

# The City Record

Official Publication of the Council of the City of Cleveland



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August the Fifth, Two Thousand and Fifteen

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**Frank G. Jackson**  
Mayor

**Kevin J. Kelley**  
President of Council

**Patricia J. Britt**  
City Clerk, Clerk of Council

**Ward Name**

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

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

### MAYOR – Frank G. Jackson

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

### OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

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

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

**DEPT. OF LAW** – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel, Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel, Victor R. Perez, Chief Assistant Prosecutor, Room 106; 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, Interim Commissioner  
 Water Pollution Control – Rachid Zoghaib, Commissioner

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

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

### DEPT. OF PUBLIC WORKS – Michael Cox, Director

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

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

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

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

**DIVISIONS:**  
 Animal Control Services – 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 – Deborah Southerington, Director, Room 121

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Judge Courtroom  
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A  
 Judge Pinkey S. Carr – Courtroom 12C  
 Judge Marilyn B. Cassidy – Courtroom 13A  
 Judge Michelle Denise Earley – Courtroom 14C  
 Judge Emanuella Groves – Courtroom 14B  
 Judge James H. Hewitt, III – Courtroom 12A  
 Judge Lauren C. Moore – Courtroom 14A  
 Judge Charles L. Patton, Jr. – Courtroom 13D  
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B  
 Judge Angela R. Stokes – Courtroom 15C  
 Judge Pauline H. Tarver – Courtroom 13C  
 Judge Ed Wade – Courtroom 12B  
 Judge Joseph J. Zone – Courtroom 14D  
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims – Chief Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, AUGUST 5, 2015

No. 5304

## CITY COUNCIL

MONDAY, AUGUST 3, 2015

The City Record  
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Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

#### MONDAY — Alternating

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

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), Cimperman, Cummins, Dow, Pruitt, Zone.

#### TUESDAY — Alternating

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

1:30 P.M. — **Workforce and 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), Cimperman, Kazy, Keane, Mitchell, Polensek.

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

### The following Committees meet at the Call of the Chair:

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

July 29, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, July 29, 2015 at 10:54 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

Others: Tiffany White, Commissioner, Purchases & Supplies.

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

Melissa Burrows, Director, Office of Equal Opportunity.

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

#### Resolution No. 288-15.

By Director Davis.

Whereas, under the authority of Ordinance No. 364-13, passed by the Council of the City of Cleveland on April 8, 2013, and Board of Control Resolutions Nos. 554-13 and 55-14, respectively adopted by this Board of Control on September 25, 2013 and February 5, 2014, the City, through

its Director of Public Utilities, entered into City Contract No. PS2013\*231 with Partners Environmental Consulting, Inc. for professional consulting services to provide general environmental, health, safety, sustainability, engineering, and other services needed for a period of two years, in the amount of \$310,000.00, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities; and

Whereas, under Board of Control Resolution No. 50-15, adopted February 18, 2015, the Director of Public Utilities was authorized to enter into a first amendment to Contract No. PS2013\*231 for additional safety training and consulting services and to increase the dollar amount of City Contract No. PS2013\*231 by \$96,400.00; and

Whereas, the City desires to modify City Contract No. PS2013\*231 further to include additional safety training and consulting services related to Spill Prevention Controls and Counter measures Plan (SPCC) at Baldwin, Garrett Morgan and Kirtland, self-certified SPCC plans for Parma Control and Harvard, SPCC training for five (5) locations, Lock Out Tag Out training, revisions to energy control procedures and update calculations following an arc flash incident, all as proposed by Partners Environmental Consulting, Inc. in its June 18, 2015 letter; and

Whereas, by its June 18, 2015 letter, Partners Environmental Consulting, Inc. also requested the City's consent to employ one additional sub-consultant and to increase the participation amount of a previously approved subconsultant; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is authorized to enter into a second amendment to City Contract No. PS2013\*231 with Partners Environmental Consulting, Inc., on the basis of its proposal dated June 18, 2015, for performance of the above-mentioned additional services and increasing the fees for all services by \$75,500.00 to \$481,900.00.

Be it further resolved that Resolution No. 55-14, adopted February 5, 2014, under the authority of Ordinance No. 364-13, passed April 8, 2013, approving Electrical Diagnostic Surveys and three (3) other additional sub-consultants under Contract No. PS2013\*231 with Partners Environmental Consulting, Inc. for professional consulting for general

environmental, health, safety, sustainability, engineering, and other services needed for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, is amended by increasing the participation of Electrical Diagnostic Surveys from \$60,000.00 (19.355%) to \$70,000.00 (14.526%).

Be it further resolved that the employment of the following additional sub-consultant by Partners Environmental Consulting, Inc. for the above-mentioned additional services is approved:

<u>Subconsultant</u>	<u>Work Percentage</u>
Amerisafe Services, Inc. (FBE)	\$10,000.00 2.075%

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 289-15.**

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Power Asset Recovery Corporation for a standard purchase of Used/Reconditioned Transformers and accessories, for the Division of Cleveland Public Power, Department of Public Utilities, received on June 18, 2015 under the authority of Section 129.26 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the order quantities would amount to \$894,100.91 (Net 30, 20%, 10 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a contract for the items.

