

# The City Record

Official Publication of the Council of the City of Cleveland



September the Twenty-Fifth, Two Thousand and Thirteen

**Frank G. Jackson**  
Mayor

**Martin J. Sweeney**  
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 Jeffrey D. Johnson
- 9 Kevin Conwell
- 10 Eugene R. Miller
- 11 Michael D. Polensek
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Jay Westbrook
- 17 Dona Brady
- 18 Martin J. Sweeney
- 19 Martin J. Keane

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zachary 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	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Eugene R. Miller	13615 Kelso Avenue	44110
11	Michael D. Polensek	17855 Brian Avenue	44119
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	Jay Westbrook	1278 West 103rd Street	44102
17	Dona Brady	1272 West Boulevard	44102
18	Martin J. Sweeney	3632 West 133rd Street	44111
19	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  
 Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development  
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
 Maureen Harper, Executive Assistant to the Mayor, Chief of Communications  
 Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability  
 Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

### OFFICE OF CAPITAL PROJECTS – Jomarie Wasik, Director

#### DIVISIONS:

Architecture and Site Development – Robert Vitkas, Chief Architect, Manager  
 Engineering and Construction – Richard J. Switalski, Manager  
 Real Estate – James DeRosa, Commissioner

### DEPT. OF LAW – Barbara A. Langhenry, Director, \_\_\_\_\_, Chief Counsel,

Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,  
 Room 106: John Skrtic, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

#### DIVISIONS:

Accounts – Lonya Moss Walker, Commissioner, Room 19  
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122  
 City Treasury – James Hartley, Interim Treasurer, Room 115  
 Financial Reporting and Control – James Gentile, Controller, Room 18  
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue  
 Purchases and Supplies – Tiffany White, Commissioner, Room 128  
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

#### DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner  
 Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
 Utilities Fiscal Control – Dennis Nichols, Commissioner  
 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 – Antionette Thompson, Interim Commissioner  
 Property Management – Tom Nagle, Commissioner  
 Recreation – Samuel Gissentaner, Interim Commissioner  
 Streets – \_\_\_\_\_, Commissioner  
 Traffic Engineering – Robert Mavec, Commissioner  
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

### DEPT. OF PUBLIC HEALTH – Karen Butler, Director, Mural Building, 75 Erieview

Plaza

#### DIVISIONS:

Air Quality – George Baker, Commissioner  
 Environment – Pamela Cross, Commissioner, Mural Building, 75 Erieview Plaza  
 Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

### DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

#### DIVISIONS:

Dog Pound – 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 – Daryl W. McGinnis, Chief, 1645 Superior Avenue  
 Police – Michael C. McGrath, 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 – Edward W. Rybka, 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, Council Member Eugene R. Miller, Jeff Marks, (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Annie Key, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Ted C. Wammes, 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 Martin

J. Sweeney; 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, Jan Huber, 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 Martin J. Sweeney.

### BOARD OF SIDEWALK APPEALS – Capital Projects Director Jomarie Wasik, Law

Director Barbara A. Langhenry; Council Member Eugene R. Miller.

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

Utilities Director Paul Bender; Council President Martin J. Sweeney.

### CITY PLANNING COMMISSION – Room 501 – Robert N. Brown, 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 Martin J. Sweeney; 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, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Giancarlo Calicchia, John Torres, Robert Vitkas, Robert Keiser, Secretary.

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

Downing, Donna Sciarappa, Council President Martin J. Sweeney; 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 Charles J. Bauernschmidt – Courtroom 12A  
 Judge Pinkey S. Carr – Courtroom 12B  
 Judge Marilyn B. Cassidy – Courtroom 13A  
 Judge Michelle Denise Earley – Courtroom 12C  
 Judge Emanuella Groves – Courtroom 14B  
 Judge Anita Laster Mays – Courtroom 14C  
 Judge Lauren C. Moore – Courtroom 14A  
 Judge Charles L. Patton, Jr. – Courtroom 13D  
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B  
 Judge Angela R. Stokes – Courtroom 15C  
 Judge Pauline H. Tarver – Courtroom 13C  
 Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims – Chief Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate, Victor Perez – City Prosecutor

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 100

WEDNESDAY, SEPTEMBER 25, 2013

No. 5207

## CITY COUNCIL

MONDAY SEPTEMBER 23, 2013

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

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

#### MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties, and Recreation Committee:** K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek.

9:30 A.M. — **Health and Human Services Committee:** Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Polensek.

11:00 A.M. — **Public Service Committee:** Miller, Chair; Cummins, Vice Chair; Cleveland, Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney.

11:00 A.M. — **Legislation Committee:** Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Cleveland, Sweeney.

#### MONDAY

2:00 P.M. — **Finance Committee:** Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

#### TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action and Training Committee:** Zone, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, Westbrook.

#### WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley, Mitchell.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell, Zone.

#### WEDNESDAY — Alternating

1:30 P.M. — **Public Utilities Committee:** Pruitt, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Kelley, Miller, Polensek, Westbrook.

1:30 P.M. — **City Planning Committee:** Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.

The following Committees are subject to the Call of the Chair:

**Rules Committee:** Sweeney, Chair; Cleveland, Keane, Polensek, Pruitt.

**Personnel and Operations Committee:** Westbrook, Chair; Conwell, K. Johnson, Kelley, Mitchell, Sweeney, Zone.

**Mayor's Appointment Committee:** Dow, Chair; Cleveland, Kelley, Miller, Sweeney.

**Sustainability Sub-Committee:** Zone, Chair; Westbrook, Vice Chair; Cummins.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, September 23, 2013

The meeting of the Council was called to order with the President of Council, Martin J. Sweeney, in the Chair.

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

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief Operating Officer Darrell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Chris Warren, Chief of Education Monyka S. Price, Chief of Communications Maureen Harper, Chief of Sustainability Jenita McGowan, Chief of Public Affairs Natoya Walker-Minor, and Directors Dumas, Bender, Smith, Wasik, Butler, Flask, Cox, Rush, Southerington, Nichols, Brown, Fumich, and Ambroz.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Pastor Aaron Phillips, Sure House Baptist Church, Cleveland, Ohio (Ward 2). Pledge of Allegiance.

#### MOTION

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

#### COMMUNICATIONS

##### File No. 1304-13.

From Donovan Duncan, Executive Director, Western Reserve Revitalization & Management Company — Notification of intent to apply to the multi-family funding programs of the Ohio Housing Finance Agency for the re-development of Bohn Tower, 1300 Superior Avenue. Received.

##### File No. 1305-13.

From Cindy Picone, Vice President, Ralph A. Falbo, Inc. — Notification of intent to apply to the multi-family funding programs of the Ohio Housing Finance Agency for the development of Heritage View Homes IV, East 79th Street and Kinsman Avenue. Received.

#### FROM OHIO DIVISION OF LIQUOR CONTROL

##### File No. 1286-13.

RE: #7246985 — Transfer of Location Application, D1 D2 D3 D3A. Red Downtown LLC, 413-420 Prospect Avenue. (Ward 3). Received.

##### File No. 1287-13.

RE: #0003681 — Transfer of Ownership Application, C1, A J D Gas, LLC, d.b.a. BP AM PM, 2701 Chester Avenue. (Ward 8). Received.

##### File No. 1288-13.

RE: #53176420005 — Transfer of Ownership Application, C1, C2. Low Cost Gas, Inc., d.b.a. BP AM PM, 10202 Lorain Avenue. (Ward 17). Received.

##### File No. 1289-13.

RE: #5317642 — Transfer of Ownership Application, C1. Low Cost Gas, Inc., d.b.a. BP AM PM, 14008 Lorain Avenue. (Ward 18). Received.

##### File No. 1290-13.

RE: #2807368 — New License, C1. Food Peddler, LLC, d.b.a. Food Peddler Farm Market, 4250 Fulton Road. (Ward 13). Received.

##### File No. 1291-13.

RE: #1736367 — New License, D5J. Coquette Patisserie, Inc., 11607 Euclid Avenue. (Ward 9). Received.

##### File No. 1306-13.

RE: #5659871 — Transfer of Ownership Application, C2 C2X. Mayt, Inc., 951 Linn Drive. (Ward 9). Received.

**File No. 1307-13.**

RE: #4421010 — New License, C1, KA Florist Ltd., d.b.a. Segelins Florist, 10664 Carnegie Avenue. (Ward 9). Received.

**File No. 1308-13.**

RE: #01377680005 — New License, D3A. Alliance Event Center, LLC, 6966 Broadway Avenue. (Ward 12). Received.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 1205-13**—Myron Strickland.

**Res. No. 1312-13**—Francis Edward Gaul.

**Res. No. 1313-13**—Deacon George Walker.

**Res. No. 1314-13**—Dorothy Lee Billups.

**Res. No. 1315-13**—Charles C. Hart, Jr.

**Res. No. 1316-13**—Pearlie Mae Thomas Muhammad.

**CONGRATULATIONS RESOLUTIONS**

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

**Res. No. 1317-13**—Major Williams.

**Res. No. 1318-13**—Charles Berginc.

**Res. No. 1319-13**—Harold Harenberg.

**Res. No. 1320-13**—Gayle Scheible LaBanc.

**Res. No. 1321-13**—Diana Dumitru.

**Res. No. 1322-13**—Patrick D. Semary.

**Res. No. 1323-13**—Greater Cleveland Habitat for Humanity.

**Res. No. 1324-13**—Jomarie Wasik.

**Res. No. 1325-13**—St. Mary Byzantine Catholic Church — 75th Anniversary.

**RECOGNITION RESOLUTIONS**

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

**Res. No. 1326-13**—The Polka Pirates.

**WELCOME RESOLUTIONS**

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

**Res. No. 1327-13**—The Dramatics.

**FIRST READING EMERGENCY ORDINANCES REFERRED****Ord. No. 1292-13.**

**By Council Members Pruitt, Miller, Cleveland and Kelley (by departmental request).**

**An emergency ordinance to vacate the 1st Unnamed Alley North of Miles Avenue, S.E., between East 162nd Street and East 163rd Street.**

Whereas, under Resolution No. 1721-12, adopted March 18, 2013, this Council declared its intention to vacate the 1st Unnamed Alley North of Miles Avenue, S.E., between East 162nd Street and East 163rd Street; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 10, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; and

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

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

**Section 1.** That this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a portion of the 1st Unnamed alley (12.00 feet wide) north of Miles Avenue S.E. (86.00 feet wide) between East 162nd Street (60.00 feet wide) and East 163rd Street (60.00 feet wide) in the Sorrento Park Subdivision of part of Original Warrensville Township Lot Nos. 72-82 as shown by the recorded plat in Volume 15 of Maps, Page 13 of Cuyahoga County Records.

