

The City Record

Official Publication of the Council of the City of Cleveland



September the Seventh, Two Thousand and Sixteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

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

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Kerry McCormack	1429 West 38th Street	44113
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
 Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
 Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability
 Natoya J. Walker Minor, Executive Assistant to the Mayor, Chief of Public Affairs
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development
 Dan Williams, Media Relations Director

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

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

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

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, Law Librarian,
 Room 100

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

Natasha Brandt, Manager, Internal Audit

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

DEPT. OF PUBLIC UTILITIES – Robert L. Davis, Director, 1201 Lakeside Avenue

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

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

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

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

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

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Julie Trott, Chair; Giancarlo Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Council Member Terrell H. Pruitt, Robert Strickland, Donald Petit, Secretary.

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

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

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

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71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 103

WEDNESDAY, SEPTEMBER 7, 2016

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CITY COUNCIL

MONDAY, SEPTEMBER 5, 2016

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City Clerk, Clerk of Council
216 City Hall

The following Committees meet at the Call of the Chair:

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

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

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

professional program management services to assist WPC in implementing a Capital Improvement Program. Services will consist of developing and implementing program procedures and controls, CIP maintenance, technical assistance including design and assistance during construction, assistance with construction management and consultant and contractor procurement, for a period of five years, for the Division of Water Pollution Control, Department of Public Utilities.

Be it further resolved that the Director of Public Utilities is authorized to enter into a contract with GPD Group, Inc. based upon its proposal dated, February 22, 2016, which contract shall be prepared by the Director of Law, shall provide that the compensation for the professional services described in the proposal, for an aggregate fee not to exceed \$5,994,565.00, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following subconsultant by GPD Group, Inc. for the above-mentioned professional services is approved:

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), Cummins, Dow, McCormack, Pruitt, Zone.

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

August 31, 2016

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, August 31, 2016 at 10:36 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, Nichols, Fumich, and O'Leary.

Absent: Mayor Jackson.
Others: Eboni Holman, Acting Commissioner, Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

Matthew Spronz, Director, Mayor's Office of Capital Projects.

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

Resolution No. 391-16.

By Director Davis.
Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1290-15, passed by the Cleveland City Council on November 30, 2015, GPD Group, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Public Utilities as the firm to be employed by contract to provide

SUB-CONSULTANTS WORK PERCENTAGE

Cosmos Technologies,
Inc. (CSB/MBE) \$ 531,014.00
8.86%

SOMAT Engineering of
Ohio, Inc. (CSB) \$ 69,651.00
1.16%

Metco Services, Inc.
(MBE) \$ 553,846.00
0.00%

Hazen and Sawyer \$1,108,488.00
0.00%

Yeas: Directors Langhenry,
Dumas, Davis, Interim Director
Szabo, Directors Cox, Gordon,
McGrath, Acting Director Cosgrove,
Directors West, Nichols, Fumich,
and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 392-16.

By Interim Director Szabo.
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Gardiner Service Company d/b/a Gardiner under City Contract No. RC2015*025 for labor and materials necessary to maintain and repair heating, ventilation and air conditioning systems for the various divisions of the Department of

Port Control, authorized by Ordinance No. 1189-14, passed by the Council of the City of Cleveland October 13, 2014, and Board of Control Resolution No. 40-15, adopted February 4, 2015, is approved.

Subcontractor	CSB/MBE/FBE%	Amount
G. W. Martin, Inc.	Non-CSB	\$30,000.00

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 393-16.

By Interim Director Szabo.

Whereas, the Cleveland Browns Stadium Company, LLC has proposed to lease Docks 28B, 30 and 32, excluding the warehouses on Docks 30 and 32, for surface parking and staging special event programming for ten Cleveland Browns home games, any NFL playoff games and up to nine other events a year; and

Whereas, under the authority of Ordinance No. 718-16, passed by the Council of the City of Cleveland on August 10, 2016, the Director of Port Control is authorized to lease to the Cleveland Browns Stadium Company, LLC Docks 28B, 30 and 32, excluding the warehouses on Docks 30 and 32 ("Leased Premises") comprising approximately 1,700 parking spaces for surface parking and staging special event programming for ten Cleveland Browns home games, any NFL playoff games and up to nine other events a year; and

Whereas, Ordinance No. 718-16, passed by the Council of the City of Cleveland on August 10, 2016, provides that the rental rate for the Leased Premises shall be set by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 718-16, passed by the Council of the City of Cleveland on August 10, 2016, the Cleveland Browns Stadium Company, LLC shall pay to the City for the ten game season plus any NFL playoff games a rental rate of \$5.00 per parking space per game for 550 parking spaces and \$7.50 per parking space per game for 700 parking spaces. There is no charge for 450 parking spaces per game. The rental rate for the nine special events shall be \$7,034.00 per event.