Be it further resolved that the employment of the following sub-contractors is approved:

<u>Subcontractors</u>	<u>Amount Percentage</u>
Norris Crane & Rigging	\$ 35,000.00 0%
North American Substations Services	\$107,000.00 0%
Miller Transfer	\$ 27,000.00 0%
First Class Tanker Services	\$ 5,000.00 0%

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 290-15.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 653-15, passed by the

Council of the City of Cleveland on June 8, 2015, the firm of Michael Baker International, 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 necessary Professional Design and Construction Administration Services for the North Airfield Reconfiguration Project at Cleveland Hopkins International Airport, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Michael Baker International, Inc., for the above-mentioned services, based upon its proposal dated June 11, 2015, which contract shall be prepared by the Director of Law, shall provide that the compensation to Michael Baker International, Inc., for the services authorized shall not exceed \$5,118,220.71 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 subconsultants by Michael Baker International, Inc. is approved:

<u>Sub-Consultant</u>	<u>Percentage Amount</u>
G & T Associates, Inc.	10.0% (DBE) \$ 500,512.40
KS Associates, Inc.	6.0% (DBE) \$ 322,322.00
Jacobsen/Daniels Associates	1.0% (DBE) \$ 49,069.48
Solar Testing Laboratories	7.0% (SBE) \$ 349,701.40
Aerocon Photogrammetric Services	1.0% (SBE) \$ 57,983.87
Kimley-Horn & Associates	24.0% (Non-DBE) \$1,234,754.08
Stadelman Associates, Inc.	1.0% (Non-DBE) \$ 51,202.95
GS&P/OH, Inc.	2.0% (Non-DBE) \$ 101,552.50

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 291-15.**

By Director Smith.

Whereas, under the authority of Ordinance No. 499-10, as amended by Ordinance No. 1624-10 and Ordinance

No. 1435-11, passed by the Council of the City of Cleveland on June 7, 2010, December 6, 2010 and October 31, 2011, respectively, and Board of Control Resolution No. 12-12, adopted January 11, 2012, the City through its Director of Port Control, entered into a contract with Michael Baker Jr., Inc., City Contract No. PS2012\*041, to provide professional services necessary to comply with local, state and federal environmental requirements necessary to maintain operating status and to avoid penalties for non-compliance at Cleveland Hopkins International Airport, Burke Lakefront Airport and the Division of Harbors; and

Whereas, under the authority of Ordinance No. 815-12, passed by the Council of the City of Cleveland on June 4, 2012, and Board of Control Resolution No. 350-12, adopted July 18, 2012, the City through its Director of Port Control, entered into a contract with Michael Baker Jr., Inc., City Contract No. PS2012\*197, to provide professional services necessary to provide general planning, engineering and design services for the various divisions of the Department of Port Control; and

Whereas, under the authority of Ordinance No. 746-12, passed by the Council of the City of Cleveland on June 4, 2012, and Board of Control Resolution No. 349-12, adopted July 18, 2012, the City through its Director of Port Control entered into a contract with Michael Baker Jr., Inc., City Contract No. PS2012\*217, to provide professional services necessary to design the public improvement of rehabilitating the South Cargo Ramp and reconstruction of Taxiway N at Cleveland Hopkins International Airport, for the Department of Port Control; and

Whereas, under the authority of Ordinance No. 874-10, passed by the Council of the City of Cleveland on October 4, 2010, and Board of Control Resolution No. 454-12, adopted September 5, 2012, the City through its Director of Port Control entered into a contract with Michael Baker Jr., Inc., City Contract No. PS2012\*232, to provide professional services necessary to design the public improvement of installing emergency electrical upgrades and power feeds to Main Substations No. 1 and No. 2 and associated appurtenances at Cleveland Hopkins International Airport; and

Whereas, by its July 22, 2015 letter, Michael Baker Jr., Inc. notified the City that it has changed its name to Michael Baker International, Inc.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that this Board acknowledges Michael Baker's change of name from Michael Baker Jr., Inc. to Michael Baker International, Inc., effective July 1, 2015, under City Contract Nos. PS2012\*041, PS2012\*197, PS2012\*217 and PS2012\*232.

Be it further resolved that the Director of Port Control is authorized to complete and execute all documents and do all acts necessary to effect the acknowledgement of such name change with respect to City Contract Nos. PS2012\*041,

PS2012\*197, PS2012\*217 and PS2012\*232.

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 292-15.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Precision Engineering & Contracting, Inc., under City Contract No. PI2015\*004 for the public improvement of the Sanitary Force Main Rehabilitation Project at Burke Lakefront Airport under the authority of Ordinance No. 745-13, passed by the Council of the City of Cleveland on July 10, 2013 and Board of Control Resolution No. 558-14, adopted December 17, 2014, is approved.

<u>Subcontractor</u>	<u>Percentage Amount</u>
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Geotech Services, Inc.	CSB 1.571% \$4,400.00
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Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 293-15.**

By Director Spronz.

Whereas, Board of Control Resolution No. 233-15, adopted June 10th 2015, authorized the Director of Capital Projects to enter into contract with Mr. Excavator, Inc. for the public improvement of the Police Impound Lot #2 Hillside Grading and Stabilization Base Bid and Alternate 1A for the Office of Capital Projects; and

Whereas, Resolution No. 233-15 incorrectly cited the ordinance number authorizing the contract approval; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 233-15, adopted by this Board on June 10, 2015 approving the bid of Mr. Excavator, Inc. for the public improvement of the Police Impound Lot #2 Hillside Grading and Stabilization, Base Bid and Alternate 1A, is amended by substituting "Ordinance No. 792-13" for "Ordinance No. 861-13", where appearing.