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for AT&T and the Illuminating Company (CEI).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by AT&T, the Illuminating Company (CEI), and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**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 Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 1293-13.**

**By Council Members Cimperman, Miller, Cleveland and Kelley (by departmental request).**

**An emergency ordinance to vacate a portion of Brownell Court, S.E.**

Whereas, under Resolution No. 808-13, adopted July 10, 2013, this

Council declared its intention to vacate a portion of Brownell Court, S.E.; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 10, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; and

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

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

**Section 1.** That this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio;

Being all that portion of Brownell Court S.E. (20.00 feet wide) extending Easterly from the East right of way of East 21st Street (width varies) to that portion of Brownell Court S.E. (20.00 feet wide) vacated by the Council of the City of Cleveland by ordinance number 1365-69 passed June 30, 1969.

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for Cleveland Public Power (CPP), Dominion East Ohio Gas Company, the Illuminating Company (CEI), and the Division of Water.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by Cleveland Public Power (CPP), Dominion East Ohio Gas Company, the Illuminating Company (CEI), and the Division of Water, and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**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 Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.



**Ord. No. 1294-13.  
By Council Members Miller, Cleveland and Kelley (by departmental request).**

**An emergency ordinance to vacate a portion of Carnation Court, N.E.**

Whereas, under Resolution No. 251-13, adopted April 29, 2013, this Council declared its intention to vacate a portion of Carnation Court, N.E.; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 10, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; and

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

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

**Section 1.** That this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of Original 100 Acre Lot numbers 364 and 365, further described as follows:

All that portion of Carnation Court N.E. (10.00 feet wide) extending from the East right of way of East 124th Street (40.00 feet wide) to the West right of way of East 125th Street (60.00 feet wide).

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for AT&T and the Illuminating Company (CEI).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by AT&T, the Illuminating Company (CEI), and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**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 Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 1295-13.  
By Council Members Cimperman, Miller, Cleveland and Kelley (by departmental request).**

**An emergency ordinance to vacate a portion of Commercial Road.**

Whereas, under Resolution No. 162-13, adopted March 25, 2013, this Council declared its intention to vacate a portion of Commercial Road; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 10, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; and

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

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

**Section 1.** That this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio, and part of Original One-Hundred (100) Acre Lot 487, located in Township 7, Range XII of the Connecticut Western Reserve, and further described as follows:

Commencing at a stone found in a monument box at the intersection of the centerline of Canal Road S.E. (50 feet wide) and the centerline of Canal Street (50 feet wide);

Thence along the centerline of said Canal Street, North 38° 25' 32" West a distance of 170.74 feet to its intersection with the existing centerline of Commercial Road (60 feet wide);

Thence along the centerline of existing Commercial Road, North 5° 33' 47" East a distance of 135.68 feet to its intersection with the projection of the new northwesterly right of way line of East 9th Street (width varies);

Thence along said projection of the new northwesterly right of way line of East 9th Street, South 60° 43' 22" West a distance of 36.55 feet to an iron pin set at its intersection with the existing westerly right of way line of said Commercial Road and being the Place of Beginning;

Thence along the existing westerly right of way line of said Commercial Road, North 5° 33' 47" East a distance of 390.20 feet to an iron pin set at its intersection with the new westerly right of way line of the relocation of Commercial Road (width varies);

Thence along said new westerly right of way line of the relocation of Commercial Road, along the arc of a non-tangent curve to the left having an arc length of 150.52 feet, a radius of 231.00 feet, a delta of 37° 20' 04", a chord bearing of South 18° 22' 33" East, and a chord length of 147.87 feet to an iron pin set at its intersection with the existing easterly right of way line of Commercial Road;

Thence along said existing easterly right of way line of Commercial Road, South 5° 33' 47" West a distance of 213.29 feet to an iron pin set at its intersection with said new northwesterly right of way line of East 9th Street;

Thence along the projection of said new northwesterly right of way line of East 9th Street, South 60° 43' 22" West a distance of 73.10 feet to the Place of Beginning and containing 0.3880 acres of land, more or less, all of which is located within present roadway occupied.

The bearings are based on the State Plane Coordinate System, Ohio North Zone, NAD83 (1995), as shown on the Centerline Plat prepared for CUY-90-14.90, CUY INNEREBELT BRIDGE, GRP1, recorded in Plat Book 367, Pages 67 through 71 of the Cuyahoga County Records.

Iron pins described as set shall be 3/4" x 30" rebar with a 2-1/2" aluminum cap stamped "BARR & PREVOST, S-7876" and shall be placed along with other referenced set monuments upon notification by the Ohio Department of Transportation, District 12.

This description was prepared and reviewed in December of 2012, by Steven L. Lamphear, Professional Surveyor No. 7876, Ohio, and is based on field surveys made under my direction and supervision beginning in July, 2011, through September, 2011. This description also uses ties to monument references as described in the CUY-90-14.90 Centerline Plat as recorded on October 3rd, 2011, in Plat Book 367, Pages 67 through 71 of the Cuyahoga County Records and the Lot Split and Consolidation Plat recorded in Plat Book 369, Pages 32 and 33, as prepared by Steven L. Lamphear, P.S. 7876, Ohio, Barr & Prevost, Columbus, Ohio

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for AT&T, Cleveland Public Power (CPP), Dominion East Ohio Gas Company, the Illuminating Company (CEI), and the Department of Water.

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by AT&T, Cleveland Public Power (CPP), Dominion East Ohio Gas Company, the Illuminating Company (CEI), and the Department of Water, and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**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 Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 1296-13.**

**By Council Members Cimperman, Miller, Cleveland and Kelley (by departmental request).**

**An emergency ordinance to vacate a portion of Gould Court N.W.**

Whereas, under Resolution No. 370-13, adopted April 29, 2013, this Council declared its intention to vacate a portion of Gould Court N.W.; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 10, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; and

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

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

**Section 1.** That this Council declares that the following described real property is vacated:

A portion of Gould Court N.W. 16.5 (Feet Wide) (formerly known as the first unnamed alley running east and west, south of Bridge Avenue N.W. (formerly Bridge Street) and east of West 25th Street (formerly Pearl Street))

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being part of original Brooklyn Township lot number 70 as shown in the Willeyville Allotment recorded in volume 2, page 16 of the Cuyahoga County Map Records' further described as follows:

All that portion of Gould Court N.W. (16.5 Feet Wide) extending from the east right of way of West 25th Street (82.50 Feet Wide) to the west right of way of West 24th place (16.5 Feet Wide).

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for Dominion East Ohio Gas Company and the Illuminating Company (CEI).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by Dominion East Ohio Gas Company, the Illuminating Company (CEI), and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to

record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**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 Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 1297-13.**

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

**An emergency ordinance to vacate a portion of Grand Avenue, S.E.**

Whereas, under Resolution No. 840-13, adopted August 14, 2013, this Council declared its intention to vacate a portion of Grand Avenue, S.E.; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 10, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; and

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

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

**Section 1.** That this Council declares that the following described real property is vacated:

Being all that portion of Grand Avenue S.E. (50.00 feet wide) extending from the east right of way of East 75th Street (60.00 feet wide) to the west right of way of East 79th Street (60.00 feet wide).

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for AT&T, City of Cleveland Division of Fire, Dominion East Ohio Gas Company, the Illuminating Company (CEI), Northeast Ohio Regional Sewer District (NEORS), the Division of Water, and Water Pollution Control (WPC).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by AT&T, City of Cleveland Division of Fire, Dominion East Ohio Gas Company, the Illuminating Company (CEI), Northeast

Ohio Regional Sewer District (NEORS), Division of Water, Water Pollution Control (WPC), and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**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 Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 1298-13.**

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

**An emergency ordinance to vacate a portion of Rose Court, S.E.**

Whereas, under Resolution No. 129-13, adopted March 25, 2013, this Council declared its intention to vacate a portion of Rose Court, S.E.; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 10, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176 of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; and

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

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

**Section 1.** That this Council declares that the following described real property is vacated:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of original Ten Acre Lot numbers 65 and 66 in the Horace P. Wedell's Subdivision as shown in Volume 2, Page 30 of the Cuyahoga County Map records.

And being all that portion of Rose Court S.E. (10.00 feet wide) extending from the East right of way of East 36th Street (60.00 feet wide) to the West right of way of East 37th Street (40.00 feet wide).

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for

AT&T and the Illuminating Company (CEI).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by AT&T, the Illuminating Company (CEI), and the City of Cleveland.

**Section 3.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 4.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**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 Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 1300-13.**

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

**An emergency ordinance to amend the title of Ordinance No. 660-13, passed May 20, 2013; to supplement the ordinance by adding new Section 7 authorizing the Director of Community Development to hire consultants; and to renumber existing Sections 7 and 8 to new Sections 8 and 9, relating to the Storefront Renovation 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 of Ordinance No. 660-13, passed May 20, 2013 is amended to read as follows:

An Emergency Ordinance authorizing the Director of Community Development to enter into contracts for Commercial Revitalization and rebat, grant, and/or loan agreements with Storefront Renovation Program applicants; to enter into agreements for eligible costs to community development corporations for implementation of the Storefront Renovation and Commercial Revitalization Programs; and **authorizing the Director to enter into one or more contracts for consulting services necessary to implement the grant.**

**Section 2.** That the existing title of Ordinance No. 660-13, passed May 20, 2013 is repealed.

**Section 3.** That Ordinance No. 660-13, passed May 20, 2013, is supplemented by adding new Section 7 to read as follows:

Section 7. That the Director of Community Development is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to pro-

vide professional services necessary to provide direct assistance to Storefront Renovation program applicants.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Community Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development 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 Community Development, and certified by the Director of Finance.

**Section 4.** That existing Sections 7 and 8 of Ordinance No. 660-13, passed May 20, 2013, are renumbered to new "Section 8" and "Section 9".

**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 Community Development, Finance, Law; Committees on Community and Economic Development, Finance.

**Ord. No. 1301-13.**

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

**An emergency ordinance to amend Sections 1 and 10 of Ordinance No. 692-11, passed June 6, 2011 and to supplement the ordinance by adding new Section 9a; and to authorize the Director of Community Development to accept and utilize repayments under the Neighborhood Stabilization Program III.**

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 Sections 1 and 10 of Ordinance No. 692-11, passed June 6, 2011 are amended to read as follows:

Section 1. That the Neighborhood Stabilization III Program shall be administered generally in accordance with the Executive Summary, placed in File No. **692-11-B**, which file shall also contain a description of the NSP III program.

Section 10. That the cost of the contracts, expenses, and administrative costs authorized in this ordinance shall not exceed \$6,793,290, **plus program income**, and shall be paid from **Fund No. 19 SF 628 and from the fund or funds designated by the Director of Finance to accept the repayments.**

**Section 2.** That existing Sections 1 and 10 of Ordinance No. 692-11, passed June 6, 2011 are repealed.

**Section 3.** That Ordinance No. 692-11, passed June 6, 2011, is supplemented by adding new Section 9a. to read as follows:

Section 9a. That the Director of Community Development is authorized to accept monies in repayment of loans and other NSP III program income and to deposit the monies into

a fund or funds to be determined by the Director of Finance and to utilize the repayments to make additional expenditures under this ordinance and are appropriated for this purpose.

