

# The City Record

Official Publication of the Council of the City of Cleveland



September the Twenty-Third, Two Thousand and Fifteen

**Frank G. Jackson**  
Mayor

**Kevin J. Kelley**  
President of Council

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

**Ward Name**

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

The City Record is available online at  
[www.clevelandcitycouncil.org](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 Zoghbaib, 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 – Daniel A. Novak, Commissioner  
 Park Maintenance and Properties – Richard L. Silva, Commissioner  
 Parking Facilities – Antionette Thompson, Interim Commissioner  
 Property Management – Tom Nagle, Commissioner  
 Recreation – Samuel Gissentaner, Interim Commissioner  
 Streets – Frank D. Williams, 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. 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 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

Vol. 102

WEDNESDAY, SEPTEMBER 23, 2015

No. 5311

## CITY COUNCIL

MONDAY, SEPTEMBER 21, 2015

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

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 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

Cleveland, Ohio  
Monday, September 21, 2015  
The meeting of the Council was called to order at 7:03 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Anthony Brancatelli, Joe Cimperman, Phyllis E. Cleveland, Kevin Conwell, Brian J. Cummins, T.J. Dow, Jeffrey D. Johnson, Brian Kazy, Kevin J. Kelley, Kenneth L. Johnson, Martin J. Keane, Mamie J. Mitchell, Michael D. Polensek, Terrell H. Pruitt, Zack Reed, and Matthew Zone.

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Chief of Sustainability Jenita McGowan, Chief of Public Affairs Natoya Walker-Minor, and Directors Langhenry, Dumas, Szabo, Spronz, Parrilla, McGrath, Cox, O'Leary, Southerington, Griffin, Collier, Fumich, Ambroz and Burrows.

Council Members, Administration, Staff, and those in the audience rose for a moment of silent reflection, and the Pledge of Allegiance.

#### MOTION

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

#### COMMUNICATIONS

**File No. 1171-15.**  
From Director Michael McGrath, Department of Public Safety, City of Cleveland. Notice of grant acceptance from University Hospitals of Cleveland of \$2,800. Received.

**File No. 1190-15.**  
From Michael Shea, Executive Director, Western Reserve Revitalization & Management Company.

Notice of intent to apply to the multifamily funding programs of the Ohio Housing Finance Agency for rehabilitation and new construction of rental housing at several sites on the west side of Cleveland, Ohio. Received.

#### OATH OF OFFICE

**File No. 1191-15.**  
Oath of Office for David Ebersole, Assistant Director, Department of Economic Development, City of Cleveland. Received.

#### FROM OHIO DIVISION OF LIQUOR CONTROL

**File No. 1172-15.**  
RE: #7085787. New License Application, C1. Prime Investment Inc., 938 East 123rd St. (Ward 9). Received.

**File No. 1173-15.**  
RE: #4148491. New License Application, C1. Interscope Trading Inc., 5105 Franklin Blvd. (Ward 15). Received.

**File No. 1178-15.**  
RE: #53176420015. Transfer of Ownership Application, C1, C2. Low Cost Gas, Inc., 10202 Lorain Ave. (Ward 11). Received.

**File No. 1179-15.**  
RE: #53176420010. Transfer of Ownership Application, C1. Low Cost Gas, Inc., 14008 Lorain Ave. (Ward 16). Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 1183-15** — General Pope, Jr.

**Res. No. 1184-15** — Mattie Lou Tuck.

**Res. No. 1185-15** — Elizabeth Christine (Marx) Gallo.

#### CONGRATULATIONS RESOLUTIONS

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

**Res. No. 1186-15** — Roberto A. Santiago.

**Res. No. 1187-15** — Patrick J. Kelly, Chief of Fire.

#### RECOGNITION RESOLUTION

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

**Res. No. 1188-15** — Women's Leadership Month.

**APPRECIATION RESOLUTION**

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

**Res. No. 1189-15** — Barbara S. Robinson.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 1165-15.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to Contract No. 57822 and the Promissory Note with The Eliza Jennings Group to partially finance the renovation of The Eliza Jennings Home located at 10603 Detroit Avenue to change the terms of the loan.**

Whereas, under Ordinance No. 1688-2000, passed November 27, 2000, this Council authorized the Director of Economic Development to enter into Contract No. 57822 with The Eliza Jennings Group ("Eliza Jennings") to partially finance the renovation of

The Eliza Jennings Home located at 10603 Detroit Avenue, Contract 57822; and

Whereas, the Director of Economic Development and Eliza Jennings wish to amend the terms of the loan and to amend the Promissory Note; and

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into an amendment to Contract No. 57822 with Eliza Jennings to partially finance the renovation of The Eliza Jennings Home located at 10603 Detroit Avenue, to make the following modifications to the Contract and Promissory Note effective October 1, 2015:

1. Borrower shall receive \$250,000 principal loan forgiveness;

2. Reduce the current loan interest rate from 4% to 2%. Loan would be amortized using a fifteen (15) year amortization term with a balloon payment due at the end of ten (10) years, September 1, 2025. Loan would be

amortized at a 1% interest rate with an additional 1% interest accruing with possible forgiveness of all accrued interest based on job retention at the project site; and

3. Possible extension of the September 1, 2025 maturity date to a revised maturity date of September 1, 2030 and amortizing the remaining loan balance over five (5) years at a 1% interest rate with an additional 1% interest accruing with possible forgiveness of all accrued interest based on job retention at the project site.