Be it resolved that all other terms of Resolution No. 233-15 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 294-15.**

By Director Spronz.

Whereas, under the authority of Ordinance No. 1383-13, passed by the

Cleveland City Council November 25, 2013, and Resolution No. 432-14, adopted by this Board of Control on September 10, 2014, the City, through its Director of Capital Projects, entered into Contract No. PS2014-180 with Michael Baker Jr., Inc. ("Consultant") for professional engineering consulting services necessary to prepare construction plans for the Reconstruction of Scranton Road between Fairfield Avenue and Carter Road and the Reconstruction of Carter Road between Scranton Road and Columbus Road; and

Whereas, under the authority of Ordinance No. 1348-14, passed by the Cleveland City Council December 1, 2014, and Resolution No. 256-15, adopted by this Board of Control on July 1, 2015, the City, authorized through its Director of Capital Projects, to enter into a contract with Michael Baker Jr., Inc. ("Consultant") for professional engineering consulting services necessary to prepare construction plans for the Rehabilitation of East 152nd Street between Woodworth Road and Waterloo Road; and

Whereas, by its July 22, 2015 letter, Michael Baker Jr., Inc. notified the City that it has changed its name to Michael Baker International, Inc.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that this Board acknowledges the name change of Michael Baker Jr., Inc. to Michael Baker International Inc., effective July 1, 2015, for the above-mentioned City Contract No. PS2014-180 for professional engineering consulting services necessary for the reconstruction of Scranton Road and the reconstruction of Carter Road and for the above-mentioned contract authorized for professional engineering consulting services necessary for the rehabilitation of East 152nd Street.

Be it further resolved that the Director of Capital Projects is authorized to complete and execute all documents and do all acts necessary to effect the acknowledgement of such name change.

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 295-15.**

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authority of Ordinance No. 324-15, passed by the Council of the City of Cleveland on April 20, 2015 Hill International, Inc. is selected upon the nomination of the Mayor's Office of Capital Projects from a list of qualified engineering consultants or firms of such consultants determined to be available after a full and complete canvass by the Director of the Mayor's Office of Capital Projects as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to obtain the engineering services necessary for the Pipeline Infrastructure Program contract.

Be it further resolved that the Director of the Mayor's Office of Capital Projects is authorized to enter into a written contract with Hill International, Inc. based on its proposal dated April 22, 2015 for an initial amount of \$250,000 for the first two years with a one year option to renew. The agreement authorized hereby shall be prepared by the Director of Law 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 sub-consultants by Hill International, Inc. for the above authorized contract is approved:

G. Stephens, Inc.  
(CSB/MBE) — \$37,500.00 — (15.007%)

Euthenics, Inc.  
(CSB) — \$25,000.00 — (10.00%)

Knowles Muni. Forestry, LLC  
Other — N/A — N/A

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 296-15.**

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Vandra Brothers, Inc. for the public improvement of intersection improvements of W. 65th Street and Clark Avenue, bid items 1-93, for the Division of Engineering and Construction, Mayor's Office of Capital Projects, received on July 10, 2015 under the authority of Ordinance No. 399-12, passed by Cleveland City Council on May 14, 2012, upon a unit price basis for the improvement, in the aggregate amount of \$429,591.50, is affirmed and approved as the lowest responsible bid, and the Director of the Mayor's Office of Capital Projects is authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by Vandra Brothers, Inc. for the above-mentioned public improvement is approved:

Cuyahoga Supply and Tool, Inc.  
(CSB) — \$10,000.00 — (2.3%)

Trafftech, Inc.  
(CSB) — \$18,250.00 — (4.2%)

Tech Ready Mix  
(CSB) — \$17,000.00 — (4.0%)

Fabrizi Recycling, Inc.  
(CSB) — \$40,000.00 — (0.0%)

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 297-15.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of McPhillips Plumbing, Heating & Air Conditioning Company, for an estimated quantity of capital maintenance and repair of city facilities, for Group A Items 1 and 2, Group C Items 5 and 6, for the Division of Property Management, Department of Public Works, for a period of two years beginning with the date of execution of a contract, with a one-year option to renew, received on May 20, 2015 under the authority of Section No. 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$381,200.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

The requirement contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: None.

Nays: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 298-15.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Feghali Brothers, L.L.C., for an estimated quantity of capital maintenance and repair of city facilities, for Group D Items 7 and 8b, Group F Items 11 and 12b, Group H Items 15 and 16b, Group J Items 19 and 20b, for the Division of Property Management, Department of Public Works, for a period of two years beginning with the date of execution of a contract, with a one-year option to renew, received on May 20, 2015 under the authority of Section No. 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$702,500.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

The requirement contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: None.

Nays: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 299-15.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Fred L. Wiggins dba Wiggins Interiors, for an estimated quantity of capital maintenance and repair of city facilities, for Group E Items 9 and 10b, Group N Items 27 and 28b, for the Division of Property Management, Department of Public Works, for a period of two years beginning with the date of execution of a contract, with a one-year option to renew, received on May 20, 2015 under the authority of Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$74,250.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

The requirement contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: None.

Nays: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 300-15.**

By Director Cox.