**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 Community and Economic Development, Finance.

**Ord. No. 1302-13.**

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

**An emergency ordinance authorizing the Director of Public Utilities to enter into an agreement to lease to Case Western Reserve University property located on the Kirtland Intake Crib for the purpose of conducting wind and environmental studies and maintaining the wind monitoring data and equipment for a period of two years.**

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 Utilities is authorized to enter into an agreement to lease to Case Western Reserve University property located on the Kirtland Intake Crib for the purpose of conducting wind and environmental studies and maintaining the wind monitoring data and equipment for a period of two years.

**Section 2.** That the property described above shall be leased at a rental of \$1.00 and other valuable considerations for the entire length of the term, which is determined to be fair market value.

**Section 3.** That the lease may authorize Case Western Reserve University to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

**Section 4.** That the lease shall be prepared by the Director of Law.

**Section 5.** That the Director of Public Utilities, 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 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 Utilities, City Planning Commission, Finance, Law; Committees on Public Utilities, City Planning, Finance.



**FIRST READING ORDINANCE REFERRED****Ord. No. 1303-13.****By Council Members Cimperman, Cleveland and Kelley.****An ordinance changing the Use, Area and Height Districts of land located on the west side of W. 25th Street between Aust Avenue and Jay Avenue to Institutional Research, a 'C' Area District and a '3' Height District (Map Change No. 2443).**

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

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

Beginning at the centerline of West 25th Street at its intersection with the centerline of Jay Avenue;

Thence southwesterly along the centerline of said Jay Avenue to its intersection with the centerline of Stone Court;

Thence northwesterly along the centerline of said Stone Court to an angle therein;

Thence southwesterly continuing along the centerline of said Stone Court to its intersection with the southeasterly prolongation of the southwesterly line of land conveyed to Lutheran Medical Center by deed dated February 25, 1983 and recorded in Volume 48, page 317 of Cuyahoga County Records;

Thence northwesterly along said southeasterly prolongation of and the southwesterly line and the northwesterly prolongation of the southwesterly line of land so conveyed to Lutheran Medical Center to its intersection with the centerline of Vestry Avenue;

Thence southwesterly along the centerline of said Vestry Avenue to its intersection with the centerline of West 28th Street;

Thence northwesterly along the centerline of said West 28th Street to its intersection with the centerline of Fulton Road;

Thence northeasterly along the centerline of said Fulton Road to its intersection with the centerline of Franklin Boulevard;

Thence southwesterly along the centerline of said Franklin Boulevard to its intersection with the centerline of West 28th Street;

Thence northerly along the centerline of said West 28th street to its intersection with the southwesterly prolongation of the southeasterly line of land conveyed to Michael H. Flickinger by deed dated April 8, 2003 and recorded in File No. 200304080983 of Cuyahoga County Records;

Thence northeasterly along the southwesterly prolongation of and the southeasterly line of land so conveyed to Michael H. Flickinger to its intersection with the easterly line thereof;

Thence northerly along said easterly line and the northerly prolongation of the easterly line of land so conveyed Michael H. Flickinger to its intersection with the centerline of Oriole Court, now vacated;

Thence westerly along the centerline of said Oriole Court, now vacated, to its intersection with the centerline of West 28th Street;

Thence northerly along the centerline of said West 28th Street to its intersection with the westerly prolongation of the southerly line of land conveyed to Ohio City Suites, LLC by deed dated May 28, 2004 and recorded in File No. 200407160797 of Cuyahoga County Records;

Thence easterly along said westerly prolongation of and the southerly line and the easterly prolongation of the southerly line of land so conveyed to Ohio City Suites, LLC to its intersection with the centerline of West 27th Place, now vacated;

Thence northerly along the centerline of said West 27th Place, now vacated, to its intersection with the centerline of Aust Avenue;

Thence easterly along the centerline of said Aust Avenue to its intersection with the centerline of West 25th Street;

Thence southerly along the centerline of said West 25th Street to its intersection with the easterly prolongation of the northerly line of Parcel No. 1 of land conveyed to 25th Market Realty LLC by deed dated December 27, 2011 and recorded in File No. 201112300683 of Cuyahoga County Records;

Thence westerly along said easterly prolongation of and along the northerly line and along the westerly prolongation of the northerly line of land so conveyed to 25th Market Realty LLC to its intersection with the centerline of an Alley, now vacated;

Thence southerly along the centerline of said Alley, now vacated, to its intersection with the northerly line of Parcel No. 4 of land so conveyed to 25th Market Realty LLC;

Thence westerly along said northerly line of Parcel No. 4 of land so conveyed to 25th Market Realty LLC to its intersection with the westerly line thereof;

Thence southerly along said westerly line of Parcel No. 4 and along the westerly line of Parcel No. 3 of land so conveyed to 25th Market Realty LLC to its intersection with the southerly line thereof;

Thence easterly along said southerly line of Parcel No. 3 and along the easterly prolongation of said southerly line of Parcel No. 3 of land so conveyed to 25th Market Realty LLC to its intersection with the centerline of West 25th Street;

Thence southerly along the centerline of West 25th Street to its intersection with the easterly prolongation of the northerly line of land conveyed to Ojala Properties LLC by deed dated June 24, 2006 and recorded in File No. 200607180231 of Cuyahoga County Records;

Thence westerly along said easterly prolongation of and the northerly line of land so conveyed to Ojala Properties LLC to its intersection with the westerly line thereof;

Thence southerly along said westerly line of and the southerly prolongation of said westerly line of land so conveyed to Ojala Properties LLC to its intersection with the centerline of Franklin Boulevard;

Thence southwesterly along the centerline of said Franklin Boulevard to the northerly prolongation of the westerly line of land conveyed to Cinecraft Productions, Inc. by deed dated July 10, 1947 and recorded in Volume 6422, Page 2 of Cuyahoga County Records;

Thence southerly along said northerly prolongation of and the westerly line of land so conveyed to Cinecraft Productions, Inc. to its intersection with the most southerly line thereof;

Thence easterly along said most southerly line of land so conveyed to Cinecraft Productions, Inc. to its intersection with the easterly line thereof;

Thence northerly along said easterly line of and the northerly prolongation of the easterly line of land so conveyed to Cinecraft Productions, Inc. to its intersection with the centerline of Franklin Boulevard;

Thence northeasterly along the centerline of said Franklin Boulevard to its intersection with the centerline of West 25th Street;

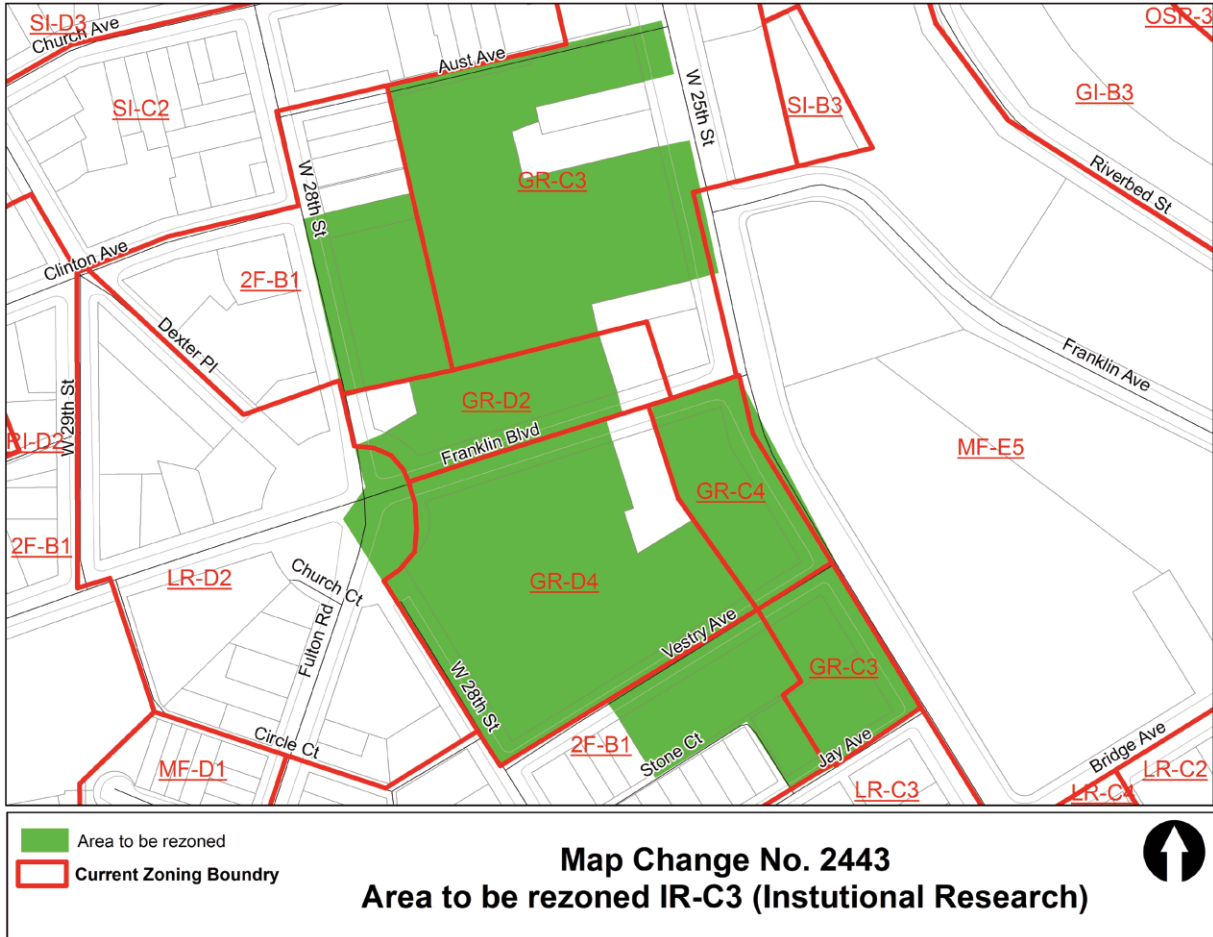
Thence southeasterly along the centerline of said West 25th Street to its intersection with the centerline of Jay Avenue and the place of beginning.



and as shaded on the attached map is changed to an Institutional Research District (IR) and a 'C' Area District and a '3' Height District.

**Section 2.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2443, 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; Committees on City Planning, Finance.

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

**Ord. No. 1299-13. By Council Members Conwell, Miller, Cleveland and Kelley (by departmental request).**

**An emergency ordinance to vacate a portion of Rumar Drive N.E.**

Whereas, under Resolution No. 809-13, adopted May 20, 2013, this Council declared its intention to vacate a portion of Rumar Drive, N.E.; and

Whereas, notice of the adoption of the above vacation was served on the abutting property owners affected by the resolution which stated a time and place when objections would be heard before the Board of Revision of Assessments; and

Whereas, on September 10, 2013, the Board of Revision of Assessments approved the above vacation under the provisions of Section 176

of the Charter of the City of Cleveland; and

Whereas, this Council is satisfied that there is good cause for vacating a portion of the above and that it will not be detrimental to the general interest and that it should be made; and

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

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

**Section 1.** That this Council declares that the following described real property is vacated:

Vacation of a Portion of Rumar Drive, N.E.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and being all that portion of Rumar Drive N.E. (20.00 feet wide) extending Easterly and Northerly from the East

right of way of East 110th Street (70.00 feet wide) to its intersection with the Easterly prolongation of the North line of Sublot 23 in the Keiper Realty Company's Subdivision, as shown in volume 62, page 22 of Cuyahoga County Map Records.