All other terms of the loan shall remain the same.

**Section 2.** That the Director of Law shall prepare the amendment.

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

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

**Ord. No. 1166-15.**

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

**An emergency ordinance approving the collective bargaining agreement with the International Brotherhood of Electrical Workers, AFL-CIO, Local 39; and to amend Section 25 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.**

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

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

**Section 1.** That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the International Brotherhood of Electrical Workers, AFL-CIO, Local 39, under the terms contained in File No. 1166-15-A, for the period from April 1, 2013 through March 31, 2016, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase
1%	April 1, 2013
2%	April 1, 2014
2%	April 1, 2015

**Section 2.** That Section 25 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

**Section 25. International Brotherhood of Electrical Workers, AFL-CIO, Local 39.** That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Apprentice Cable Splicer.....	\$25.01	\$26.94
2. Apprentice Lineman.....	25.20	27.14
3. Cable Foreman.....	35.78	36.35
4. Cable Splicer Helper.....	25.66	26.23
5. Dispatcher Electric System Operator.....	30.70	31.27
6. Electric Meter Industrial Installer.....	31.59	32.16
7. Electric Meter Instrument Specialist and General Tester.....	31.94	32.52
8. Electric Meter Service Foremen.....	35.78	36.35
9. Electric Meter Service Installer I.....	29.43	30.57
10. Electric Meter Service Installer II.....	27.42	27.99
11. Electric Meterman Apprentice.....	24.66	26.54
12. Electric Transmission and Distribution Inspector.....	33.38	34.47
13. Foreman Low Tension.....	35.17	35.75
14. Gas Turbine Mechanic.....	29.43	30.57
15. Gas Turbine Mechanic Apprentice.....	25.01	26.94
16. Intern Apprentice.....	14.86	15.62
17. Junior Electric Switchboard Operator.....	25.17	25.76
18. Line Clearance Man.....	26.19	26.76
19. Line Foreman.....	35.78	36.35
20. Line Helper Driver.....	19.95	26.23
21. Line Switchman.....	35.33	35.90
22. Leader Lineman Low-Tension.....	33.77	34.34
23. Lineman.....	31.70	32.27

24.	Lineman Leader.....	<b>34.48</b>	<b>35.06</b>
25.	Low Tension Lineman .....	<b>29.58</b>	<b>30.15</b>
26.	Low Tension Lineman Apprentice .....	<b>24.72</b>	<b>27.14</b>
27.	Low Tension Trouble Lineman.....	<b>33.10</b>	<b>33.67</b>
28.	Senior Cable Splicer.....	<b>33.38</b>	<b>33.96</b>
29.	Senior Lineman.....	<b>33.38</b>	<b>33.96</b>
30.	Telecommunications Technician .....	<b>33.10</b>	<b>33.67</b>
31.	Traffic Signal Control Technician.....	<b>35.03</b>	<b>35.61</b>
32.	Traffic Signal Control Technician 2.....	<b>34.46</b>	<b>35.03</b>
33.	Transformer Repairman Foreman.....	<b>35.78</b>	<b>36.35</b>
34.	Trouble Lineman.....	<b>34.52</b>	<b>35.09</b>
35.	Underground Conduit Foreman.....	<b>35.78</b>	<b>36.35</b>

**Section 3.** That existing Section 25 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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

Referred to Directors of Human Resources, Finance, Law; Committee on Finance.

**Ord. No. 1167-15.**

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

**An emergency ordinance authorizing the purchase by one or more standard and requirement contracts for the purchase, lease, or lease with option to purchase, of various on-road vehicles and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including vehicle rehabilitation, training, and inspections, as needed, for the various divisions of City government, for a period of one year.**

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

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

**Section 1.** That the Director of Public Works is authorized to make one or more written standard purchase and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the period of one year, for the necessary items required for the purchase, lease, or lease with option to purchase, of various on-road vehicles and off-road equipment, cabs, bodies, and accessories, equipment and other aftermarket items necessary to equip the vehicles authorized for their intended purposes, including labor and materials necessary for vehicle rehabilitation, training, and inspections, as needed, in the estimated sum of \$6,900,798, to be purchased or procured by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government, as described below:

**2015 Enterprise Capital Vehicle Plan  
Description of Equipment**

Item Number	Item Description	User	Quantity	Estimated Cost	Extended Estimated Cost
1	Passenger Car - Mid Size	Water	2	\$30,000	\$60,000
2	Passenger Car 4-dr	Water	1	\$25,000	\$25,000
3	SUV - 4x4	Water	5	\$29,200	\$146,000
4	Mini-Van	Water	5	\$25,600	\$128,000
5	Cargo Van	Water	12	\$30,000	\$360,000
6	Pickup Truck - Heavy Duty (A)	Water	9	\$30,000	\$270,000
7	Pickup Truck - Heavy Duty (B)	Water	8	\$37,500	\$300,000
8	Pickup Truck - Heavy Duty (C)	Water	8	\$43,500	\$348,000
9	Cab/Chassis w/Medium USV (A)	Water	5	\$60,000	\$300,000
10	Cab/Chassis w/Medium USV (B)	Water	2	\$70,000	\$140,000
11	Cab/Chassis w/Large USV	Water	2	\$190,000	\$380,000
12	Dump Truck - Medium Duty	Water	3	\$55,000	\$165,000
13	Dump Truck w/Tandem Axle	Water	3	\$225,000	\$675,000
14	Air Compressor	Water	3	\$22,000	\$66,000
15	Utility Vehicle	Water	2	\$16,399	\$32,798
16	Tow Motor	Water	1	\$40,000	\$40,000
				<b>TOTAL</b>	<b>\$3,435,798</b>
17	Grove Telescoping Crane - 45 ton	CPP	1	\$350,000	\$350,000
18	Cab/Chassis w/60' Aerial Bucket	CPP	3	\$275,000	\$825,000
19	Cab/Chassis w/Digger Derrick	CPP	2	\$242,500	\$485,000
				<b>TOTAL</b>	<b>\$1,660,000</b>
20	Lease & Maintenance Agreement for Catch Basin Cleaning Machine	WPC	5	\$80,000	\$400,000
21	Dump Truck w/Tandem Axle	WPC	2	\$200,000	\$400,000
22	Construction Grade Fork Lift	WPC	1	\$100,000	\$100,000
23	Bricklayer Truck	WPC	1	\$60,000	\$60,000
24	Mini-Van	WPC	1	\$25,000	\$25,000



25	Pickup Truck - Heavy Duty	WPC	2	\$35,000	\$70,000
				<b>TOTAL</b>	<b>\$1,055,000</b>
26	Airfield Asphalt Repair Truck	Port Control	1	\$225,000	\$225,000
27	Ambulance	Port Control	1	\$250,000	\$250,000
28	Small Airfield Mowers	Port Control	2	\$20,000	\$40,000
29	4x4 Trucks & Utility Vehicles	Port Control	7	\$25,000	\$175,000
30	Hillside Mower	Port Control	1	\$60,000	\$60,000
				<b>TOTAL</b>	<b>\$750,000</b>
				<b>Grand Total</b>	<b>\$6,900,798.00</b>

Alternate bids for a period less than one year may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire year.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 7015, RL 2015-44)

**Section 3.** That under Section 108 (b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

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

**Ord. No. 1180-15.**

**By Council Members Reed, J. Johnson, Conwell and Polensek.**

**An emergency ordinance authorizing the Director of Finance to transfer One Million Dollars (\$1,000,000) from the city's Rainy Day Fund to the Division of Police for police overtime.**

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

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

**Section 1.** That, any provisions of the Codified Ordinances to the contrary notwithstanding, the Director of Finance is authorized to transfer One Million Dollars (\$1,000,000) from the City's Rainy Day Fund to the Division of Police for police overtime.

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

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

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

**Ord. No. 1169-15.**

**By Council Member Cimperman. An emergency ordinance consenting and approving the issuance of a permit for the Cleveland Turkey Trot on November 26, 2015.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of

Cleveland, Ohio 1976, this Council consents to and approves the holding of the Cleveland Turkey Trot on November 26, 2015, start: Lakeside Avenue and East 6th Street; Lakeside west to West 3rd Street; West 3rd north to Erieside Avenue; Erieside east to East 9th Street; East 9th south to Lakeside Avenue; Lakeside east to East 13th Street; East 13th south to Hamilton Avenue; Hamilton east to East 38th Street; East 38th south to St. Clair Avenue; St. Clair west to West 3rd Street; West 3rd north to Lakeside Avenue; Lakeside east to East 6th Street—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1170-15.**

**By Council Member Cimperman. An emergency ordinance consenting and approving the issuance of a permit for the Pigskin Classic on November 28, 2015.**

Whereas, this ordinance constitutes an emergency measure providing for

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Pigskin Classic on November 28, 2015, start: Old River Road at the Odean; Old River Road west to Robert Lockwood Drive; Robert Lockwood Drive west to Columbus Road, Columbus Road south to Carter Road, Carter Road east to Scranton Road; Scranton Road south to Train Avenue; turn around; Scranton north to Carter; Carter west to Columbus Road; Columbus Road west to Center Street; Center Street west to Merwin Avenue; Merwin Avenue north through city park to Old River Road—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

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

**Ord. No. 1182-15.**  
**By Council Member Cimperman.**  
**An emergency ordinance authorizing the issuance of a Mobile Permit (General Merchandise) to Timothy Stewart to engage in mobile vending in Ward 3.**

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, This Council has considered the request of Timothy Stewart to engage in mobile vending outside of the Central Business district, and has determined that it is in the public interest to allow Timothy Stewart to engage in mobile vending in Ward 3; and

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

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

**Section 1.** That this Council consents, as required by, Section 675.08 of the Codified Ordinances to allow to Timothy Stewart to engage in mobile vending in the public rights of way in Ward 3.

**Section 2.** That all of the requirements of Chapter 675 of the Codified Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted may be revoked at any time by this Council.