Whereas, under the authority of Ordinance No. 1591-13, passed November 25, 2013 by the Council of the City of Cleveland, the Director of Public Works and the Commissioner of Purchases and Supplies are authorized to purchase property needed for Stage 3 of the Towpath Trail Project, as generally described in the ordinance, for a consideration that shall not exceed fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the consideration of \$62,000.00 to be paid to Patricia Bunch for the purchase of PPN 008-14-043 and PPN 008-14-044 and the consideration of \$57,000.00 to be paid to Bobby G. Sullivan for the purchase of PPN 008-14-045 and PPN 008-14-046, needed for Stage 3 of the Towpath Trail Project, respectively are determined not to exceed fair market value.

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 301-15.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on May 20, 2015, for estimated quantity of capital maintenance and repair of city facilities, all items, for the Division of Property Management, Department of Public Works, under the authority

of Section 131.67 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 302-15.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 3, 2014, for the repair of one Versalift Aerial Tower, as specified, for the Division of Motor Vehicle Maintenance, Department of Public Works, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

**Resolution No. 303-15.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on July 2, 2014, for the transfer and disposal of municipal solid waste, all items, for the Division of Waste Collection and Disposal, Department of Public Works, under the authority of Ordinance No. 568-14, passed by Cleveland City Council May 12, 2014, are rejected.

Yeas: Directors Langhenry, Davis, Smith, Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and Parrilla.

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, AUGUST 24, 2015

9:30 A.M.

**Calendar No. 15-75:** 2516 Detroit Avenue (Ward 3)

Snavelly, owner, proposes to construct a new commercial and 194 unit residential building in a D1 and D2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04 which states that the maximum gross floor area of the building cannot exceed lot area, which, in this case is 87,823 square feet and 207,084 square feet are proposed.

2. Sections 353.01 & .02 which state that the general 35' height limit is established for a '1' Height District, due to setback permitted height can extend to 45' per Section 353.02; a 60' height limit is established for a '2' Height District; in the Height District '2' 61' - 4" height is proposed; and 65' - 4" height is proposed in Height District '1'.

3. Section 357.08(b)(2) required rear yard setback is 31', and a 2' rear setback is proposed.

4. Section 352.10 which states that a landscape plan is required. (Filed July 22, 2015)

**Calendar No. 15-163:** 5705 Ensign Avenue (Ward 5)

Carey Holdings Inc., owner, proposes to change use to storage of fill dirt on 7 parcels located in a C2 Semi-Industry District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 345.03 which states that outdoor storage of dusty materials not listed as a permitted use. Said use is first permitted in a General Industry District per Section 345.049(a)(1)(B).

2. Section 345.03(c)(33) which states that when permitted in a Semi-Industry District, outdoor storage of material piled more than four feet high must be surrounded by a solid seven foot high fence or wall; proposed fences does not completely surround storage.

3. Section 349.07(a) which states that all vehicle maneuvering areas shall be paved, and drained within the lot and no paving or grad shown. (Filed July 20, 2015)

**Calendar No. 15-165:** 12710 Miles Avenue (Ward 2)

Badran LLC., owner, proposes to change use from service station to

used car sales in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that auto repair and used car lot is not permitted in Two-Family District; Section 343.11(b)(2)(I)(4) states that used car lot is first permitted in General Retail Business and auto repair is first permitted in Semi-Industry if located not less than 100' from residential district.

2. Section 349.04(f) which states that 25% of the gross lot area must be reserved for customer parking and must be striped; no customer parking spaces proposed.

3. Section 352.10 which states that a 4' wide frontage landscape strip is required along Miles Avenue and East 128th Street and no landscaping is proposed.

4. Section 352.08-11 which states that a 10' wide transition strip is required at the rear where the lot abuts a One Family District and along the side of lot where it abuts the Two-Family District.

5. Section 358.04 which states that in a residential district, fences in actual front yard and actual side street yard shall be ornamental, shall not exceed 4' in height and shall be 50% open. Barbed wire fence is not permitted; 6' high chain link fence with barbed wire is proposed in front and side yards.

6. Section 359.01 a substitution of a nonconforming use requires BZA approval. (Filed July 22, 2015)

**Calendar No. 15-166:** 3200 Monroe Avenue (Ward 3)

Cleveland Bricks, owner, proposes to construct a 1,450 square foot single family house on a 2,388 square foot lot in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 357.09(b)(2)(B) which states that in a One-Family District or in a Two-Family District no interior side yard on a lot occupied by a dwelling house 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 24' and thus no interior side yard shall be less than 6' and a 5' side yard is proposed.

2. Section 357.08(b)(1) which states that the rear yard shall be not less than 20' and a 5' - 2" rear yard is proposed.

3. Section 355.04(a) which states that the maximum gross floor area in a 'B' Area District shall not exceed 1/2 the lot area or 1,194 square feet and 2,388 is proposed. (Filed July 22, 2015)

### Violation Notice

**Calendar No. 15-164:** 900 Prospect Avenue (Ward 3)

Geis Tower Garage 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 and disputes the Notice of Violation V15020044 issued on June 23, 2015 by the Cleveland Department of Building and Housing for failure to comply with Section 350.10(k) regarding compliance with the conditions of the City Planning Commission Approval; per the minutes of the City Planning Commission hearing this signage was approved for the sole purpose of being "project based for anything within the complex" also, "the advertising is limited to the on premise uses; it is not anticipated that someone who is part of the complex would advertise other products". Advertisement of off premise products and services constitutes a billboard and not an identification sign. (Filed July 22, 2015)

### POSTPONED FROM JULY 27, 2015

**Calendar No. 15-144:** 5008 McBride Avenue (Ward 5)

Daryel Anderson, owner, proposes to establish use as a "Type A" Day-care in a B1 Two-Family Residential District. Cleveland Codified Ordinance Section 337.02(f)(3)(C) states that the day care and its accessory uses (parking, playground) must be thirty feet from adjoining residential district property lines and requires Board of Zoning Appeals Approval. (Filed June 19, 2015)

First postponement made at the request of the Board in order for the appellant to meet with the Councilwoman and the Development Corp.