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

**Section 2.** That there is reserved to the City of Cleveland an easement of full width as described above for AT&T, Illuminating Company (CEI), and Water Pollution Control (WPC).

That no structures shall be erected on the premises described in this easement except those constructed under the approval of, and in compliance with, plans approved by AT&T, the Illuminating Company (CEI), Water Pollution Control (WPC), and the City of Cleveland.

**Section 3.** That an ingress/egress easement be placed for Parcel # 111-07-073 in order to prevent the parcel from becoming land-locked.

**Section 4.** That provided all required approvals have been obtained, the Manager of Engineering and Construction is directed to record the vacation plat in the office of the Recorder of Cuyahoga County.

**Section 5.** That the Clerk of Council is directed to transmit a copy of this ordinance to the Fiscal Officer of Cuyahoga County.

**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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

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

**Res. No. 1309-13.**

**By Council Member K. Johnson.**  
**An emergency resolution objecting to a New C1 Liquor Permit at 3577 East 129th Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Mary's Deli, LLC, DBA Mary's Deli, 3577 East 129th Street, Cleveland, Ohio 44104, Permanent Number 5598646; 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 Department 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 Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Mary's Deli, LLC, DBA Mary's Deli, 3577 East 129th Street, Cleveland, Ohio 44104, Permanent Number 5598646; and requests the Director 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1310-13.**

**By Council Member Cimperman.**  
**An emergency resolution supporting the application of Old Cleveland Properties, LP and West St. Clair, LP to the Ohio Development Services Agency for State Historic Tax Credits for the Worthington Building on Johnson Court between West 9th Street and West 6th Street in Cleveland, Ohio.**

Whereas, each year the State of Ohio through the Ohio Development Services Agency allocates State Historic Tax Credits for historic redevelopment projects throughout Ohio using a competitive proposal process; and

Whereas, Cleveland City Council recognizes the need to maintain historic buildings in Cleveland's neighborhoods; and

Whereas, Old Cleveland Properties, LP and West St. Clair, LP, propose a substantial rehabilitation and adaptive reuse of the old George Worthington Company warehouse buildings and two adjacent interior courtyards as Phase I of a development project located on Johnson Court, between West 9th Street and West 6th Street in Cleveland's warehouse district; and

Whereas, Phase I of the project includes the rehabilitation of the Worthington Building into 75 apartments and 14 roof-top condominiums, at least 18,000 square feet of retail space, 15,000 square feet of additional commercial space, 45 heated indoor parking spaces, structured parking and two interior courtyards; and

Whereas, Cleveland City Council supports Old Cleveland Properties, LP and West St. Clair, LP in the proposal for the Worthington Building on Johnson Court between West 9th Street and West 6th Street as a high priority initiative for future development in the community for the benefit the citizens of the City of Cleveland; and

Whereas, this resolution constitutes an emergency measure for the

immediate preservation of public peace, property, health or safety, now, therefore,

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

**Section 1.** That this Council supports the application of Old Cleveland Properties, LP and West St. Clair, LP to the Ohio Development Services Agency for State Historic Tax Credits for the Worthington Building on Johnson Court between West 9th Street and West 6th Street in Cleveland, Ohio..

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to Neil Viny of the Dalad Group.

**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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 1311-13.**

**By Council Member Cimperman.**  
**An emergency resolution declaring the month of September 2013 as National Recovery Month, and calling on Cleveland citizens to observe this month with appropriate programs, activities, and ceremonies to support Recovery Month, including the Run/Walk for Recovery on September 28, 2013.**

Whereas, behavioral health is an essential part of health and one's overall wellness; and

Whereas, prevention of mental and/or substance use disorders works, treatment is effective, and people recover in our area and around the nation; and

Whereas, preventing and overcoming mental and/or substance use disorders is essential to achieving healthy lifestyles, both physically and emotionally; and

Whereas, we must encourage relatives and friends of people with mental and/or substance use disorders to implement preventive measures, recognize the signs of a problem, and guide those in need to appropriate treatment and recovery support services; and

Whereas, in 2011, 3.8 million people received a specialty treatment for a substance use disorder and more than 31.6 million adults aged 18 or older received services for mental disorders, according to the 2011 National Survey on Drug Use and Health; given the serious nature of this public health problem, we must continue to reach the millions more who need help; and

Whereas, on October 1, 2013 as a result of the Affordable Care Act, more than 11 million uninsured individuals with behavioral health needs will become eligible for affordable insurance coverage for their treatment needs, according to the 2011 National Survey on Drug Use and Health; we must ensure that all of these individuals are successfully enrolled into coverage; and

Whereas, to help more people achieve and sustain long-term recovery, the U.S. Department of Health and Human Services (HHS), the Substance Abuse and Mental Health Services Administration (SAMHSA) the White House Office of National Drug Control Policy (ONDCP), and Recovery Resources invite all residents of Cleveland, Ohio to Participate in National Recovery Month (Recovery Month); and

Whereas, this Council calls on Cleveland citizens to observe Recovery Month by participating in the Run for Recovery 5K Run and 1-Mile Walk held on Saturday, September 28, 2013 at 8:30 a.m. at Progressive Field, 2401 Ontario Street, Cleveland, Ohio 44115; and

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

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

**Section 1.** That this Council declares the month of September 2013 as National Recovery Month, and calls on Cleveland citizens to observe this month with appropriate programs, activities, and ceremonies to support Recovery Month, including the Run/Walk for Recovery on September 28, 2013.

**Section 2.** That the Clerk of Council is directed to transmit a copy of this resolution to Recovery Resources.

**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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

## SECOND READING EMERGENCY ORDINANCES PASSED

### Ord. No. 846-12.

By Council Member Reed.

An emergency ordinance to amend Section 350.04 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 452-01, passed June 19, 2001, relating to application of sign permits.

Approved by Directors of City Planning Commission, Finance, Law; Passage recommended by Committee on City Planning, Legislation, Finance, when amended, as follows:

1. In Section 1, strike amended Section 350.04(a)(1) in its entirety and insert the following:

**"(1) Normal maintenance, repainting or change of message or sign face which does not alter the size, placement or structure of a sign, except for on-premises signs located in a Design Review District, a Landmark District or on a designated Landmark property, for which a permit shall be required for such repainting or change of sign face;"**

Amendment agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. 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. 1076-13.

By Council Member Miller.

An emergency ordinance to amend Section 551.38 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1003-06 passed July 12, 2006 relating to disposal of used tires; reporting.

Approved by Directors of Public Works, Public Health, Finance, Law; Passage recommended by Committees on Public Service, Health and Human Services, Finance, when amended, as follows:

1. In Section 1, at amended Section 551.38(a), line 13, beginning with "Licenses shall" after "Environment" strike "; the" and insert ", **The**"; and in line fifteen, after "is located" strike the period and insert "**on a quarterly basis.**"

2. In Section 1, at amended Section 551.38(b), at the end, after "**is located**" strike the period and insert "**on a quarterly basis.**"

Amendments agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. 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. 1094-13.

By Council Members Conwell, Mitchell and Kelley (by departmental request).

An emergency ordinance to amend Section 625.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 834-03, passed June 10, 2003, relating to petty theft.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

### Ord. No. 1097-13.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the FY 2013 Byrne Justice Assistance Grant (JAG) Local Solicitation; and authorizing one or more contracts with Cuyahoga County and the City of Euclid needed to implement the grant.

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

1. In the title, lines 3 and 4; and in Section 1, lines 3 and 4, strike "Ohio Office of Criminal Justice Services" and insert in both places "**United States Department of Justice's Bureau of Justice Assistance**".

Amendment agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. 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. 1098-13.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Public Utilities Commission of Ohio for the Hazardous Materials Training Program; and authorizing one or more contracts with Cleveland State University to implement the program.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

### Ord. No. 1101-13.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the State of Ohio for the FY 2014 Cleveland High Visibility Enforcement Overtime Program.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

### Ord. No. 1102-13.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from University Hospitals for the FY 2014 Cuyahoga County OVI Task Force Program.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

### Ord. No. 1103-13.

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

An emergency ordinance authorizing the Director of Community Development to execute a deed of easement granting to Dominion East Ohio Gas certain easement rights in a portion of City-owned property known as Permanent Parcel No. 110-24-024 and declaring the easement rights not needed for the City's use.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, City Planning, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

### Ord. No. 1104-13.

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

An emergency ordinance authorizing economic development incentives for the purpose of creating jobs and improving the economic welfare of the people of the City as authorized in Art. VIII, Section 13 of the Ohio Con-



stitution; and authorizing the Director of Economic Development to consolidate various job incentive programs under the new Job Creation Incentive Program; and authorizing the Director of Economic Development to enter into economic development agreements to facilitate the provisions of this new ordinance.

Approved by Directors of Economic Development, Finance, Law; Passage recommended by Committees on Community and Economic Development, Employment, Affirmative Action and Training, Finance, when amended, as follows:

1. In the fourth whereas clause, line 1, strike "172-A-06" and insert "172-A-05".

2. In Section 5, line 2, strike "17 SF 006,"; and in line 3, strike "paid;" and insert "approval of payments".

Amendments agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. 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. 1105-13.**

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

An emergency ordinance determining the method of making the public improvement of cleaning, cement mortar lining, and replacing various distribution water mains in 2014 and 2015; and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1109-13.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of diving and underwater inspections, for the Division of Water, 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 Public Utilities, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1110-13.**

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

An emergency ordinance authorizing the purchase by one or more requirement contracts of rock salt, for the Division of Streets, Department of Public Works, for a period of one year.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1112-13.**

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

An emergency ordinance authorizing the Director of Community Development to execute deeds of easement granting to Northeast Ohio Regional Sewer District certain easement rights in portions of City-owned properties needed for its Dugway West Interceptor Relief Sewer Project and declaring the easement rights not needed for the City's use.

Approved by Directors of Community Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, City Planning, Finance.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 1215-13.**

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

An emergency ordinance to amend the title and Sections 1 and 2 of Ordinance No. 1717-12, passed January 28, 2012, relating to authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the State Byrne Memorial Justice Assistance Grant (JAG) for the Northern Ohio Violent Crime Consortium (NOVCC) Program.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**MOTION**

On the motion of Council Member Brady, the absence of Council Member Joe Cimperman is hereby authorized. Seconded by Council Member Pruitt.

**MOTION**

The Council Meeting adjourned at 7:47 p.m. to meet on Monday, September 30, 2013, 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

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**BOARD OF CONTROL**

September 18, 2013

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 18, 2013 at 10:37 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Absent: Mayor Jackson and Director Nichols.

Others: L. Peculis, Acting Director, Office of Equal Opportunity.

Tiffany White, Commissioner, Purchases & Supplies.

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

**Resolution No. 531-13.**

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 July, 2013 in the amount of \$61,075.64, attached and made a part of this resolution is received, approved and ordered filed.