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

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

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

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

**Res. No. 1168-15.**  
**By Council Member Polensek.**  
**An emergency resolution objecting to the transfer of stock of a C1 and C2 Liquor Permit to 15222 Waterloo Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for a transfer of stock of a C1 and C2 Liquor Permit at Waterloo Gas & Go, Inc., 15222 Waterloo Road, Cleveland, Ohio 44110, Permanent Number 9427085; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a transfer of stock of a C1 and C2 Liquor Permit at Waterloo Gas & Go, Inc., 15222 Waterloo Road, Cleveland, Ohio 44110, Permanent Number 9427085, and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 1174-15.**  
**By Council Member Cimperman.**  
**An emergency resolution objecting to the transfer of location of a D5 Liquor Permit to 721 Bolivar Avenue.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D5 Liquor Permit from Julio Rivera, Inc., DBA Uncle Johns Tavern, 2081 West 73rd Street, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 4410268 to Victory Cleveland, LLC, 721 Bolivar Avenue, Cleveland, Ohio 44115, Permanent Number 9268262; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of location of a D5 Liquor Permit from Julio Rivera, Inc., DBA Uncle Johns Tavern, 2081 West 73rd Street, 1st floor and basement, Cleveland, Ohio 44102, Permanent Number 4410268 to Victory Cleveland, LLC, 721 Bolivar Avenue, Cleveland, Ohio 44115, Permanent Number 9268262; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

**Res. No. 1175-15.**  
**By Council Member Cummins.**  
**An emergency resolution withdrawing objection to a New C2 Liquor Permit at 3474 West 25th Street, and repealing Resolution No. 496-15, objecting to said permit.**

Whereas, this Council objected to a New C2 Liquor Permit at West 25th Gas & Go, Inc., 3474 West 25th Street,

Cleveland, Ohio 44109, Permanent Number 9526240 by Resolution No. 496-15 adopted by the Council on April 27, 2015; and

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

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

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

**Section 1.** That objection to a New C2 Liquor Permit at West 25th Gas & Go, Inc., 3474 West 25th Street, Cleveland, Ohio 44109, Permanent Number 9526240, be and the same is hereby withdrawn and Resolution No. 496-15, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

**Res. No. 1176-15.**

**By Council Member Reed.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 3750 Martin Luther King, Jr. Boulevard, and repealing Resolution No. 1644-14, objecting to said permit.**

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to Savmor 116 Deli, Inc., 3750 Martin Luther King, Jr. Boulevard, 1st floor and basement, Cleveland, Ohio 44105, Permanent Number 77601640005 by Resolution No. 1644-14 adopted by the Council on December 8, 2014; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to Savmor 116 Deli, Inc., 3750 Martin Luther King, Jr. Boulevard, 1st floor and basement, Cleveland, Ohio 44105, Permanent Number 77601640005, be and the same is hereby withdrawn and Resolution No. 1644-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

**Section 2.** That this resolution is hereby declared to be an emergency measure and provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its adoption and

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

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

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

**Res. No. 1177-15.**

**By Council Member Kelley.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 4852 Broadview Road, and repealing Resolution No. 630-15, objecting to said permit.**

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to Shrey, LLC, DBA Mini Mart Express, 4852 Broadview Road, Cleveland, Ohio 44109, Permanent Number 8113133 by Resolution No. 630-15 adopted by the Council on June 1, 2015; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to Shrey, LLC, DBA Mini Mart Express, 4852 Broadview Road, Cleveland, Ohio 44109, Permanent Number 8113133, be and the same is hereby withdrawn and Resolution No. 630-15, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

**Res. No. 1181-15.**

**By Council Members Kelley, Cleveland, Pruitt, Reed, Cimperman, K. Johnson, Mitchell, Dow, Polensek, Conwell, J. Johnson, Brady, Brancatelli, Cummins, Zone, Kazy and Keane.**

**An emergency resolution urging Governor Kasich to accept the federal waiver of time limits on food aid for as many counties and cities in Ohio as possible.**

Whereas, between 2012 and 2014, 7.5% of Ohio households experienced "very low food security" up from the state's 6.4% average from 2009 to 2011, and worse than every state but Arkansas and Missouri; and

Whereas, Ohio ranks third in the nation, tied with Mississippi, for people in "severe food insecurity"; and

Whereas, when the economy is strong, the federal government places time limits on food aid for job-seekers who are not disabled, elderly or parents with custody of minor children; and

Whereas, the federal government allows waivers of time limits on food aid when economies are struggling; and

Whereas, Ohio qualified for a statewide waiver of food aid time limits but for the past two years the state government has rejected that waiver for most Ohio counties; in 2014, only 16 counties and in 2015, 17 counties - all of them rural - were allowed the waiver; and

Whereas, in those years, because Ohio rejected the statewide waiver, more than 70% of those who lost their food aid live in urban counties; excluding cities means that many Ohioans are subject to time limits on food aid; and

Whereas, people in Ohio continue to struggle under a weak economy and, although a the state government has accepted the federal waiver for some rural counties for 2016, it has rejected extending the waiver to other counties and cities that otherwise qualify; and

Whereas, with an 8.5% unemployment rate - more than 20% above the national average - the city of Cleveland is eligible for a waiver; and

Whereas, Ohio should maximize access to federal food aid by accepting the federal waiver of food stamps for as many counties and cities as possible, to help those still struggling in the economic recovery; and

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

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

**Section 1.** That this Council urges Governor Kasich to accept the federal waiver of time limits on food aid for as many counties and cities in Ohio as possible.

**Section 2.** That the Clerk of Council is directed to forward copies of this resolution to

Governor John Kasich and all members of the Ohio legislature.

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

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

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

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 979-15.**

**By Council Member Kelley.**

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by amending various sections of the Codified Ordinances in order to ensure it is consistent with the Ohio Revised Code.