### POSTPONED FROM AUGUST 3, 2015

**Calendar No. 15-121:** 9100 St. Clair Avenue (Ward 9)

Beverly Galloway, owner, proposes to establish use as entertainment center with 62 space accessory parking lot in a C2 Local Retail Business District and add a 1,450 square foot addition. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.01(b) which states that the use of premises as entertainment center is not permitted in a Local Retail Business District. The use is first permitted in a General Retail Business District per Section 343.11(b)(2)(L) and subject to the regulations of Section 347.12(a)(1) which states that such use is not permitted within 500 feet of a residential district. The premises abut a residential district.

2. Section 349.04(e) which states that a parking area equal to three times the gross floor area is required. (Filed May 20, 2015 - No testimony taken)

Second postponement made at the request of City Planning to allow for a community meeting. First postponement made at the request of the appellant.

Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, AUGUST 3, 2015**

At the meeting of the Board of Zoning Appeals on Monday, August 3, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

None.

The following appeals were **DENIED:**

**Calendar No. 15-81:** 3118 Franklin Boulevard, A  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-82:** 3116 Franklin Boulevard, B  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-83:** 3114 Franklin Boulevard, C  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-84:** 3112 Franklin Boulevard, D  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-85:** 3110 Franklin Boulevard, E  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-86:** 3108 Franklin Boulevard, F  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-87:** 3106 Franklin Boulevard, G  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-88:** 3104 Franklin Boulevard, H  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-89:** 1551 West 32nd Street, I  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-90:** 1549 West 32nd Street, J  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple town-

house in a B1 Two-Family Residential District.

**Calendar No. 15-91:** 1547 West 32nd Street, K  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-92:** 1545 West 32nd Street, L  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-93:** 1543 West 32nd Street, M  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-94:** 1541 West 32nd Street, N  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-95:** 1539 West 32nd Street, O  
Franklin Ct. Townhomes L.P. proposes to construct a fee simple townhouse in a B1 Two-Family Residential District.

**Calendar No. 15-96:** 1553 West 32nd Street, P  
Franklin Ct. Townhomes L.P. proposes to construct a common drive/access driveway for a 15 unit townhouse development on Franklin Boulevard and West 32nd Street.

The following appeals were **WITHDRAWN:**

None.

The following appeal was **DISMISSED:**

**Calendar No. 15-120:** 2655 West 41st Street  
Sheila Pemberton, owner, proposes to install approximately 109 linear feet of 4 foot high chain link fence in a B1 Two-Family Residential District.

The following cases were **POSTPONED:**

**Calendar No. 15-67:** 5405 Storer.  
Eric Poole. Postponed to September 8, 2015.

**Calendar No. 15-121:** 9100 St. Clair Avenue.  
Beverly Galloway. Postponed to August 24, 2015.

**Calendar Nos. 15-148 through 15-152:**  
Appeal of Northstar Alarm.  
Northstar Alarm Services. Postponed to September 8, 2015.

The following cases were heard by the Board of Zoning Appeals on Monday, July 27, 2015 and the decisions were adopted and approved on Monday, August 3, 2015:

The following appeals were **APPROVED:**

**Calendar No. 15-143:** 10814 Bernard Avenue  
John D'Amico, owner, proposes to erect a 17' x 19' - 6" rear wooden wolmanized deck on a parcel located in a B1 Two-Family Residential District.

**Calendar No. 15-146:** 6702 Detroit Avenue  
Near West Theatre, owner, proposes to erect an 8 foot high board on board fence on the side property line in a C2 Local Retail Business District.

**Calendar No. 15-147:** 1368 West 67th Street  
Near West Theatre, owner, proposes to erect an 8 foot high board on board fence on the side property line in a C2 Local Retail Business District.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

**VENDOR RULES AND  
REGULATIONS**

**(VENDING IN ZONES, 1, 2, 3  
EFFECTIVE NOVEMBER 28, 2011  
& MOBILE VENDING IN THE  
CENTRAL BUSINESS DISTRICT  
EFFECTIVE JUNE 12, 2014)**

Pursuant to Section 675.06 and 675.061 of the Codified Ordinances of the City of Cleveland, the Director of Capital Projects hereby establishes the following zone boundaries and regulations for permissible vending in the Central Business District. These regulations do not apply to the Temporary Sidewalk Occupancy Permits issued under Chapter 508.

**A. PERMIT REQUIRED**

(1) A permit is required in each of the following circumstances when vending is occurring upon the highways, streets, or sidewalks, or to business invitees upon or from private property:

a. No person shall engage in vending upon or from private property anywhere in the City without a permit issued in accordance with Section 675.05;

b. No person shall engage in vending upon or from a fixed location on a sidewalk within the Central Business District without a permit



issued in accordance with Chapter 508 and without a permit issued in accordance with Section 675.06;

c. No person shall engage in vending while moving continuously from place to place on the highways, streets or sidewalks of the Central Business District without a permit issued in accordance with Section 675.061;

d. No person shall engage in vending upon or from a fixed location on a sidewalk outside of the Central Business District without a permit issued in accordance with Section 675.07;

e. No person shall engage in vending while moving continuously from place to place on the highways, streets, or sidewalks outside of the Central Business District without a permit issued in accordance with Section 675.08.