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 394-16.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that the bids received on August 3, 2016 for the Police Ordinance Unit New Classroom Facility for the Office of Capital Projects, under the authority of Ordinance No. 734-14, passed by the Council of the City of Cleveland on June 9, 2014, are rejected.

Yeas: Directors Langhenry, Dumas, Davis, Interim Director

Szabo, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 395-16.

By Director Cox.

Whereas, Ordinance No. 878-15, passed August 19, 2015 by the Council of the City of Cleveland, authorizes the Commissioner of Purchases and Supplies to convey certain easement interests in City-owned property located at 11201 Cedar Avenue, found and determined to be not needed for public use and more fully described in the ordinance, to Case Western Reserve University, at a price determined to be fair market value by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Ordinance No. 878-15, passed August 19, 2015 by the Cleveland City Council, the price of \$49,350.00 is determined to be fair market value for the conveyance of the easement interests more fully described in the ordinance in the aforementioned City-owned property located at the northeast corner of 11201 Cedar Avenue, to Case Western Reserve University.

Be it further resolved that the Director of Public Works is requested to execute and deliver the official deeds of easement of the City of Cleveland conveying the easement, which deed of easement shall contain such additional provisions as the Director of Law determines necessary to protect and benefit the City's interests.

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 396-16.

By Director Cox.

Whereas, the City of Cleveland owns and operates certain real property commonly known as the Willard Park Garage under the supervision and direction of the Director of Public Works; and

Whereas, MVP Valet Service, LLC has proposed to offer valet parking services to the general public for various events to be held at Cleveland Public Auditorium by using the Willard Park Garage; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under Section 183.04 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to enter into a concession agreement with MVP Services, LLC to use Willard Park Garage to offer valet parking services to the public for a fee per event of \$450.00 plus \$5.00 per vehicle parked for the following events to be held at the Cleveland Public Auditorium (Best of Cleveland) and Cleveland Convention Center (Cleveland Clinic):

Best of Cleveland	October 15, 2016
Cleveland Clinic	
Employee Recognition	October 18, 2016

The concession agreement shall be prepared by the Director of Law and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit public interest.

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 397-16.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 002-09-090 located at 1326 West 65th Street; and

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

Whereas, Case Development LLC has proposed to the City to purchase and develop the parcel for new construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 15 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Case Development LLC for the sale and development of Permanent Parcel No. 002-09-090 located at 1326 West 65th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, Nichols, Fumich, and O'Leary.

Nays: None.
Absent: Mayor Jackson.

Resolution No. 398-16.

By Director Rush.

Whereas, under Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program ("Program")

according to the provisions of Chapter 5722 of the Ohio Revised Code; and

Whereas, under the Program, the City has acquired Permanent Parcel No. 132-25-120 located at 7014 Claassen Avenue; and

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

Whereas, Jeff Bodziony has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 12 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Jeff Bodziony for the sale and development of Permanent Parcel No. 132-25-120 located at 7014 Claassen Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Davis, Interim Director Szabo, Directors Cox, Gordon, McGrath, Acting Director Cosgrove, Directors West, Nichols, Fumich, and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 399-16.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 124-27-014, 124-27-015, 124-27-046, 124-30-001, 124-30-002, 124-30-003, 124-30-004, 124-30-005, 124-30-078, 124-30-106, 124-30-108, 124-30-111, 124-30-112, 124-30-114 and 124-30-117 all located in Ward 5; and

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

Whereas, Burten, Bell, Carr Development Inc. has proposed to the City

to lease and develop the parcels for a green infrastructure project in connection with NEORSD's Storm Water Management Program; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has either approved the proposed lease or has not disapproved or requested a hold of the proposed lease within 45 days of notification of it;

2. The proposed lessee of the parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute a lease for a term of ten (10) years, for and on behalf of the City of Cleveland, with Burten, Bell, Carr Development Inc. for the lease and development of Permanent Parcel Nos. 124-27-014, 124-27-015, 124-27-046, 124-30-001, 124-30-002, 124-30-003, 124-30-004, 124-30-005, 124-30-078, 124-30-106, 124-30-108, 124-30-111, 124-30-112, 124-30-114 and 124-30-117 all located in Ward 5, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the lease of the parcels shall be a one-time fee of \$10.00, which amount is determined to be not less than the fair market value for use of the parcels according to the Program.