Approved by Director of Law; Passage recommended by Committee on Finance, when amended, as follows:

1. In the title, strike lines 2, 3 and 4 in their entirety and insert: **"To amend Sections 101.02, 101.03 and 101.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, in order to ensure they are"**.

Amendment agreed to.

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

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

#### **Ord. No. 984-15.**

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

An emergency ordinance to amend Section 129.21 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 831-95, passed December 18, 1995, relating to contracts for billing and collection of sewer charges and other fees.

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

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

#### **Ord. No. 1110-15.**

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Sections 39 and 57 of Ordinance No. 323-15, passed March 30, 2015, as amended, relating to compensation for various classifications.

Approved by Directors of Human Resources, Finance, Law; Passage recommended by Committee on Finance.

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

#### **SECOND READING EMERGENCY RESOLUTIONS ADOPTED**

##### **Res. No. 1111-15.**

By Council Member Kelley (by departmental request).

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

Approved by Directors of Finance, Law; Adoption recommended by Committee on Finance.

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

##### **Res. No. 1112-15.**

By Council Member Kelley (by departmental request).

An emergency resolution requesting the County Fiscal Officer to make advances during the year 2016, pursuant to Section 321.34, Ohio Revised Code.

Approved by Directors of Finance, Law; Adoption recommended by Committee on Finance.

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

##### **Res. No. 1134-15.**

By Council Members Polensek, J. Johnson and Conwell.

An emergency resolution urging the U.S. Environmental Protection Agency to investigate the cause of continued water contamination at Villa Angela Beach and Euclid Beach.

Approved by Committee on Finance.

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

#### **MOTION**

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

#### **MOTION**

The Council Meeting adjourned at 7:47 p.m. to meet on Monday, September 28, 2015, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt  
City Clerk, Clerk of Council

#### **THE CALENDAR**

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

NONE

#### **BOARD OF CONTROL**

September 16, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, September 16, 2015 at 10:33 a.m. with Acting Director Richard Horvath presiding.

Present: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and O'Leary.

Others: Tiffany White, 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. 350-15.**

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Sunbelt Rentals, Inc. for an estimated quantity of rental of various heavy duty equipment, Group A-all items, Group B-all items and Group C-all items, for the various Divisions of the Department of

Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two one-year options to renew, received on July 17, 2015 under the authority of Ordinance No. 328-15, passed April 20, 2015, which on the basis of the estimated quantity would amount to \$225,000.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Parrilla and O'Leary.

##### **Resolution No. 351-15.**

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on July 17, 2015 for an estimated quantity of rental of various heavy duty equipment, Group E-all items, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities, under the authority of Ordinance No. 328-15, passed April 20, 2015, are rejected.

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Parrilla and O'Leary.

##### **Resolution No. 352-15.**

By Director Davis.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Perk Company, Inc. for the public improvement of constructing and installing replacement sewers and repairing and rehabilitation of existing sewers citywide, base bid items including 10% contingency allowance, for the Division of Water Pollution Control, Department of Public Utilities, received on July 8, 2015, under the authority of Section 129.292 of the Codified Ordinances of Cleveland, Ohio, 1976, upon a unit basis for the improvements to be performed as ordered during a period of two (2) years starting upon execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$2,895,772.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a public improvement by requirement contract for the improvement.

The public improvement by requirement contract shall further provide that the contractor will perform all the City's requirements for

the work as may be ordered under delivery orders separately certified against the public improvement by requirement contract, whether the same shall be more or less than the total estimate of work to be performed under the contract.

Be it further resolved by the Board of Control that the employment of the following subcontractors by Perk Company, Inc. for the above-mentioned public improvement by requirement contract is approved:

**SUBCONTRACTOR CSB/MBE/FBE  
AMOUNT/PERCENTAGE**

Tech Ready Mix CSB/MBE  
\$661,500.00 (22.844%)

Cuyahoga Supply &  
Tool, Inc. CSB/FBE  
\$108,000.00 (3.730%)

P.G.T. Construction,  
Inc. CSB/FBE  
\$99,330.00 (3.430%)

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, Parrilla and O'Leary.

**Resolution No. 353-15.**

By Director Szabo.

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Cleveland Construction, Inc., under City Contract No. PI2015\*022 for the public improvement of rehabilitating the exterior terminal building facade and the terminal ticketing lobby at Cleveland Hopkins International Airport under the authority of Ordinance No. 1587-09 and Ordinance No. 1588-09, both passed by the Council of the City of Cleveland on November 30, 2009 and Board of Control Resolution No. 72-15, adopted March 11, 2015, is approved.

**Subcontractor CSB/MBE/FBE%  
Amount**

Triner Scale 0.000% non-certified  
\$24,362.00

AKA Team  
Waterproofing .088% MBE  
\$20,000.00

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and O'Leary.

**Resolution No. 354-15.**

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland that the bids received on August 14, 2015 for the Mill Creek Falls Family Park Site Improvements for the Office of Capital Projects, pursuant to the authority of Ordinance No. 282-15, passed by the Council of the City of Cleveland on June 1, 2015, are rejected.

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and O'Leary.