Yeas: Directors Langhenry, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Nichols.

**Resolution No. 532-13.**

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 August, 2013 in the amount of \$23,830.96, attached and made a part of this resolution is received, approved and ordered filed.

Yeas: Directors Langhenry, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Nichols.

**Resolution No. 533-13.**

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of The H. Leff Electric Company for an estimated quantity of High Voltage Switching Equipment, Group 2, Items 2-3, & 2-4, and Group 3, Items 3-1 through 3-6, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year starting upon execution of a contract, received on June 5, 2013 under the authority of Section 129.26, of the Codified Ord-



nances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$115,924.00 (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 required goods and/or services as specified.

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent delivery orders separately certified against the contract.

Yeas: Directors Langhenry, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Nichols.

**Resolution No. 534-13.**

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Professional Electric Product Company for an estimated quantity of High Voltage Switching Equipment, Group 1, Items 1-1 through 1-4, Group 2, Items 2-1, 2-2, 2-5, 2-6, 2-7, & 2-8, Group 3, Items 3-7 through 3-10, and Group 4, Items 4-1 through 4-5, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year starting upon execution of a contract, received on June 5, 2013 under the authority of Section 129.26, of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$1,153,135.32 (2%, 60 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 required goods and/or services as specified.

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under subsequent delivery orders separately certified against the contract.

Yeas: Directors Langhenry, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Nichols.

**Resolution No. 535-13.**

By Director Smith.

Whereas, under the authority of Ordinance No. 1275-97, passed by the Council of the City of Cleveland on September 22, 1997 and Board of Control Resolution No 547-98, adopted July 29, 1998, the City through its Director of Port Control, entered into Contract No. 53444 with TMA Systems, LLC for a computerized maintenance management system ("System"), including training and maintenance, which system included, but not limited to, the capability to process information regarding work orders, inventory, supplies and equipment for the various divisions of the Department of Port Control; and

Whereas, under the authority of Ordinance No. 1083-04, passed by the Council of the City of Cleveland on December 13, 2004 and Board of Control Resolution No. 484-05, adopted September 7, 2005, the City through its Director of Port Control, entered into Contract No. 64935 with TMA Systems, LLC to upgrade existing engineering operations, maintenance and pavement inventory systems software for the Department of Port Control; and

Whereas, under the authority of Section 181.102 C.O. the City, through its Director of Port Control, entered into Contract No. 69686 with TMA Systems, LLC to provide software licenses, updates, upgrades, enhancements, training, technical support and maintenance and repair services necessary to maintain the System; and

Whereas, when a director has been authorized to contract with a software developer or vendor, division (d) of Section 181.102 C.O. authorizes the director of the department for which the software is acquired to enter into an agreement with a software vendor for professional services necessary to implement or maintain the software system, including but not limited to maintenance, repair, upgrades, enhancements and technical support; and

Whereas, under the authority of Section 181.102 C.O. the City intends to enter into an agreement with TMA Systems, LLC to renew and acquire the necessary software licenses, updates, upgrades, enhancements, training, technical support and maintenance and repair services necessary to sustain and expand the System for the WebTMA Base Module and supplementary modules and development and implementation of a custom integration to Eagle AIRops. The term of the agreement shall be for a period of one year commencing October 31, 2013, with three (3) one-year renewal options; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid TMA Systems, LLC for license fees and for maintenance and support services to be performed under the contract for the one-year term commencing October 31, 2013 shall not exceed \$75,755.00 and the compensation for the second through fourth years shall not exceed \$46,130.00 per year.

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 536-13.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 815-12, passed by the Council of the City of Cleveland on June 4, 2012, the firm of Jacobsen Daniels Associates, LLC ("Consultant") is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of

Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional services on-call planning services, for the various divisions of the Department of Port Control, for a period of one year with three one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Jacobsen Daniels Associates, LLC for the above-mentioned services, based upon its proposal dated April 25, 2013, which contract shall be prepared by the Director of Law, shall provide that the compensation to Jacobsen Daniels Associates, LLC for the services authorized shall not exceed \$60,000.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following sub-consultants by Jacobsen Daniels Associates, LLC is approved:

<u>Sub-consultant</u>	<u>Percentage</u>	<u>Amount</u>
Van Auken Akins Architects, LLC	10% SBE	\$6,000.00
Ricondo & Associates, Inc.	10% Non DBE	\$6,000.00
HOK Group	5% Non DBE	\$3,000.00
Kimley-Horn Associates, Inc.	5% Non DBE	\$3,000.00
GCR Incorporated	2% Non DBE	\$1,200.00
Harris Miller & Miller Hanson Inc.	5% Non DBE	\$3,000.00

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

**Resolution No. 537-13.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 815-12, passed by the Council of the City of Cleveland on June 4, 2012, the firm of Landrum & Brown, Inc. ("Consultant") is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional on-call planning services, for the various divisions of the Department of Port Control, for a period of one year with three one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Landrum & Brown, Inc. for the above-mentioned services, based upon its proposal dated April 25, 2013, which contract shall be prepared by the Director of Law, shall provide that the compensation to Landrum & Brown, Inc. for the services authorized shall not exceed \$80,000.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following sub-consultants by Landrum & Brown, Inc. is approved:

<u>Sub-consultant</u>	<u>Percentage Amount</u>
Airport Design Consultants, Inc.	12% DBE \$9,600.00
Faith Group, LLC	2% DBE \$1,600.00
KS Associates, Inc.	2% DBE \$1,600.00
McGuiness Unlimited, Inc.	4% DBE \$3,200.00
Partners Environmental Consulting, Inc.	3% SBE \$2,400.00
Van Auken Akins Architects, LLC	7% SBE \$5,600.00
Aerometric	3% Non DBE \$2,400.00
Gresham Smith and Partners	3% Non DBE \$2,400.00
Parsons Brinkerhoff	3% Non DBE \$2,400.00
Vic Thompson	3% Non DBE \$2,400.00
WJ Advisors, LLC	3% Non DBE \$2,400.00
City Architecture	3% Non DBE \$2,400.00
Moody Nolan	2% Non DBE \$1,600.00

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson and Director Nichols.

**Resolution No. 538-13.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 815-12, passed by the Council of the City of Cleveland on June 4, 2012, the firm of Reynolds, Smith & Hills, Inc. ("Consultant") is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to sup-

plement the regularly employed staff of the several departments of the City to provide professional on-call planning services, for the various divisions of the Department of Port Control, for a period of one year with three one-year options to renew.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Reynolds, Smith & Hills, Inc. for the above-mentioned services, based upon its proposal dated April 25, 2013, which contract shall be prepared by the Director of Law, shall provide that the compensation to Reynolds, Smith & Hills, Inc. for the services authorized shall not exceed \$60,000.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved by the Board of Control that the employment of the following sub-consultants by Reynolds, Smith & Hills, Inc. is approved:

<u>Sub-consultant</u>	<u>Percentage Amount</u>
Engage Public Affairs, LLC	5% DBE \$ 3,000.00
G & T Associates, Inc.	5% DBE \$ 3,000.00
Martinez Geospatial, Inc.	5% DBE \$ 3,000.00
McGuiness Unlimited, Inc.	5% DBE \$ 3,000.00
Shrewsbury & Associates, LLC	5% DBE \$ 3,000.00
TransSolutions, LLC	5% DBE \$ 3,000.00
KS Associates, Inc.	10% SBE \$ 6,000.00
Van Auken Akins Architects, LLC	10% SBE \$ 6,000.00
C&S Engineers, Inc.	25% Non DBE \$15,000.00
Harris Miller & Miller Hanson Inc.	5% Non DBE \$ 3,000.00
TranSystems Corporation	5% Non DBE \$ 3,000.00

Yeas: Directors Langhenry, Dumas, Bender, Smith, Cox, Butler, Acting Director Gehlmann, Directors Rush, Southerington, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson and Director Nichols.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the

Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

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

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

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

ROBERT BENNETT,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 7, 2013**

**9:30 A.M.**

**Calendar No. 13-191:** 1404-06 West 29th Street (Ward 3) Striebinger Block, LLC, owner, and 1404 West 29th Street, LLC, tenant, appeal to change use from a store to a restaurant and bar in a portion of a one-story building located on a 147.43' x 64.5' parcel in a D2 Semi-Industry District; and no off-street parking and no bicycle parking space are proposed contrary to a requirement for eleven off-street parking spaces and one bicycle parking space that are required in accordance with Sections 349.04(f) and 349.15 of the Cleveland Codified Ordinances.

**Calendar No. 13-201:** 1561 East 118th Street (Ward 9) University Place LP aka Bluewater Capitol appeal to erect 19 town houses in a C1 General Retail Business District on acreage located between Wade Park and Euclid Avenues; contrary to Section 357.04 proposing a front yard depth of 8 feet where 23 feet is required and a rear yard of 18 feet contrary to Section 357.08(b)(2) and a required 20 feet; and contrary to Section 355.04 a square foot floor area of 34,438 is proposed and the maximum permitted equals 15,246 square feet; and a building height of 43 feet is proposed contrary to 35 feet and the provisions in Section 353.01 of the Cleveland Codified Ordinances.

**Violation Notice**

**Calendar No. 13-203:** 3478 West 88th Street (Ward 16) Samuel Velez under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision rendered by the City of Cleve-

land Parking Violations Bureau, Waste Collection and Photo Safety Division on September 6, 2013 and the violation information described on Civil Infraction Ticket Number WC00198614, issued June 20, 2013 for the property located at 13021 West Avenue and failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances.

**Calendar No. 13-205:** 5201 Northcliff Avenue (Ward 13)

Dwight and Gayle Lee, owners, appeal to erect a 23' x 21'-6" one-story frame, gable garage on a 65' x 130.02' parcel in a B1 Two-Family District; subject to the restrictions in Section 337.23(a) an accessory structure shall be located on the rear half of the lot and the proposed garage is located within 45 feet contrary to the rear half at 62 feet.

#### WITHDRAWN

**Calendar No. 13-213:** 4301-07 Woodbine Avenue (Ward 3)

Lucretia Place Condo Association appeals to remodel front porches on four dwelling units located on a single parcel in a B1 Two-Family District; proposing porches that extend to the street line, contrary to Section 357.13(b)(4) and the restriction that porches in a residential district may not extend within 10 feet of the street line, according to the Cleveland Codified Ordinances.

Secretary

### REPORT OF THE BOARD OF ZONING APPEALS

#### MONDAY, SEPTEMBER 23, 2013

At the meeting of the Board of Zoning Appeals on Monday, September 23, 2013, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

**Calendar No. 13-192:** 1085 West 3rd Street, aka 100 Alfred Lerner Way City of Cleveland, owner, and the Cleveland Browns, lessee appealed to install a 20' x 40' tent to be in place from 8/25/13 to 12/16/13 in a B3 General Industry District.

**Calendar No. 13-194:** 1451 West 116th Street  
Christian Riemenscheider appealed to erect a 30' x 32' one-story accessory garage in a B1 Two-Family District.

**Calendar No. 13-189:** 15831 Munn Road  
Mark Kopack appealed to construct a two-car garage on an irregular shaped corner parcel in an A1 One-Family District.

