to August 8, 2016.

Calendar No. 16-079: Mihaela Ilie 17314 Puritas Avenue. Postponed to August 22, 2016.

Calendar No. 16-117: Rightway Investments 4533 Warner Road. Postponed to August 15, 2016.

The following case was **RESCHEDULED**:

Calendar No. 16-092: Northcoast Shuffleboard Club 4506 Lorain Avenue. Rescheduled to July 11, 2016 (from July 25.)

The following cases were heard by the Board of Zoning Appeals on Monday, June 20, 2016 and the decisions were adopted and approved on Monday, June 27, 2016:

The following appeals were **APPROVED**:

Calendar No. 16-96: 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. 16-113: 2191 West 33rd Street

B.R. Knez Construction, owner, proposes to erect a 20' x 47' two story frame single family residence with detached 20' x 20' 1 story frame garage in a B1 Two-Family Residential District.

Calendar No. 16-114: 4300 Orchard Avenue

B.R. Knez Construction, owner, proposes to erect a 20' x 47' two story frame single family residence with detached 20' x 20' 1 story frame garage in a B1 Two-Family Residential District.

Calendar No. 16-115: 4304 Bailey Avenue

B.R. Knez Construction, owner, proposes to erect a 20' x 47' two story frame single family residence with detached 20' x 20' 1 story frame garage in a B1 Two-Family Residential District.

Calendar No. 16-116: 4306 Bailey Avenue

B.R. Knez Construction, owner, proposes to erect a 20' x 47' two story frame single family residence with detached 20' x 20' 1 story frame garage in a B1 Two-Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

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

Mercedes Cotner Committee Room 217 City Hall, Cleveland, Ohio On Tuesday, July 12, 2016 9:30 a.m.

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, July 12, 2016, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 695-16.

By Council Member Pruitt.

An emergency ordinance designating the Arthur Bussey Development Historic District as a Cleveland Landmark (Map Change No. 2536).

Ord. No. 696-16.

By Council Member Pruitt.
An emergency ordinance designating the Feiner Homes Historic District (Feiner and Cowan Allotments) as a Cleveland Landmark (Map Change No. 2537).

Ord. No. 729-16.

By Council Member Keane.
An ordinance expanding the Kamms Corners Design Review District to include the east and west sides of Rocky River Drive between Glenshire Avenue and Brookpark Road as shown on the attached map (Map Change No. 2538).

Anthony Brancatelli, Chair
Committee on Development,
Planning and Sustainability

June 29, 2016 and July 6, 2016

CITY OF CLEVELAND BIDS

For All Departments

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

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

previous to 12:00 noon (Eastern Standard Time) on the date specified in the schedule.

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, JULY 13, 2016

File No. 78-16 — 2016 Lonnie Burten Recreation Center Improvements, for the Office of Capital Projects, Department of Public Works, as authorized by Ordinance No. 732-14, passed by the Council of the City of Cleveland, June 9, 2014.
THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE

DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JUNE 30, 2016 AT 10:00 A.M. THE DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, 601 LAKESIDE AVENUE, ROOM 517A, CLEVELAND, OH 44114.

June 22, 2016 and June 29, 2016

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

**Monday June 27, 2016
1:00 p.m.**

Utilities Committee: Present: Pruitt, Chair; Brady, Vice Chair; Brancatelli, Cummins, Keane, Mitchell, Polensek.

**Wednesday June 29, 2016
10:00 a.m.**

Committee of the Whole: Present: Kelley, Chair; Brady, Brancatelli, Cleveland, Conwell, J. Johnson, Kazy, Keane, McCormack, Mitchell, Polensek, Pruitt. *Authorized Absence:* Cummins, Dow, K. Johnson, Reed, Zone.

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O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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