(2) In addition to the above permit requirements, in order to engage in vending, a vendor must also obtain a vendor's license under Codified Ordinance Sections 675.02 or 675.03 from the Commissioner of Assessments and Licenses.

**B. ESTABLISHED ZONES (Section 675.06) (SEE ATTACHED MAP)**

The times and hours for the specific zones are as follows:

**Zone 1 - Event days only.** Limited to three (3) hours before the event during the event and two (2) hours after the event Peddling permitted only on sidewalks within the zone boundaries, should not be on private property or inside any of the malls/parks. No peddling allowed North of Lakeside Avenue (i.e. Municipal Lot, Burke Lakefront, Voinovich Park area). Fee is \$125.00 per year.

**Zone 2 - Parade Days only.** Limited to three (3) hours before the parade, during the parade and two (2) hours after the parade. Peddling permitted only on sidewalks within the zone boundaries. Fee is \$25.00 per event. Length of permit is one (1) day.

**Zone 3 - Event days only at the Cleveland State University Convocation Center/Gateway.** Limited to three (3) hours before the event, during the event and two (2) hours after the event. Peddling permitted only on the sidewalks within the zone boundaries. Fee is \$125.00 per year.

To avoid undue pedestrian and vehicular congestion, only 50 vendor permits will be issued for Zone 3 in a given permit period. This limitation does not apply to the issuance of sidewalk occupancy permits under C.O. Chapter 508. If more than 50 applications are received to Vend in Zone 3, a random selection or lottery will be used to select 50. If deemed desirable by the Director of Capital Projects, the selection process may cover more than one permit year.

East 9th Street

Only 10 vendors will be permitted to vend on the part of East 9th

Street included in Zone 3. Those 10 will be selected randomly from the 50 applicants initially selected, or from all applicants, if 50 or fewer applications are received.

The Director of Capital Projects will specify whether the eligibility to vend on East 9th Street is for only part of the permit or for an entire permit year. At the discretion of the Director, the permit year may be divided into distinct periods of time, and a selection of persons eligible to vend on East 9th Street may be made for each such distinct period. No Zone 3 permitted vendor, other than those specifically authorized, shall vend on East 9th Street.

**C. MOBILE VENDING IN CENTRAL BUSINESS DISTRICT (Section 675.061)**

To avoid undue pedestrian and vehicular traffic congestion, only 5 permits within the Central Business District will be made available for mobile vending in a given permit period. Those 5 will be randomly selected from the applications submitted within the allowable time of June 15 thru July 15, in which a permit will be issued and shall cover the period beginning August 1st and ending July 31st of the following year.

No mobile vendor shall operate upon or from a fixed location on a sidewalk without a permit issued under Section 675.06 or Chapter 508.

No mobile vendor should operate from any restricted area shown in the attached map.

No mobile vendor should operate from any private property without first obtaining a permit under Section 675.05.

No mobile vendor should engage in vending between the hours of midnight and 6am.

All vendors shall comply with all requirements of applicable federal, state and local laws, including, without limitation, the City's Fire Prevention Code and State of Ohio Fire Code.

**D. SUSPENSION OR REVOCATION OF PERMIT**

Adherence to the zone boundaries must be maintained, as there will be strict enforcement. Failure to operate within the zone boundaries and failure to comply with the terms of this Chapter (675) or with any law, rule or regulation relating to vendors or encroachments in the right-of-way of the City may result in suspension of permit. Continued violations may result in revocation of permit by the Director of Capital Projects and revocation of vendor's license by the Commissioner of Assessments and Licenses.

**E. PENALTY**

All vendors shall comply with the requirements of Chapter 675 and are subject to the penalty provisions under Section 675.99.

**F. DISPLAY AND SELLING OF MERCHANDISE**

1. No merchandise shall be displayed on fountains, trash receptacles, planters, trees, lamp posts, light poles, street furniture or any other city-owned property.

2. No merchandise shall be displayed or sold at a location which hinders or restricts access to a telephone booth, mailbox, parking meter, fire alarm call box or traffic control box.

3. No vendor's display stand, cart, container or other appurtenance or paraphernalia shall be set up along street planting, street furniture, buildings or dug into the grass.

4. Vendor's display stand, cart or container shall not be larger than 12 feet in length and 3 feet in width, must be on wheels and capable of being moved by one person.

5. No vendor shall make any loud or unreasonable noise for the purpose of advertising or drawing attention to merchandise or for any other purpose.

**G. RIGHT-OF-WAY OBSTRUCTION**

1. No merchandise shall be displayed or sold to the occupants of vehicles stopped in traffic or displayed or sold from a vehicle stopped in traffic.

2. No merchandise shall be displayed or sold in a manner that blocks, obstructs or restricts the free passage of pedestrians or vehicles in the lawful use of the sidewalks or highways or ingress or egress to the abutting property.

3. No tents allowed on the city's right-of-way.

4. No vendor shall sell or display merchandise:

a. At any location where the sidewalk is less than ten (10) feet in width;

b. Within ten (10) feet of a crosswalk;

c. Within twenty (20) feet of another location including vendors with multiple locations;

d. Within ten (10) feet of any doorway or the prolongation of any doorway width to the curb line.