The following appeals were **DENIED:**

**Calendar No. 13-193:** 12613 Rexford Avenue  
Zaundra Brown appealed to install 163 linear feet of six feet high wood fence set one foot back from the side street property line along a parcel in a B1 Two-Family District.

#### Violation Notice

**Calendar No. 13-198:** 1170 Ivanhoe Road  
1170 Ivanhoe, LLC, owner, and John Hirko, JJAAC Mulch Services, tenant, appealed from a Notice of Violation issued by the Department of Building and Housing.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

**Calendar No. 13-195:** 16605 Miles Avenue postponed to October 14, 2013.

**Calendar No. 13-82:** 16569 St. Clair Avenue postponed to October 28, 2013.

**Calendar No. 13-126:** 4858 Broadview Road postponed to November 4, 2013.

**Calendar No. 13-141:** 3630 Trowbridge Avenue postponed to October 21, 2013.

The following appeals heard by the Board on September 16, 2013 were adopted and approved on September 23, 2013.

The following appeals were **APPROVED:**

**Calendar No. 13-188:** 7200 Brookpark Road  
M&G Equities a New York Partnership, owner, and Guggenheim, Incorporated appealed to erect a single faced, non-illuminated temporary banner on an existing building in a C3 Semi-Industry District.

**Calendar No. 13-190:** 9701 Rosewood Avenue  
Kenyana Cassel appealed to construct a wood frame two-car garage in an A1 One-Family District.

**Calendar No. 13-129:** 1720 Wiley Avenue aka 2306 West 17th Street  
Donald F. Dickson, Trustee, owner, and prospective purchaser Naomi Sabel appealed to renovate and establish use of a former manufacturing building to a residential and commercial use in a Semi-Industry District.

**Calendar No. 13-132:** 1446 West 48th Street  
Scott Francis appealed to erect a second floor room addition to a single family dwelling in a B1 Two-Family District.

**Calendar No. 13-136:** 4574 Broadview Road  
Randall Roppel appealed to change use of a rear accessory building to a single family occupancy and establish use of a front two family dwelling in a C1 Multi-Family District; subject to conditions.

Secretary

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

NO MEETING

#### PUBLIC NOTICE

Application for an expansion of the Playhouse Square Community Entertainment District is on file in the Office of the Clerk of Cleveland City Council, Cleveland City Hall, 601 Lakeside Avenue, Room 220, Cleveland, Ohio and is available for inspection by the public between 8:30 a.m. and 4:30 p.m. on regular days of business. Ordinance 1222-13 approving the application to expand the Playhouse Square Entertainment District and to amend Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 351-13, passed March 13, 2013, relating to Community Entertainment Districts will be heard at the City Planning Committee and Finance Committee on October 7, 2013 at 2:00 p.m. in the Mercedes Cotner Committee Room, Room 217, Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio.

September 18, 2013, September 25, 2013 and October 2, 2013

#### 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 applica-**



tions 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."

**FRIDAY, OCTOBER 11, 2013**

**File No. 164-13 Quicklime and Hydrated Lime (Re-Bid)**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.24 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, SEPTEMBER 26, 2013 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 18, 2013 and September 25, 2013

**THURSDAY, OCTOBER 17, 2013**

**File No. 165-13 Snow Removal Services**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, SEPTEMBER 27, 2013 AT 2:30 P.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

September 18, 2013 and September 25, 2013

**FRIDAY, OCTOBER 18, 2013**

**File No. 163-13 Harvard Substation (Re-Bid)**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 556-08, passed by the Council of the City of Cleveland, June 9, 2008.

\*THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED AND FIFTY DOLLARS (\$150.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).**

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, SEPTEMBER 26, 2013 AT 11:30 A.M. CLEVELAND PUBLIC POWER, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

\*Bidders must purchases plans and specifications directly from the office of the Commissioner of Pur-

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

September 18, 2013 and September 25, 2013

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1202-13.**  
By Council Member Brady.

**An emergency resolution objecting to a New C1 Liquor Permit at 10933 Lorain Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at James Sofianos, DBA Olympus On Lorain, 10933 Lorain Avenue, Cleveland, Ohio 44111, Permit Number 8355943; 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 Department 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 Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at James Sofianos, DBA Olympus On Lorain, 10933 Lorain Avenue, Cleveland, Ohio 44111, Permit Number 8355943; and requests the Director 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 let-

ter of objection and two copies of a letter requesting that the hearing be held in Cleveland, Cuyahoga County.

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

Adopted September 16, 2013.  
Effective September 24, 2013.

**Res. No. 1203-13.**

By Council Member Brancatelli.

**An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 3528-30 Independence Road, 1st floor and patio.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D2, D2X and D3 Liquor Permit from Nicholas Albondante, DBA Stop In Café, 3528-30 Independence Road, 1st floor and patio, Cleveland, Ohio 44105, Permanent Number 0098825 to Royal Klasic, LLC & Patio, 3528-30 Independence Road, 1st floor and patio, Cleveland, Ohio 44105 Permanent Number 7964035; 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 Department 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 Director 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 D2, D2X and D3 Liquor Permit from Nicholas Albondante, DBA Stop In Café, 3528-30 Independence Road, 1st floor and patio, Cleve-



land, Ohio 44105, Permanent Number 0098825 to Royal Klassic, LLC & Patio, 3528-30 Independence Road, 1st floor and patio, Cleveland, Ohio 44105 Permanent Number 7964035; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 16, 2013.  
Effective September 24, 2013.

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**Res. No. 1204-13.**  
**By Council Member Brancatelli.**  
**An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 3578 Independence Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from LRC Enterprises, LLC, DBA Club 1227, 3578 Independence Road, Cleveland, Ohio 44105, Permanent Number 4949651 to Above The Best Entertainment, LLC, 3578 Independence Road, Cleveland, Ohio 44105, Permanent Number 0029341; 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 Department 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 Director 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 Liquor Permit from LRC Enterprises, LLC, DBA Club 1227, 3578 Independence Road, Cleveland, Ohio 44105, Permanent Number 4949651 to Above The Best Entertainment, LLC, 3578 Independence Road, Cleveland, Ohio 44105, Permanent Number 0029341; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 16, 2013.  
Effective September 24, 2013.

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**Res. No. 1206-13.**  
**By Council Member J. Johnson.**  
**An emergency resolution objecting to the transfer of ownership of Liquor License of a C2 and C2X Liquor Permit to 5300 Superior Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of Liquor License of a C2 and C2X Liquor Permit from Antoinette Burgess, DBA Tony's Deli, 2165 West 47th Street, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 1115305 to Daniel Roman, Inc., 5300 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7494401; 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 Department 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 Director 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 Liquor License of a C2 and C2X Liquor Permit from Antoinette Burgess, DBA Tony's Deli, 2165 West 47th Street, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 1115305 to Daniel Roman, Inc., 5300 Superior Avenue, Cleveland, Ohio 44103, Permanent Number 7494401; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 16, 2013.  
Effective September 24, 2013.

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**Res. No. 1207-13.**  
**By Council Member K. Johnson.**  
**An emergency resolution objecting to a New C1 Liquor Permit at 11202 Buckeye Road, Suite 1.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a New C1 Liquor Permit at Michelle L. Brooks, DBA LB Beverage, 11202 Buckeye Road, Suite 1, Cleveland, Ohio 44104, Permit Number 0985191; 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 Department 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 Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Michelle L. Brooks, DBA LB Beverage, 11202 Buckeye Road, Suite 1, Cleveland, Ohio 44104, Permit Number 0985191; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 16, 2013.  
Effective September 24, 2013.

**Res. No. 1208-13.**  
**By Council Member Kelley.**  
**An emergency resolution objecting to the transfer of ownership of a D5 Liquor Permit to 4301 State Road & Patio.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 Liquor Permit from CYSY, Inc., DBA YS Guys, 4301 State Road & Patio, Cleveland, Ohio 44109, Permanent Number 1173931 to Swagger Tavern, LLC, 4301 State Road & Patio, Cleveland, Ohio 44109, Permanent Number 8725043; 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 Department 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 Director 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 Liquor Permit from CYSY, Inc., DBA YS Guys, 4301 State Road & Patio, Cleveland, Ohio 44109, Permanent Number 1173931 to Swagger Tavern, LLC, 4301 State Road & Patio, Cleveland, Ohio 44109, Permanent Number 8725043; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 16, 2013.  
Effective September 24, 2013.

**Res. No. 1209-13.**  
**By Council Member Sweeney.**  
**An emergency resolution objecting to a New C1 Liquor Permit at 4713 West 130th Street.**

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

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

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

ordinances of this state or any other state; and

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

Whereas, the place for which the permit is sought is so arranged or constructed that law enforcement officers or agents of the Department 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 Director of Liquor Control within 30 days of notification; now, therefore,

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at 4713 West 130th Street, Inc., 4713 West 130th Street, Cleveland, Ohio 44135, Permit Number 2830532; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 16, 2013.  
Effective September 24, 2013.

**Res. No. 1210-13.**  
**By Council Member Kelley (by departmental request).**

**An emergency resolution requesting the County Fiscal Officer to make advances during the year 2014, pursuant to Section 321.34, Ohio Revised Code.**

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

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

**Section 1.** That under Section 321.34 of the Revised Code, the County Fiscal Officer is hereby requested to draw, and the County Treasurer to pay on draft or drafts made payable to the Treasury of the City of Cleveland, any money that may be in the

County Treasury from time to time during the year 2014 and credited to the account of the City of Cleveland and lawfully applicable to the purpose of the 2014 fiscal year, during which year such request will be made. The payments to be made from time to time in accordance with the schedule set by Cuyahoga County.

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

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

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

Adopted September 16, 2013.  
Effective September 16, 2013.

**Res. No. 1211-13.**

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

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

Whereas, this Council, under the provisions of law, has adopted a Tax Budget for the fiscal year commencing January 1, 2014; and

Whereas, the Budget Commission of Cuyahoga County, Ohio, has certified its action on the Tax Budget to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part is within and what part is outside the 10-mill tax limitation; and

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

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

**Section 1.** That the amounts and rates as determined by the Budget Commission in its certification are accepted.

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

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

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

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

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

Passed September 16, 2013.  
Effective September 16, 2013.