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. There-after, 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, SEPTEMBER 19, 2016

9:30 A.M.

Calendar No. 16-220: 4600 State Road (Ward 13)

St. Mary's Byzantine Church, owner, proposes to erect 65 linear feet of 6 foot high opaque wood fence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 358.02 (e) which states that the term "actual yard" shall refer to the entire lot area between a main building and the corresponding lot line.

2. Section 358.04(4) which states that fences in actual front yards shall not exceed four (4) feet in height and shall be at least fifty percent (50%) open. Six foot high solid fence is proposed. (Filed August 5, 2016)

Calendar No. 16-222: Appeal of Mark Carroca from Decision of License and Assessments

R & J Trucking, Mark Carroca, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the Commissioner of Assessments and Licenses to deny Private Waste Hauler application #LUBV16-00033 on July 8, 2016. (Filed August 10, 2016)

Calendar No. 16-224: 11637 Clifton Boulevard (Ward 15)

Lee Solding Co., owner, proposes to build a barbeque enclosure in a C2 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.02 which states that in all use districts, existing parking facilities may not be voluntarily reduced below the requirements of the Off-Street Parking and Loading chapter.

2. Section 357.05(a) which states that the distance between the building line back from the street along the side line of a corner lot in a local retail business district shall not be less than five feet; proposed distance is 1' to 2' 5/8" from the street. (Filed August 16, 2016)

Calendar No. 16-225: 17714 Windward Road (Ward 8)

Cliff Whiteheap, owner, proposes to erect a 216 square foot addition and new balcony to an existing non-conforming single family residence. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 359.01(a) which states that Expansion/enlargement of existing non-conforming use of building requires the Board of Zoning Appeals approval.

2. Section 355.04 which states that existing building is non-conforming with no street frontage where 50' street frontage is required and the gross floor area is limited to 1/2 the lot size or in this case 2,000 square

feet and 2,240 square feet are proposed.

3. Section 357.08 which states that a 20 rear yard required; and no rear yard is proposed.

4. Section 352.04 which states that front yard required and no front yard is proposed.

5. Section 349.04 which states that street access to required parking is necessary and no street access exists. (Filed August 17, 2016)

Calendar No. 16-227: 11800 Mt. Overlook Avenue (Ward 6)

CMSD, owner, proposes to construct a new 92,725 square foot K-8 school in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of 337.02(f)(3)(A) of the Cleveland Codified Ordinances which states that a public school in a Two-Family Residential District shall be 30 feet from adjoining premises, and requires the approval of the Board of zoning appeals after public notice and public hearing to determine if adequate yard space and other safeguards to preserve the character of the neighborhood are provided, and if in the judgment of the Board such buildings and uses are appropriately located and designed and will meet a community need without adversely affecting the neighborhood. (Filed August 18, 2016)

**POSTPONED FROM
AUGUST 15, 2016**

Calendar No. 16-084: Appeal from Violation Notice at 589 East 185th Street (Ward 8)

Curtis A. Hart, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation Number V16013046 issued on April 15, 2016 by the Cleveland Department of Building and Housing for failure to comply with Section 327.02 (C) of the Cleveland Codified Ordinances which states that there shall be no change or substitution of use until a Certificate of Occupancy has been issued. The citation states that the owner is using the facility for auto repair which is contrary to the Certificate of Occupancy (CO13033055) which states that the permitted use is car washing and detailing. (Filed May 5, 2016 - No Testimony)

Second postponement made at the request of the Councilman. First postponement made at the request of the appellant due to a personal emergency.

**POSTPONED FROM
AUGUST 8, 2016**

Calendar No. 16-161: 3847 West 130th Street (Ward 16)

James Atkins, owner, proposes to erect a 35 foot high telecommunications tower in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 354.02(d) which states that "Telecommunications Tower" means a ground-mounted structure that is designed for the sole purpose of supporting a telecommunications antenna.