**H. MAINTENANCE OF VENDING AREA/DEVICE**

1. Each vendor shall remove all merchandise, packaging, paper, containers, display stands or tables, or other materials brought to the location at the termination of sales each day. No permanent stands or displays will be permitted, and are on a first come first serve day by day basis.

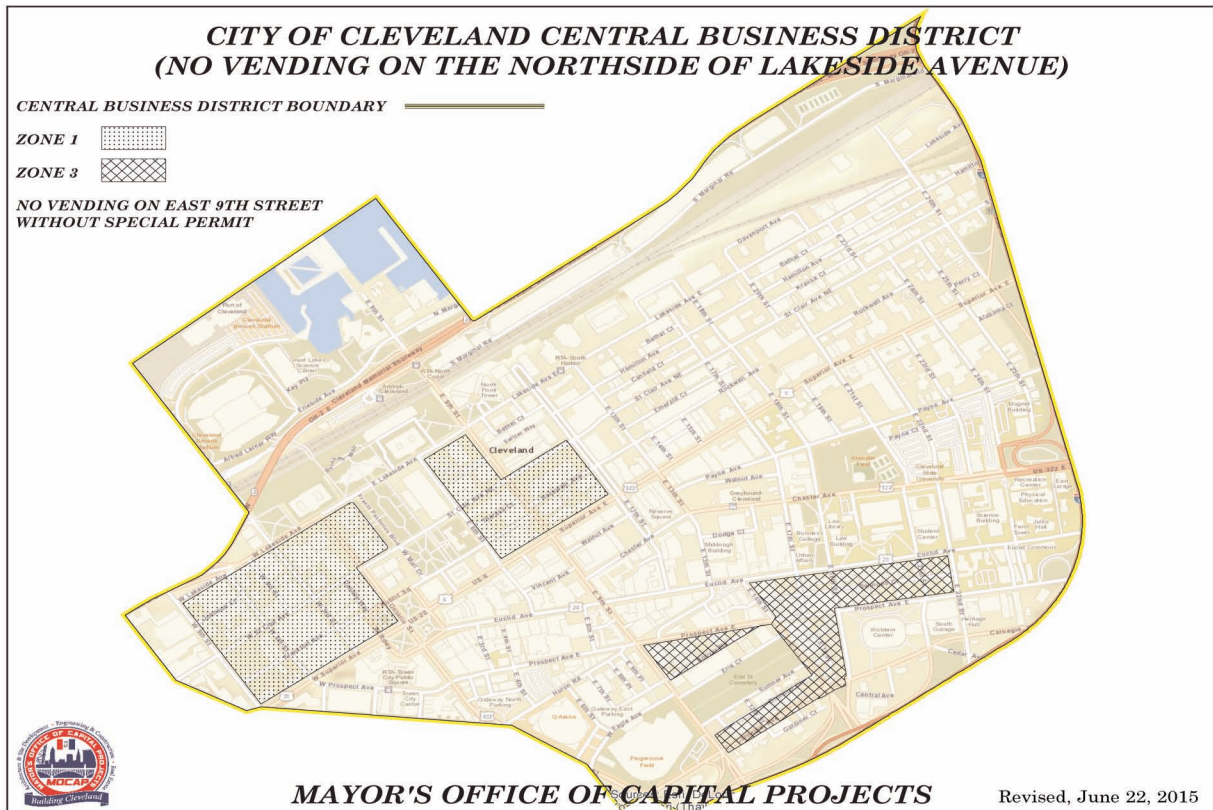
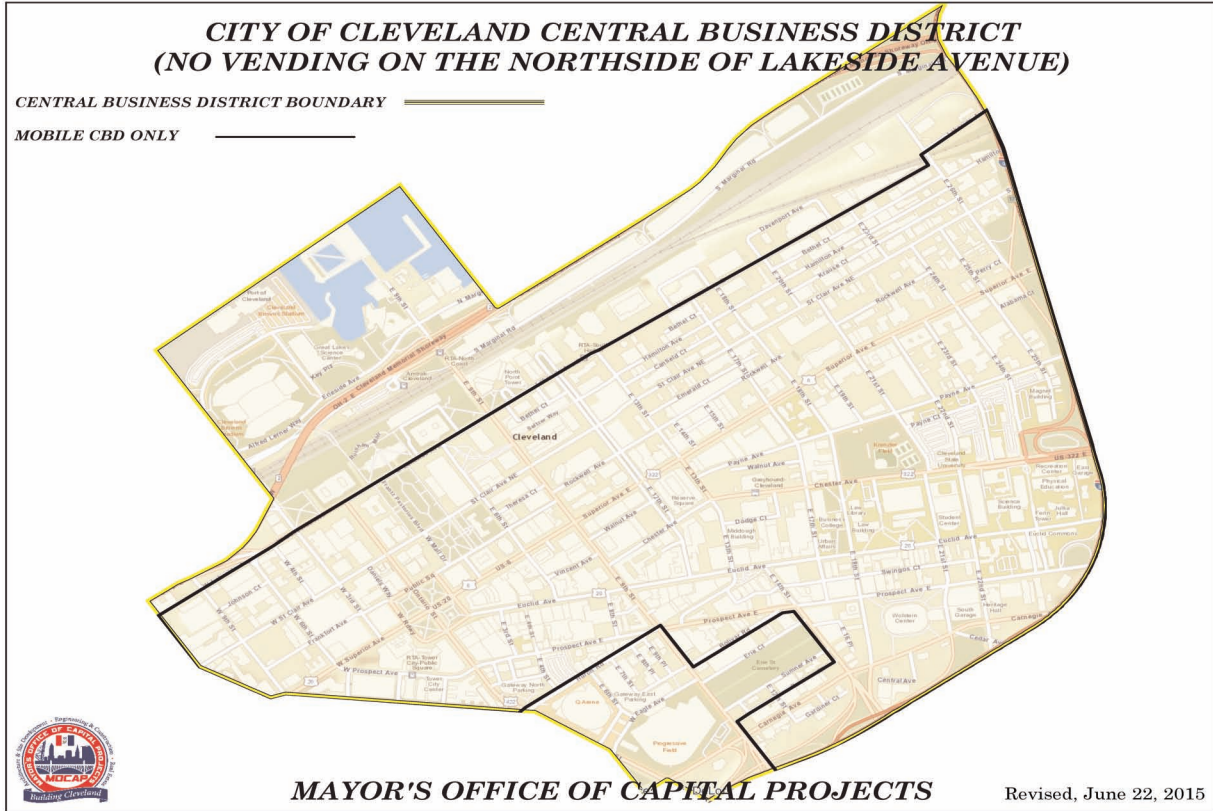
2. Each vendor during the period of selling shall keep the area they are selling in free from all litter and debris arising from their operation and insure that the area is cleaned on departure from the peddling area.