**Resolution No. 355-15.**

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Perk Co., Inc. for the public improvement of Warner Rd. (Grand Division Ave. to Broadway Ave.), all bid items, 1 through 169, for the Division of Engineering and Construction, Mayor's Office of Capital Projects, received on July 23, 2015, under the authority of Ordinance No. 1383-13, passed by Cleveland City Council on November 25, 2013, upon a unit price basis for the improvement, in the aggregate amount of \$2,898,708.60, is affirmed and approved as the lowest responsible bid, and the Director 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 Perk Co., Inc. for the above-mentioned public improvement is approved:

Fabrizi Recycling, Inc.  
(CSB/FBE) — \$604,786 (20.864%)

Tech Ready Mix, Inc.  
(CSB/MBE) — \$181,905 (6.275%)

Trafftech, Inc.  
(CSB) — \$123,461 (4.259%)

Cuyahoga Supply and Tool, Inc.  
(CSB) — \$25,500 (0.880%)

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and O'Leary.

**Resolution No. 356-15.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel 007-06-013 located at 2155 West 41st 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, Michelle Fenn has proposed to the City to purchase and develop the parcel for new single family construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 has 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 Michelle Fenn for the sale and development of Permanent Parcel 007-06-013, 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 parcels for uses according to the Program.

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and O'Leary.

**Resolution No. 357-15.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel 002-35-107 located at 1876 West 47th Street; and

Whereas, Section 181.021 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, Michael Camaglia and Robert Crawford has proposed to the City to purchase and develop the parcel for new single family construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 has 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 Michael Camaglia and Robert Crawford for the sale and development of Permanent Parcel 002-35-107, 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 parcels for uses according to the Program.

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and O'Leary.

**Resolution No. 358-15.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcels 007-01-036, 007-01-037, and 007-01-038 located on West 41st 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, B.R. Knez Construction, Inc. has proposed to the City to purchase and develop the parcels for new single family construction; and

Whereas, the following conditions exist:

1. The member of Council from Ward 3 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with B.R. Knez Construction, Inc. for the sale and development of Permanent Parcels 007-01-036, 007-01-037, and 007-01-038, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Directors Horvath, Shaw, Interim Director Szabo, Directors Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich.

Nays: None.

Absent: Mayor Jackson, Directors Dumas and O'Leary.

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

### CORRECTION

## SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY OCTOBER 5, 2015

9:30 A.M.

**Calendar No. 15-189:** 14217 Glendale Avenue (Ward 2)

Bernard Kerley, owner, proposes to install an 8' high wood, shadow box fence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 358.04(a) which states that fences in the actual front yards and in actual side street yards shall not exceed 4 feet in height and shall be at least 50% open except that in an actual side street yard, a fence that is set back at least 4 feet may be open or solid. Fences in actual rear yards and in actual interior side yards shall not exceed 6 feet in height. (Filed August 31, 2015)

**Calendar No. 15-190:** 14221 Glendale Avenue (Ward 2)

Bernard Kerley, owner, proposes to install an 8' high wood, shadow box fence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 358.04(a) which states that fences in the actual front yards and in actual side street yards shall not exceed 4 feet in height and shall be at least 50% open except that in an actual side street yard, a fence that is set back at least 4 feet may be open or solid. Fences in actual rear yards and in actual interior side yards shall not exceed 6 feet in height. (Filed August 31, 2015)

**Calendar No. 15-191:** 11901 Oakfield Avenue (Ward 2)

Thea Bowman Center, owner, proposes to change use from church and daycare to a community center

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

1. Section 337.03 which states that a community center is permitted if located not less than 30' from any adjoining premises in a Residence District not used for a similar purpose by reference from One Family District 337.02(f)(3)(B) and subject to BZA approval.

2. Section 349.04(e) which states that one parking space per each 150 square feet of gross floor area is required or in this case 71 spaces (10,630/150) and none are proposed.

3. Section 349.15 which states that 4 bicycle parking spaces are required and none are proposed. (Filed September 1, 2015)

**Calendar No. 15-192:** 2027 W. 11th Street (Ward 3)

Property Eleven LLC, owner, proposes to make interior alterations to existing two family residence including removing an existing one-story addition and reconstructing the 2nd floor and roof of eastern third of building in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.05(a) which states that no parking spaces shall be located within ten feet of any wall of a residential building or structure which contains a ground floor opening designed to provide light or ventilation for such building or structure. Driveway causing the nonconformance was added in October of 2011.

2. Section 357.13 which states that parking of motor vehicles in front yard area; trash receptacles pad and 6' high wooden trellis in interior side yards are not permitted yard encroachments. (Filed September 2, 2015)

**Calendar No. 15-193:** 13811 Enterprise Avenue (Ward 16)

Marlow DT LLC, owner, proposes to install approximately 395 linear feet of 6 foot high chain link fence with 3 strands of barbed and 2 slide gates in the actual front yard and in the actual side street yard in a B1 Semi-Industry District. The owner appeals for relief from the strict application of Section 358.05(a)(2) which states that the maximum height of a fence permitted in the actual front yard in a Semi-Industry District is 4' - 6". (Filed September 4, 2015)

**Calendar No. 15-201:** 2654 West 18th Place (Ward 3)

Ohio Awning LLC proposes to construct a parking lot in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.07 which states that a parking lot is not a permitted in a Residential District

2. Section 339.02(a) which states that a parking lot is first permitted in a Parking District if located 10' from a Residence District.