2. Section 354.02(a) which states that "Telecommunications Antenna"

means a device that transmits and/or receives electromagnetic telecommunications signals.

3. Section 354.06(a) which states that a telecommunications tower is not permitted to be located in a Two-Family Residential District.

4. Section 354.06(b) which states that no portion of a telecommunications tower shall be located to a residential district line a distance equal to three times the height of the tower. (Filed June 27, 2016 - Testimony Taken)

First postponement made at the request of the City to allow for time for engineered drawings to verify that ground mounted tower is safe.

**POSTPONED FROM
AUGUST 22, 2016**

Calendar No. 16-173: 2493 West 7th Street (Ward 3)

Cleveland Bricks, owner, proposes to erect a three story 3,200 square foot townhouse on a 2,400 square foot in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area in a "B" area district shall not exceed ½ the lot area, or in this case 1,200 square feet and a 3,200 square foot townhouse is proposed.

2. Section 357.08 which states that the depth of the required rear yard shall be not less than the height of the main building or in this case 30' - 5" where no rear yard is proposed.

3. Section 357.09 (b)(2)(B) which states that in a Two-Family District no interior side yard shall be less than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one-fourth (1/4) the height of the main building on the premises. The Building mean height is approximately 30.4 feet therefore the required interior side yard shall not be less than 7.6 feet. The appellant is proposing a 5' - 2" to 0' interior side yard.

4. Section 357.09(b)(2)(A) which states that No building shall be erected less than ten feet from a main building on an adjoining lot; the proposed distance to adjacent (future) residence is 3' - 2". (Filed July 12, 2016 - No Testimony)

Calendar No. 16-174: 2491 West 7th Street (Ward 3)

Cleveland Bricks, owner, proposes to erect a three story 2,438 square foot townhouse on a 2,400 square foot in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area in a "B" area district shall not exceed 1/2 the lot area, or in this case 1,200 square feet and a 3,200 square foot townhouse is proposed.

2. Section 357.08 which states that the depth of required rear yard shall be not less than the height of the main building 30' - 5" where no rear yard is proposed.

3. Section 357.09(b)(2)(B) which states that in a Two-Family District no interior side yard shall be less

than five (5) feet in width for a corner lot, nor less than three (3) feet in width for an interior lot, nor shall the aggregate width of side yards on the same premises be less than ten (10) feet. However, the width of any such interior side yard shall in no case be less than one - fourth (1/4) the height of the main building on the premises. Building mean height is approximately 30.4 feet; therefore the required interior side yard shall not be less than 7.6 feet. The appellant is proposing a 5' - 2" to 0' interior side yards.

4. Section 357.09(b)(2)(A) which states that no building shall be erected less than ten feet from a main building on an adjoining lot. Proposed distance to adjacent (future) residence is 3' - 2". (Filed July 12, 2016 - No Testimony)

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

**POSTPONED FROM
AUGUST 1, 2016**

**To allow for time for a
community meeting to be held**

Calendar No. 16-097: 4508 Clinton Avenue (Unit A) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit A out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 2,233 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 33 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to ¼ height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing 4.5' interior yard.

5. Section 353.02 which states that a "1" Height District permits 35' maximum height and in this case 40' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed ½ lot area or in this case 1,106 square feet and the appellant is proposing 2,335 square feet.

7. Section 358.04 which state that a fence in the actual front yard shall not exceed 4' in height and shall be at least 50% open, shall be ornamental and finished side shall face adjacent property.

8. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

9. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such

buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016 - No Testimony)

Calendar No. 16-098: 4506 Clinton Avenue (Unit B) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit B out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 2,167 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 32 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 37 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to ¼ height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing 9.5' aggregate interior yard.

5. Section 353.02 which states that a Height District permits 35' maximum height and in this case 37' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 1,056 square feet and the appellant is proposing 2,335 square feet.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

8. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-099: 4504 Clinton Avenue (Unit C) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit C out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 2,200 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 33.33 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 39 feet and 0' is proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to 1/4 height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing 4' interior yard.

5. Section 353.02 which states that a "1" Height District permits 35' maximum height and in this case 39' - 3" are proposed.

6. Section 357.13(a)(4) which states that open porches shall not project more than 6' and 7 feet are proposed.

7. Section 355.04 which states that the maximum gross floor area of building cannot exceed ½ lot area or in this case 1,100 square feet and the appellant is proposing 2,335 square feet.