3. Each vending device must be aesthetically appropriate (clean and free from damage, rust, and corrosion) for vending.

**I. MODIFICATIONS, DELETIONS OR ADDITIONS**

The Director of Capital Projects may modify, delete, or add to these regulations as deemed appropriate.

MATTHEW L. SPRONZ, Director  
Mayor's Office of Capital Project



**NOTICE OF PUBLIC HEARING****Notice of Public Hearing  
By the Council Committee  
On Development, Planning  
and Sustainability**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, August 19, 2015  
9:00 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Wednesday, August 19, 2015, at 9:00 a.m., to consider the following ordinances now pending in the Council:

**Ord. No. 532-15.**

By Council Member Kazy.

An emergency ordinance establishing the Bellaire-Puritas Design Review District along Lorain Ave. between W. 140th Street and W. 123rd Street as shown shaded on the attached Map. (Map Change No. 2510).

**Ord. No. 712-15.**

By Council Member Cimperman.

An emergency ordinance designating the Leisy Brewery Bottling Works Building as a Cleveland Landmark.

All interested persons are urged to be present or to be represented at the above time and place.

Anthony Brancatelli, Chair  
Committee on Development,  
Planning and Sustainability

August 5, 2015 and August 12, 2015

**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."**

**FRIDAY, AUGUST 14, 2015**

**File No. 91-15 — Mill Creek Falls Family Park Site Improvements,** for the Division of Architecture and Site Development, Department of Public Works and Mayor's Office of Capital Projects, as authorized by Ordinance No. 282-15, passed by the Council of the City of Cleveland, June 1, 2015.

**\*THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER MADE PAYABLE TO THE CITY OF CLEVELAND (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).**

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, AUGUST 6, 2015 AT 11:00 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 517A, CLEVELAND, OHIO 44114.**

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

**File No. 92-15 — Various Paper Products and Print Services,** for the Cleveland City Council, as authorized by Ordinance No. 670-15, passed by the Council of the City of Cleveland, June 8, 2015.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, AUGUST 7, 2015 AT 1:30 P.M. CLEVELAND CITY COUNCIL CONFERENCE ROOM, 2ND FLOOR ROOM 216, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

July 29, 2015 and August 5, 2015

**WEDNESDAY, AUGUST 19, 2015**

**File No. 90-15 — Rehabilitating and Relining Sewers at Various Locations (Re-bid),** for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976.

**\*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 A MONEY ORDER MADE PAYABLE TO THE CITY OF CLEVELAND (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).**

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, AUGUST 6, 2015 AT 2:00 P.M. THE DIVISION OF WATER POLLUTION CONTROL, WPC CONFERENCE ROOM, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.**

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

July 29, 2015 and August 5, 2015

**FRIDAY, AUGUST 21, 2015**

**File No. 95-15 — Purchase of Kodak Ngenuity 9090DC Color Scanners,** for the Division of Cleveland Municipal Clerk of Courts, Department of Finance as authorized by Section 181.101 (A)(16) & (22) Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, AUGUST 10, 2015 AT 10:30 A.M. THE CLEVELAND MUNICIPAL CLERK OF COURTS, JUSTICE CENTER, 1200 ONTARIO STREET, LEVEL 2, CLEVELAND, OHIO 44114.**

August 5, 2015 and August 12, 2015

**WEDNESDAY, AUGUST 26, 2015**

**File No. 93-15 — The Purchase of the Necessary Items of Federal Aviation Administration Approved Deicing Chemicals,** for the various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 580-15, passed by the Council of the City of Cleveland, June 8, 2015.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, AUGUST 14, 2015 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE**

POINTS ROAD, CLEVELAND, OHIO 44135-3193.  
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**THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, AUGUST 17, 2015 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S, AIRCRAFT RESCUE FIRE FIGHTING BUILDING, 5651 POSTAL ROAD, CLEVELAND, OHIO 44135-3193.**  
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