**Res. No. 1219-13.**

**By Council Member Cimperman.**

**An emergency resolution supporting comprehensive immigration reform that addresses earned legalization with a path to citizenship, updated future immigration of families and workers and improved immigration enforcement and border security that is consistent with national values.**

Whereas, the City of Cleveland's identity is defined by its promise of equality, esteem for diversity and commitment to innovation; and

Whereas, the City of Cleveland and the United States have prospered because of the contributions of hardworking and aspiring citizens; and

Whereas, this Council supports the value of human dignity of all Cleveland residents, regardless of immigration status, and recognizes the importance of immigrants' many contributions to the social and economic fabric of the City; and

Whereas, becoming a citizen in the United States means taking a solemn oath to uphold the United States Constitution; and

Whereas, citizenship is an important symbol of full membership and participation in society that should be encouraged, not barred; and

Whereas, keeping families together not only is the right thing to do, but also is good for the economy because families provide a base of support that increases worker productivity and spurs entrepreneurship; and

Whereas, immigration enforcement will be much more efficient and effective once the number of undocumented immigrants is reduced due to immigration reform; and

Whereas, the nation's current immigration system is dysfunctional, harms the economy and does not reflect our values as a city; and

Whereas, overseeing immigration is a federal responsibility, and a comprehensive approach to reforming the immigration system would strengthen the economy and free aspiring citizens to make even greater contributions to their communities; and

Whereas, the Federal Government's inability to enact immigration reform has created severe economic, cultural and political strains in the City and in communities across the United States; and

Whereas, immigration reform must occur in a comprehensive, thoughtful manner that builds the strength and unity of working people and guarantees the same rights, obligations and basic fairness for all workers, no matter where they come from; and

Whereas, comprehensive immigration reform must include a realistic pathway to citizenship for all hard-working and taxpaying aspiring citizens who live in the United States if they meet reasonable requirements; and

Whereas, comprehensive immigration reform must provide a mechanism for those citizens who have grown up in this country to become citizens and be able to fully contribute to our joint future; and

Whereas, comprehensive immigration reform must update the immigration system so that the future flow of immigrant workers more realistically matches our nation's labor needs and is structured to protect the wages and working conditions of citizen and immigrant workers; and

Whereas, any new worker visa program must provide for strict compliance with United States labor standards and wage and hour standards, portability of visas so that workers can change jobs and the ability for workers to petition for permanent residency; and

Whereas, comprehensive immigration reform must limit the wait times and rules that keep families separated from their loved ones; and

Whereas, comprehensive immigration reform enforcement provisions must restore respect for law by promoting strict adherence to our nation's values, including due process, civil and human rights, accountability and proportionality; and

Whereas, internal and border law enforcement should focus on preventing criminals, drug cartels and other negative and harmful elements from entering the United States or engaging in criminal activities; and

Whereas, this Council supports a comprehensive immigration reform bill that keeps families together, upholds national values, promotes economic growth and provides a long-term solution to the immigration system; and

Whereas, this Council recognizes that businesses should be allowed to hire the workers they need to grow the economy and immigration reform should address the high-skilled worker shortage faced by businesses, especially in the high-tech and healthcare sectors; and

Whereas, elected officials must create an immigration process that strengthens our nation's economy

and lets aspiring citizens continue their contributions to their communities; and

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

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

**Section 1.** That this Council hereby supports comprehensive immigration reform that addresses earned legalization with a path to citizenship, updated future immigration of families and workers and improved immigration enforcement and border security that is consistent with national values.

**Section 2.** That the Clerk of Council is hereby directed to forward copies of this resolution to President Barack Obama and all members of the United States Congress.

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

Adopted September 16, 2013.

Effective September 24, 2013.

**Res. No. 1221-13.**

**By Council Member Conwell.**

**An emergency resolution calling upon the Governor of the State of Ohio and the Ohio Legislature to establish a Commission on Women and Girls.**

Whereas, women and girls today face numerous issues of critical importance to their physical, emotional and financial well-being; and

Whereas, most, if not all of these issues are unique to females in today's world; and

Whereas, matters such as personal safety, domestic violence, sexual assault, mental health, leadership and professional development all impact the lives of women and girls; and

Whereas, a commission to review, study and support these issues is needed in order to maintain these issues in the forefront of society and such a commission would make a significant and positive difference in women's and girl's lives; and

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

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

**Section 1.** That this Council hereby calls upon the Governor of the State of Ohio and the Ohio Legislature to establish a Commission on Women and Girls.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to Governor John Kasich and all members of the Ohio General Assembly.

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

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

Adopted September 16, 2013.

Effective September 24, 2013.

**Ord. No. 849-13.**  
**By Council Members Brancatelli, Kelley and Polensek (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with various housing development entities, or their designees, to implement the Housing Trust Fund Program, for costs associated with various housing activities.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into one or more contracts with various housing development entities, or their designees, for the purpose of implementing the Housing Trust Fund Program.

**Section 2.** That eligible activities under the Housing Trust Fund Program include new construction, rehabilitation, site preparation, site acquisition, predevelopment activities and financial assistance to home buyers.

**Section 3.** That the amount allocated for the contracts shall be approximately \$3,800,000 and prior years balances, and shall be paid from Fund Nos. 19 SF 630, SF 650, SF 660, SF 670 and 14 SF 039, Request No. RQS 8006, RL 2013-0073.

**Section 4.** That the Director of Community Development is authorized to accept monies in repayment of loans authorized in this ordinance and to deposit those monies in Fund Nos. 14, and 19 and utilize said repayments and other program income in a revolving fund for making additional expenditures under this program, and such funds are hereby appropriated for that purpose.

**Section 5.** 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 6.** 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 to cover costs incurred in the preparation of loan documents, closing, and servicing costs. Such fees shall be deposited into Fund No. 19. The revenues generated as a result of charging fees are hereby appropriated for additional program and operating expenses for Housing Trust Fund activities.

**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.  
 Passed September 16, 2013.  
 Effective September 24, 2013.

**Ord. No. 1092-13.  
 By Council Members Brancatelli and Kelley (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire property for future redevelopment at 3813 Euclid Avenue, for the Department of Economic Development; and authorizing the Commissioner of Purchases and Supplies to convey the property to The Chesler Group, Inc. or its designee, which is not needed for the City's use.**

Whereas, the Director of Economic Development has requested the acquisition from Stager-Beckwith Associates, LTD., or its designee (the "Seller") of property located at 3813 Euclid Avenue for future redevelopment; and

Whereas, the Director of Economic Development has requested the sale of the property, which is not needed for the City's use, to The Chesler Group, Inc., or its designee (the "Redeveloper") for the public purpose of future redevelopment of the property; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire the following described property for future redevelopment:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Original 10 Acre Lot No. 93 and bounded and described as follows: Beginning on the Northerly line of Euclid Avenue at the Southeasterly corner of land conveyed to The University Club Company by deed dated July 20, 1914 and recorded in Volume 2630, Page 122 of Cuyahoga County Records; thence Westerly along the Northerly line of Euclid Avenue, 238.60 feet to the Southwesterly corner of land conveyed to The University Club Company as aforesaid; thence Northerly along the Westerly line of land so conveyed, 572.94 feet to the Southerly line of Chester Avenue, N.E., 86 feet wide; thence Easterly along the Southerly line of Chester Avenue, N.E., about 238.14 feet to its intersection with the Easterly line of land conveyed to the University Club Company as aforesaid; thence Southerly along the Easterly line of land so conveyed, 588.35 feet to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire, record, and to convey the property and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and conveyance of the property.

**Section 3.** That the consideration to be paid for this property for acquisition shall not exceed fair market value as determined by the Board of Control.

**Section 4.** That at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the property previously described in this ordinance to the Redeveloper, for not less than fair market value determined by the

Board of Control, taking into account all restrictions, reversionary interests and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

**Section 5.** That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**Section 6.** That this Council finds that the conveyance to the Redeveloper constitutes a public use of the property for the purposes of redevelopment.

**Section 7.** That the Director of Economic Development is authorized to enter into the necessary agreements with the Seller and the Redeveloper which shall include the terms and conditions of the transactions authorized by this ordinance.

**Section 8.** That any payments received through the conveyance authorized by this ordinance will be deposited into Fund No. 18 SF 002. Proceeds received through the conveyance shall be used by the Department of Economic Development towards payment of debt obligations.

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

Passed September 16, 2013.  
 Effective September 24, 2013.

**Ord. No. 1212-13.  
 By Council Member Kelley (by departmental request).**

**An emergency ordinance to provide for the transfer and amendment to the General Fund appropriations in the amount of Two Million One Hundred Twenty Five Thousand (\$2,125,000), and Fourteen Thousand (\$14,000) within the Enterprise Fund.**

Whereas, in accordance with Section 41 of the Charter, the Mayor has recommended in writing the within transfer; and

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

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

**Section 1.** That amendment to the General Fund appropriations in the amount of Two Million One Hundred Twenty Five Thousand (\$2,125,000), and Fourteen Thousand (\$14,000) within the Enterprise Fund as follows:

	Transfer To	Transfer From
GENERAL FUND		
DEPARTMENT OF LAW		
Division of Law		
I Personnel and Related Expenses	\$ -	\$ 500,000
II Other Expenses	870,000	-
TOTAL DEPARTMENT OF LAW	870,000	500,000
DEPARTMENT OF FINANCE		
Division of Treasury		
I Personnel and Related Expenses	-	5,000
II Other Expenses	5,000	-
TOTAL DEPARTMENT OF FINANCE	5,000	5,000

DEPARTMENT OF PUBLIC SAFETY		
Division of Police		
I Personnel and Related Expenses	-	1,030,000
Division of Emergency Medical Services		
I Personnel and Related Expenses	-	500,000
Division of Correction		
II Other Expenses	1,000,000	-
TOTAL DEPARTMENT OF PUBLIC SAFETY	1,000,000	1,530,000
DEPARTMENT OF BUILDING AND HOUSING		
Building and Housing Director's Office		
I Personnel and Related Expenses	-	50,000
II Other Expenses	50,000	-
Division of Code Enforcement		
I Personnel and Related Expenses	-	15,000
II Other Expenses	15,000	-
Division of Construction Permitting		
I Personnel and Related Expenses	-	25,000
II Other Expenses	25,000	-
TOTAL DEPARTMENT OF BUILDING AND HOUSING	90,000	90,000
NONDEPARTMENTAL		
Transfers to Other Funds		
II Other Expenses	160,000	-
TOTAL NONDEPARTMENTAL	160,000	-
TOTAL GENERAL FUND	2,125,000	2,125,000
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC WORKS		
Golf Course Fund		
I Personnel and Related Expenses	14,000	-
II Other Expenses	-	14,000
TOTAL DEPARTMENT OF PUBLIC WORKS	14,000	14,000
TOTAL ENTERPRISE FUNDS	14,000	14,000

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

Passed September 16, 2013.

Effective September 24, 2013.

**Ord. No. 1213-13.**

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

**An emergency ordinance to make additional appropriations of Three Million Six Hundred Thousand (\$3,600,000) of General Fund Funds, Two Hundred Sixty Thousand (\$260,000) of Enterprise Funds, and Twenty Six Million One Hundred Thirty Five Thousand (26,135,000) of Debt Service Funds.**

Whereas, there remains an unappropriated balance in the various funds, the sum of Twenty Nine Million Nine Hundred Ninety Five Thousand which is available for additional appropriation; 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 there is hereby appropriated the additional revenue as set forth in the Amended Official Certificate of Estimated Resources previously unappropriated as follows:

GENERAL FUND	\$3,600,000
ENTERPRISE FUND	260,000
DEBT SERVICE FUND	26,135,000
TOTAL ALL FUNDS	29,995,000

GENERAL FUND		
NONDEPARTMENTAL		
Other Administrative		3,600,000
II Other Expenses	3,600,000	<u>3,600,000</u>
TOTAL NONDEPARTMENTAL		<u>3,600,000</u>
TOTAL GENERAL FUND		3,600,000
ENTERPRISE FUNDS		
DEPARTMENT OF PUBLIC WORKS		
Division of Convention Center		160,000
I Personnel and Related Expenses	160,000	
Division of Convention Center & Stadium - West Side Market		100,000
II Other Expenses	100,000	<u>100,000</u>
TOTAL DEPARTMENT OF PUBLIC WORKS		<u>260,000</u>
TOTAL ENTERPRISE FUND		260,000
DEBT SERVICE FUND		
Sinking Fund Commission		26,135,000
III Debt Service	26,135,000	<u>26,135,000</u>
TOTAL DEBT SERVICE FUND		<u>26,135,000</u>
TOTAL ALL FUNDS		<u>\$ 29,995,000</u>

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

Passed September 16, 2013.  
Effective September 24, 2013.