8. Section 358.04 which states that a fence in the actual front yard shall not exceed 4' in height and shall be at least 50% open, shall be ornamental and finished side shall face adjacent property.

9. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

10. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-100: 4509 Wheat Court (Unit D) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit D out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,119 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 26.33 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to ¼ height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing no interior side yard.

5. Section 353.02 which states that a "1" Height District permits 35' maximum height and in this case 40' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 560 square feet and the appellant is proposing 1,700 square feet.

7. Section 358.04 which states that a fence in the actual front yard shall not exceed 4' in height and shall be at least 50% open, shall be ornamental and finished side shall face adjacent property.

8. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

9. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-101: 4507 Wheat Court (Unit E) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit E out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 765 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 18 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to ¼ height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing no interior side yard.

5. Section 353.02 which states that a "1" Height District permits 35' maximum height and in this case 40' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 383 square feet and the appellant is proposing 1,300 square feet.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

8. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-102: 4505 Wheat Court (Unit F) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit F out of seven units) in

a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,757 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 30 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to ¼ height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing no interior side yard.

5. Section 353.02 which states that a "1" Height District permits 35' maximum height and in this case 44' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 873 square feet and the appellant is proposing 1,757 square feet.

7. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

8. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-103: 4503 Wheat Court (Unit G) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a fee simple townhouse (Unit G out of seven units) in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the minimum lot area per house required is 4,800 square feet and 1,119 square feet are proposed.

2. Section 355.04 which states that the minimum lot width allowed is 40 feet and 26.33 feet are proposed.

3. Section 357.08(b)(1) which states that the rear yard shall not be less than the height of building which is 40 feet and 0 feet are proposed.

4. Section 357.09(b)(2)(B) which states that in Two-Family the interior side yard shall be equal to ¼ height of main building in this case is 10 feet and per 357.09(b)(2)(1) no building shall be erected less than 20' from a main building on an adjoining lot within such district. The appellant is proposing no interior side yard.

5. Section 353.02 which states that a "1" Height District permits 35' maximum height and in this case 40' are proposed.

6. Section 355.04 which states that the maximum gross floor area of building cannot exceed 1/2 lot area or in this case 560 square feet and the appellant is proposing 1,700 square feet.

7. Section 358.04 which state that a fence in the actual front yard shall not exceed 4' in height and shall be at least 50% open, shall be ornamental and finished side shall face adjacent property.

8. Section 337.17 which states that an unobstructed driveway width of at least 30' is required to provide accessibility to each parking garage; a common access to the garages shown, no separate access to each garage provided.

9. Section 357.15 which states that in any use district a rear residential building may be erected if required front, rear and side yards are provided and the distance between such buildings is not less than 40' and if free and unobstructed entranceway is provided for access from the street to the rear building; another house is proposed within 40' rear of this house. (Filed May 12, 2016)

Calendar No. 16-104: 4511 Wheat Court (Common Drive - Lot H) (Ward 3)

Clinton Ct. Townhome, owner, proposes to construct a common drive for seven townhouse development (units numbers A through G) on Clinton Ave. and Wheat Ct. in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that Accessory off street driveways and maneuvering area shall be properly graded for drainage so that all water is drained within the lot providing such area surfaced with concrete, asphaltic concrete, asphalt or other similar surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash.

2. Section 337.03 which states that Primary and sole use of property in a Two Family District as an access driveway is not permitted. (Filed May 12, 2016 - No Testimony)

REHEARING FROM AUGUST 1, 2016

Calendar No. 16-120: 1958 & 1960 East 123rd Street (Ward 6)

1960 LLC., owner, proposes to add 4 new townhouses to existing industrial structure on one lot, in a C1 Multi-Family Zoning District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

Section 357.06 which states that a 3' front yard setback is required and no front yard is proposed.

Section 357.08(b)(1) which states that a 23' rear yard is required and an 8 foot rear yard is proposed.

Section 357.09(b)(2)(c) which states that 8 feet interior side yards are required on both sides and none is proposed on the south side.

Section 355.04 which states that the maximum gross floor area of building cannot exceed the lot area which is 6,150 square feet in this case and more than 6,150 square feet are proposed.

Section 353.02 which states that in a '1' Height District 35 feet is the

maximum height allowed and the proposed building height is 45' - 10'. (Filed May 17, 2016)

On August 1st the Board granted a variance with the condition that only 3 units will be built on the site. The appellant has revised the plan, removed the rear unit and is now proposing 4 units in the main building.

REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, SEPTEMBER 6, 2016

At the meeting of the Board of Zoning Appeals on Tuesday, September 6, 2016 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 16-169: 672 & 674 East 118th Street Waste Collection Appeal

Ralph Davis, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision of the City of Cleveland Waste Collection to issue Civil Infraction Ticket.

Calendar No. 16-181: 2125 West 41st Street

B.R. Knez, owner, proposes to erect a 20' x 48' two story frame single family residence with attached 20' x 20' one story frame garage in a B1 Two-Family Residential District.

Calendar No. 16-182: 2131 West 51st Street

B.R. Knez, owner, proposes to erect a 20' x 48' three story frame single family residence with a 20' x 20' one story attached frame garage in a B1 Two-Family Residential District.

Calendar No. 16-183: 2125 West 41st Street aka 2125 West 40th Place

B.R. Knez, owner, proposes to erect a 20' x 48' two story frame single family residence with detached 20' x 20' one story frame detached garage in a B1 Two-Family Residential District.

Calendar No. 16-190: 4909 Mead Avenue

University Settlement, Inc., owner, proposes to change use of premises to facility and offices for social service programs in a B1 Two-Family Residential District.

Calendar No. 16-191: 1330 West 70th Street

Westlake Capital, owner, proposes to rehabilitate two residential structures on one parcel in a B1 Two-Family Residential District.

Calendar No. 16-192: 5515 Ira Avenue

Cleveland Metropolitan School District, owner, proposes to construct a new PreK-8 school in a B1 Two-Family Residential District.

Calendar No. 16-193: 1583 (corrected address) East 31st Street

K1537 E. 31 Street, Et. Al, owner, proposes to change use from office to 51 apartment units in a C3 Semi-Industry Zoning District.

Calendar No. 16-207: 1408 West 58th Street

CPD Realty and Holdings, owner, proposes to erect a 20' x 20' - 4" one story frame attached garage to existing single family residence in a B1 Two-Family Residential District.

Calendar No. 16-217: 6410 Detroit Avenue

Street Helena Romanian Catholic Church, owner, and the Suon Group propose to establish use as a restaurant with a patio in a C2 Local Retail Business and a Pedestrian Retail Overlay District (PRO).

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeal was **DISMISSED:**

Calendar No. 16-140: 12710 Miles Avenue/Violation Notice

Badran LLC, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances from a Notice of Violation Number VI6014482 issued on May 28, 2016.

The following case was **POSTPONED:**

Calendar No. 16-194: Peter Glynias 6104 West Clinton Avenue. Postponed to October 3, 2016.

The following cases were heard by the Board of Zoning Appeals on Monday, August 29, 2016 and the decisions were adopted and approved on Tuesday, September 6, 2016:

The following appeals were **APPROVED:**

Calendar No. 16-34: 3934 Lee Road Strawbridge Family Corp., owner, proposes to change use to a funeral home and construct a parking lot in a C1 Local Retail Business District and an A1 One-Family Residential District.

Calendar No. 16-180: 5409 Bridge Avenue

Tupelo Properties 1 LLC., owner, proposes to change the use of an existing three family residence to single family, erect a 20' x 23' second floor master bedroom addition and detached garage in a C1 Multi-Family Residential District.

Calendar No. 16-184: 4011 Bridge Avenue (4b)

Triban Investments, LLC., owner, proposes to erect a four story frame fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-185: 4011 Bridge Avenue (4a)

Triban Investments, LLC., owner, proposes to erect a three story frame fee simple single family residence with

attached garage in a B1 Two Family Residential District.

Calendar No. 16-186: 4015 Bridge Avenue

Triban Investments, LLC., owner, proposes to erect a three story frame fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-187: 1937 Randall Road

Triban Investments, LLC., owner, proposes to erect a three story frame fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-188: 4011 Bridge Avenue (Sublot 3)

Triban Investments, LLC., owner, proposes to erect a four story frame fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-199: 1953 Randall Road (Sublot 5)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Calendar No. 16-200: 1953 Randall Road (Sublot No. 6)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Calendar No. 16-201: 1953 Randall Road (Sublot No. 7)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Calendar No. 16-202: 1953 Randall Road (Sublot No. 8)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Calendar No. 16-203: 1953 Randall Road (Sublot No. 9)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, SEPTEMBER 15, 2016

File No. 107-16 — Lease/Purchase of Cab and Chassis with Catch Basin Bodies and Related Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1231-15, passed by the Council of the City of Cleveland, December 7, 2015.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 10:00 A.M. HARVARD YARD, 4150 EAST 49TH STREET, CLEVELAND, OH 44105.