3. Section 349.08 which states that a parking lot adjacent to a Residential District shall be screened by an opaque wall, a uniformly painted fence of fire-resistant material or a strip of land at least 4 feet wide



with densely planted shrubs that form a dense screen year-round. Such wall, fence or shrubs shall be at least 3 feet but not more than 6 feet 6 inches in height; and none are proposed.

4. Section 352.10 which states that a 6 foot wide landscape strip is required along West 18th Place where the parking lot abuts the street and none is proposed.

5. Section 325.03 which states that the required area of a parking space is 180 square feet; ten of the proposed parking spaces would be 120 square feet.

6. Section 349.15 which states that two bicycle parking spaces are required at the rate of one space per twenty car parking spaces and no bicycle parking spaces are proposed. (Filed September 10, 2015)

**Calendar No. 15-202:** 2648 Scranton Road (Ward 3)

Ohio Awning LLC proposes to construct a parking lot in a C2 Local Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 352.10 which states that a 6 foot wide landscape strip is required along Scranton Road and Auburn Avenue where parking lots abut the street. Less than the required 6 feet are proposed.

2. Section 349.15 which states that two bicycle parking spaces are required at the rate of one space per twenty car parking spaces and no bicycle parking spaces are proposed. (Filed September 10, 2015)

**POSTPONED FROM  
SEPTEMBER 8, 2015**

**Calendar No. 15-67:** 5405 Storer Avenue (Ward 14)

Eric Poole, owner, proposes to change use to a pet store/kennel on a parcel located in a B1 General Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11 (B)(2)(q) which states that kennels are a permitted use, provided that all odors, fumes, and noise be confined to the premises and the lot upon which the kennel is located is greater than one hundred feet from a residence district and this property abuts a residential district.

2. Section 352.07 which states that the property is non-conforming in regards to required landscaping: a ten (10) foot wide landscape transition strip providing 75% year round opacity is required where property abuts a residential district; none are proposed. The Board of Zoning Appeals must determine whether the nonconforming landscaping may continue. (Filed April 1, 2015)

Third postponement made at the request of the appellant's attorney due to a scheduling conflict. Second postponement made at the request of the Board in order to allow for the appellant to return with an "operational manual" describing how ventilation, cleaning, square footage required for each animal and a description of general care of animals

Secretary

**SCHEDULE OF THE BOARD  
OF ZONING APPEALS**

**MONDAY OCTOBER 12, 2015**

**9:30 A.M.**

**Calendar No. 15-194:** 2512 West 7th Street (Ward 3)

Gustave Molnar, owner, proposes to erect a 24' x 37' and three story frame fee simple single family residence with attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that the Off-street parking space shall be properly paved and drained within lot.

2. Section 347.07(a) which states that the driveway used to provide accessibility to accessory off street parking spaces shall be arranged to minimize traffic congestion.

3. Section 355.04(a) which states that the minimum required lot width is 40' and the appellant is proposing 28.13'. This section also states that the maximum gross floor area allowed is 1,097 square feet where 2,178 square feet are proposed. Also, the minimum required lot area is 4,800 square feet and 2,194 are proposed.

4. Section 357.06(a) which states that the required front yard setback is 46' where the appellant is proposing 5'.

5. Section 357.08(b)(1) The required rear yard is 34' - 4' and the appellant is proposing 11'.

6. Section 357.09(b)(2)(A) which states that no building shall be erected less than 10' from main building on adjoin lot and the appellant is proposing 6'.

7. 357.09(b)(2)(B) which states that the required Interior side yard width is 8' - 6" where the appellant is proposing 0' and 3ft. Nor shall the total width of side yards on same premises be less than 10ft; 0' and 3' are proposed.

8. Section 357.15(a) which states that the distance between the main building and rear buildings shall not be less than 40 feet where 24 feet are proposed.

9. 327.02(e) All consolidations and easements shall be recorded and approved by Engineering and Construction. (Filed September 8, 2015)

**Calendar No. 15-195:** 2514 West 7th Street (Ward 3)

Gustave Molnar, owner, proposes to erect a 24' x 37' and three story frame fee simple single family residence with attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that the Off-street parking space shall be properly paved and drained within lot.

2. Section 347.07(a) which states that the driveway used to provide accessibility to accessory off street parking spaces shall be arranged to minimize traffic congestion.

3. Section 355.04(a) which states that the minimum required lot width is 40' and the appellant is proposing 28.13. This section also states

that the maximum gross floor area allowed is 1,097 square feet where 2,178 square feet are proposed. Also, the minimum required lot area is 4,800 square feet and 2,194 are proposed.

4. Section 357.06(a) which states that the required front yard setback is 46' where the appellant is proposing 5'.

5. Section 357.08(b)(1) The required rear yard is 34' - 4' and the appellant is proposing 11'.

6. Section 357.09(b)(2)(A) which states that no building shall be erected less than 10' from main building on adjoin lot and the appellant is proposing 0'.

7. Section 357.09(b)(2)(B) which states that the required Interior side yard width is 8' - 6" where the appellant is proposing 0' and 3ft. Nor shall the total width of side yards on same premises be less than 10ft; 0' and 3' are proposed.

8. Section 357.15(a) which states that the distance between the main building and rear buildings shall not be less than 40 feet where 22 feet are proposed.

9. Section 357.04(b) which states that the required side street yard is 10' for rear third of corner lot where the appellant is proposing 1' and 3'.