**Ord. No. 1216-13.  
By Council Members Brancatelli,  
Pruitt and Kelley (by departmental  
request).**

**An emergency ordinance authorizing the Director of Economic Development and/or the Director of Public Utilities to enter into one or more contracts with OneCommunity to allow the City to co-apply for and accept an economic development administration grant from the United States Department of Commerce, and for OneCommunity to construct and market a 100 gigabit fiber network between Downtown Cleveland and University Circle through Cleveland's Health-Tech Corridor and to provide OneCommunity with an amount up to \$200,000 to be used as matching funds in order to receive the 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 Economic Development and/or the Director of Public Utilities is/are authorized to enter into one or more agreements with OneCommunity for the purpose of receiving Economic Development Administration grant funds, as a co-applicant with OneCommunity, from the United States Department

of Commerce for the construction and marketing of a 100 gigabit fiber network between Downtown Cleveland and University Circle through Cleveland's Health-Tech Corridor (the "Improvement") and for its development and marketing after the grant funds are received. On the condition that the grant is received, the agreement shall include the obligation of the City of Cleveland to provide OneCommunity with funds in the amount of up to \$200,000, payable from Fund No. 17 SF 652, to be used by OneCommunity as cash matching funds in order to receive the grant. (RQS 9501, RL 2013-141)

**Section 2.** That the Director of Economic Development and/or the Director of Public Utilities is/are authorized to apply for and accept an Economic Development Administration grant in the amount of approximately \$800,000, from the United States Department of Commerce with grant co-applicant, OneCommunity, who will receive the funds and implement the Improvement; that the Director(s) is/are authorized to file all papers and execute all documents necessary to receive any funds and pass through to OneCommunity under the grant and enter into any contracts or agreements necessary to implement the Improvement, pursuant to the agreement authorized in Section 1 of this ordinance; and that the funds will be utilized by OneCommunity for the purposes described in the summary

for the grant contained in the file described below.

**Section 3.** 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. 1216-13-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 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 16, 2013.  
Effective September 24, 2013.

**Ord. No. 1217-13.  
By Council Member Sweeney.**

**An emergency ordinance authorizing the Clerk of Council to enter into one or more internship agreements with various individuals to provide assistance to the Office of the Clerk and the members of Cleveland City Council in any and all matters related to official Council business.**



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

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

**Section 1.** That the Clerk of Council is authorized to enter into one or more internship agreements with various individuals to provide assistance to the Office of the Clerk and the members of Cleveland City Council in any and all matters related to official Council business, as may be directed by the Clerk or her designees. The agreements may be for terms of any number of weeks starting on or after September 1, 2013 and ending on or before September 30, 2014. The individuals shall be paid on an hourly basis in an amount up to and not to exceed \$15.00 per hour and shall be certified from fund number 01, sub-fund 001, department 0101, object 6320.

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

Passed September 16, 2013.

Effective September 24, 2013.

**Ord. No. 1218-13.**  
**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 URS Corporation for professional services necessary to conduct a capital repair audit of the First Energy Stadium.**

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 URS Corporation for professional services necessary to conduct a capital repair audit of the First Energy Stadium on the basis of its proposal dated September 5, 2013, in the total sum of \$394,097, for the Department of Public Works. The contract or contracts shall be paid from Fund No. 20 SF 111, Request No. RQS 7001, RL 2013-139.

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

Passed September 16, 2013.

Effective September 24, 2013.

**Ord. No. 1220-13.**  
**By Council Member Conwell.**  
**An emergency ordinance to create a Mayor's Commission on Women and Girls within the City Health Department's Office of Minority Health.**

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.** There is hereby established a Mayor's Commission on Women and Girls within the City Health Department's Office of Minority Health. The Mayor's Commission on Women and Girls shall consist of one (1) representative appointed by the Mayor from the Community Relations Board; one (1) representative appointed by the Mayor from the City Department of Health; one (1) representative appointed by the Mayor from the City Department of Personnel and Human Resources; two (2) representatives appointed by the Mayor from the Department of Public Safety; two (2) representatives appointed by the Council President from Council; two (2) representatives from the Cleveland Public School District; and five (5) citizen representatives: two (2) appointed by the Mayor; two (2) appointed by the Council President; and one (1) appointed jointly by the Mayor and the Council President. One of these members shall be elected Chairperson every two (2) years by the members of the Commission. The Commission shall appoint a Secretary, who may or may not be a member of the Commission, and who shall serve at the pleasure of the Commission. The Commission shall adopt its own rules and order of business and keep a journal of its proceedings. The Commission shall meet at least every 2 months, and upon the call of the Chairperson.

**Section 2. Powers and Duties of the Commission.** The Commission shall:

1. Promote economic, social, legal and political equality for women.

2. Serve as a vehicle through which women and their families can connect with City and social services that support and address their needs.

3. Advocate for and support programs that address the needs of women and girls who are homeless, impoverished, low wage workers, elderly, victims of sexual and domestic violence, and victims of substance abuse and human trafficking.

4. Work with the corporate sector to establish public-private partnerships that support women's initiatives.

5. Recognize and celebrate the achievements of women in northeast Ohio and Cleveland in particular.

6. Hold conferences, hearings, workshops, crisis intervention training and other special meetings in the interest of addressing problems which are peculiar to the needs of women.

7. Conduct any research necessary to accomplish the above goals.

**Section 3. Solicitation of Funds; Special Commission Account.** The Commission shall solicit grants or contributions on behalf of the City to be used solely to support the operations

of the Commission. The funds shall be deposited in the "Mayor's Commission on Women and Girls Account" which is hereby established within the General Fund.

**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 September 16, 2013.

Effective September 24, 2013.

**Ord. No. 1227-13.**  
**By Council Member Cimperman.**  
**An emergency ordinance consenting and approving the issuance of a permit for the 36th Annual "Walk of Hope", on October 5, 2013, sponsored by the Catholic Charities Disability Services and Ministries.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the the 36th Annual "Walk for Hope," sponsored by the Catholic Charities Disability Services and Ministries, on October 5, 2013, leave OLA/St. Joseph Center parking lot on Kenilworth; head east on Kenilworth to W. 11th Street; turn right on W. 11th to Starkweather; turn right on Starkweather to W. 14th Street; turn right on W. 14th to Kenilworth; turn right on Kenilworth to W. 11th; turn left onto W. 11th and walk to University Road; turn right on to University and walk to W. 10th Street; turn right on to W. 10th and walk to stop sign; veer left on to Professor Avenue—staying on the right hand side of the street and walk to Jefferson; turn right on to Jefferson and walk to Starkweather—cross W. 14th to the west side of W. 14th; turn right on to W. 14th Street—cross Kenilworth and return to OLA/St. Joseph Center on the left, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 16, 2013.

Effective September 24, 2013.

**Ord. No. 1243-13.**  
**By Council Member Reed.**  
**An emergency ordinance amending Section 2 of Ordinance No. 501-12 passed April 9, 2012 as amended by Ordinance No. 836-12 passed June 4, 2012 as it pertains to the Neighborhood Safety and Security Program for the Warner Road Neighborhood Area through the use of Ward 2 Neighborhood Capital 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 Section 2 of Ordinance No. 501-12 passed April 9, 2012 as amended by Ordinance No. 836-12, passed June 4, 2012 are hereby amended as follows:

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 177.

**Section 2.** That Section 2 of Ordinance No. 501-12 passed April 9, 2012 as amended by Ordinance No. 836-12, passed June 4, 2012 are hereby repealed

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

Passed September 16, 2013.  
 Effective September 24, 2013.

**Ord. No. 1244-13.**  
**By Council Members Cleveland, Reed and Mitchell.**  
**An emergency ordinance amending the Title and Sections 1 and 2 of Ordinance No. 577-12 passed April 23, 2012 as amended by Ordinance No. 1493-12, passed October 15, 2012 as it**

**pertains to the El Hasa Temple No. 28 Shrine Temple Project for building renovations and interior improvements through the use of Wards 5, 2 and 6 Neighborhood Equity Funds.**

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

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

**Section 1.** That the Title and Sections 1 and 2 of Ordinance No. 577-12 passed April 23, 2012 as amended by Ordinance No. 1493-12, passed October 15, 2012 are hereby amended to read as follows:

An Emergency Ordinance authorizing the Director of the Department of Economic Development to enter into agreement with the El Hasa Temple No. 28 Shrine Temple owned by Mr. William Strawbridge located at 1004 Union Avenue, Cleveland, Ohio or with its fiscal agent Mt. Pleasant Community Zone for building renovations and interior improvements through the use of Wards 5, 2 and 6 Neighborhood Equity Funds.

**Section 1.** That the Director of the Department of Economic Development be authorized to enter into agreement with the El Hasa Temple No. 28 Shrine Temple owned by Mr. William Strawbridge located at 1004 Union Avenue, Cleveland, Ohio or with its fiscal agent Mt. Pleasant Community Zone for building renovations and interior improvements for economic development and new job creation in the city of Cleveland through the use of Wards 5, 2 and 6 Neighborhood Equity Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$3,000 and shall be paid from Fund No. 10 SF 166.

**Section 2.** That the Title and Sections 1 and 2 of Ordinance No. 577-12 passed April 23, 2012 as amended by Ordinance No. 1493-12, passed October 15, 2012 are hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency

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

Passed September 16, 2013.  
 Effective September 24, 2013.

**COUNCIL COMMITTEE MEETINGS**

**Monday, September 23, 2013  
 2:00 p.m.**

**Community and Economic Development Committee & Finance Committee:** Present in CDED: Brancatelli, Chair; Cummins, Miller, Pruitt, Westbrook, Zone. *Authorized Absence:* Dow, Vice Chair; Cimperman, J. Johnson. Present in Finance: Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

**Finance Committee:** Present: Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

**Wednesday, September 25, 2013  
 10:00 a.m.**

**Aviation and Transportation Committee:** Present: Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley, Mitchell.

**1:00 p.m.**

**City Planning (Zoning) Committee:** Present: Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Keane, Zone. *Authorized Absence:* Dow.

**1:30 p.m.**

**City Planning Committee:** Present: Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Keane, Zone. *Authorized Absence:* Dow.

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O—Ordinance; R—Resolution; F—File

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