August 31, 2016 and September 7, 2016

WEDNESDAY, SEPTEMBER 21, 2016

File No. 98-16 — Automotive and Truck Parts and Service, for the Division of Water Pollution Control, Department Of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OH 44108.

File No. 102-16 — Purchase of Recycled, Virgin Asphalt Concrete, for the Division of Streets, Department of Public Works, as authorized by Ordinance No. 194-16, passed by the Council of the City of Cleveland, March 14, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, SEPTEMBER 9, 2016 AT 10:00 A.M. 4150 EAST 49TH STREET, BUILDING 1, CLEVELAND, OH 44105.

File No. 103-16 — Transfer and Disposal of Municipal Solid Waste, for the Division of Waste Collection, Department of Public Works, as authorized by Ordinance No. 568-14, passed by the Council of the City of Cleveland, May 12, 2014.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 2:00 P.M. 5600 CARNEGIE AVENUE, CLEVELAND, OH 44103.

August 31, 2016 and September 7, 2016

THURSDAY, SEPTEMBER 22, 2016

File No. 99-16 — Purchase of Splice Kits, Supplies and Accessories for Electrical Wire and Cable (Re-Bid), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 10:00 A.M. CLEVELAND PUBLIC POWER, THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OH 44114.

File No. 100-16 — Labor and Materials Necessary to Inspect, Test and Repair Bucket and Derrick Trucks, 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 9, 2016 AT 10:30 A.M. CLEVELAND PUBLIC POWER, THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OH 44114.

File No. 101-16 — Rigging Services (Re-Bid), for the Division of Cleveland Public Power, Department of Public

Utilities, as authorized by Ordinance No. 328-15, passed by the Council of the City of Cleveland, April 20, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 11:30 A.M. CLEVELAND PUBLIC POWER, THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OH 44114.

File No. 108-16 — Clark Avenue Rehabilitation: Lorain Avenue to West 41st Street, for the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 1101-15, passed by the Council of the City of Cleveland, November 9, 2015.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY-FIVE DOLLARS (\$75.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR 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 15, 2016 AT 9:00 A.M. THE DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 518A, 601 LAKESIDE AVENUE, CLEVELAND, OH 44114.

August 31, 2016 and September 7, 2016

FRIDAY, SEPTEMBER 23, 2016

File No. 104-16 — 1201 Lakeside Avenue Cooling Towers Replacement for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1554-13, passed by the Council of the City of Cleveland, February 10, 2014.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY SEPTEMBER 9, 2016 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, MAIN AUDITORIUM, CLEVELAND, OH 44114.

August 31, 2016 and September 7, 2016

WEDNESDAY, SEPTEMBER 28, 2016

File No. 106-16 — 2016-2018 Purchase of Natural Gas, for the Division

of Purchases and Supplies, Department of Finance as authorized, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, MONDAY, SEPTEMBER 12, 2016 AT 2:00 P.M. PUBLIC HALL, ROOM LL10A, 500 LAKESIDE AVENUE, CLEVELAND, OH 44114.

August 31, 2016 and September 7, 2016

FRIDAY, OCTOBER 7, 2016

File No. 105-16 — Baldwin Improvements - A, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1406-15, passed by the Council of the City of Cleveland, November 30, 2015.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 10:00 A.M. THE BALDWIN WATER WORKS PLANT, 11216 STOKES BOULEVARD, CLEVELAND, OH 44104.

August 31, 2016 and September 7, 2016

THURSDAY, SEPTEMBER 29, 2016

File No. 109-16 — Scanning and Data Entry Services, for the Division of Taxation, Department of Finance, as authorized by Ordinance No. 551-16, passed by the Council of the City of Cleveland, May 16, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 15, 2016 AT 11:00 A.M. 205 WEST SAINT CLAIR AVENUE, CONFERENCE ROOM 300, CLEVELAND, OH 44114.

September 7, 2016 and September 14, 2016

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

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NO MEETINGS

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