10. Section 327.02(e) which states that all consolidations and easements shall be recorded and approved by Engineering and Construction. (Filed September 8, 2015)

**Calendar No. 15-196:** 704 University Court (Ward 3)

Gustave Molnar, owner, proposes to erect a 28' x 28' and three story frame fee simple single family residence with attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that the Off-street parking space shall be properly paved and drained within lot.

2. Section 347.07(a) which states that the driveway used to provide accessibility to accessory off street parking spaces shall be arranged to minimize traffic congestion.

3. Section 355.04(a) which states that the minimum required lot width is 40' and the appellant is proposing 28'. This section also states that the maximum gross floor area allowed is 532 square feet where 1,528 square feet are proposed. Also, the minimum required lot area is 4,800 square feet and 1,064 are proposed.

4. Section 357.06(a) which states that the required front yard setback is 46' where the appellant is proposing 5'.

5. Section 357.08(b)(1) The required rear yard is 34' - 4' and the appellant is proposing 2'.

6. Section 357.09(b)(2)(A) which states that no building shall be erected less than 10' from main building on adjoin lot and the appellant is proposing 0'.

7. Section 357.09(b)(2)(B) which states that the required Interior side yard width is 8' - 6" where the appellant is proposing 0' and 3ft. Nor shall the total width of side yards on same premises be less than 10ft; 0' and 3' are proposed.

8. Section 357.15(a) which states that the distance between the main



building and rear buildings shall not be less than 40 feet where 22 feet are proposed.

9. Section 357.04(b) which states that the required side street yard is 10' for rear third of corner lot where the appellant is proposing 3'.

10. Section 358.03(b) which states that a retaining wall running parallel to a building on the same property shall be located no closer than 3' to the closest wall of such building where the appellant is proposing 2'.

11. Section 327.02(e) which states that all consolidations and easements shall be recorded and approved by Engineering and Construction. (Filed September 8, 2015)

**Calendar No. 15-197:** 704 University Court (Ward 3)

Gustave Molnar, owner, proposes to erect a 28' x 28' and three story frame fee simple single family residence with attached garage in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that the Off-street parking space shall be properly paved and drained within lot.

2. Section 347.07(a) which states that the driveway used to provide accessibility to accessory off street parking spaces shall be arranged to minimize traffic congestion.

3. Section 355.04(a) which states that the minimum required lot width is 40' and the appellant is proposing 28.13'. This section also states that the maximum gross floor area allowed is 534 square feet where 1,556 square feet are proposed. Also, the minimum required lot area is 4,800 square feet and 1,069 are proposed.

4. Section 357.08(b)(1) The required rear yard is 34' - 4' and the appellant is proposing 2'.

5. Section 357.09(b)(2)(A) which states that no building shall be erected less than 10' from main building on adjoin lot and the appellant is proposing 0'.

6. Section 357.09(b)(2)(B) which states that the required interior side yard width is 8' - 6" where the appellant is proposing 0' and 3ft. Nor shall the total width of side yards on same premises be less than 10ft; 0' and 3' are proposed.

7. Section 357.15(a) which states that the distance between the main building and rear buildings shall not be less than 40 feet where 24 feet are proposed.

8. Section 358.03(b) which states that a retaining wall running parallel to a building on the same property shall be located no closer than 3' to the closest wall of such building where the appellant is proposing 2'.

9. Section 327.02(e) which states that all consolidations and easements shall be recorded and approved by Engineering and Construction. (Filed September 8, 2015)

**Calendar No. 15-198:** 731 East 152nd Street (Ward 8)

Arelia R. Dalton, owner, proposes to change use from storage to a church in a C2 General Retail Business District. The owner appeals for relief from Sections 352.08 through 352.10 which states that a 10 foot wide transition strip is required at

the rear where the lot abuts the Two-Family Residential District. (Filed September 8, 2015)

**Calendar No. 15-199:** 5701 Memphis Avenue (Ward 13)

Dina Walsh, owner, proposes to reface an existing 6' x 7' cabinet sign and replace it with a 6' x 2' backlit changeable letter sign with electronic message center in a C1 Local Retail Business District. Section 350.14(h) of the Cleveland Codified Ordinances state that Automatic Changeable Copy Signs shall be permitted in a Local Retail District only if the Board of Zoning Appeals grants a Variance in accordance with the following standards:

1. The Board of Zoning Appeals determines that the proposed sign will not adversely impact the character of nearby properties and will not cause disturbances to users of those properties.

2. The design and placement of the sign has been approved by the City Planning Commission or Landmarks Commission, as applicable, in accordance with the general design guidelines established for use by each Commission.

3. Each display of information shall remain static or fixed for a minimum of twenty (20) seconds, thereby prohibiting flashing, scrolling, animated or other copy that gives the appearance of motion, unless the City Planning Commission or Landmarks Commission, as applicable, determines that animated or more frequently changing displays can be accommodated in a particular location without causing disturbances to nearby properties. (Filed September 9, 2015)

**Calendar No. 15-200:** 12727 Buckeye Road (Ward 6)

Bernice Lennox, owner, proposes to change the use of a mixed use building to an assisted living for the aged home in a C2 Residence-Office District. Owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.11 which states that in a Residence-Office District, every building or structure erected, altered or remodeled and every use of land occupied on or after December 16, 1959, shall provide the total number of accessory off-street parking spaces as required by the Zoning Code.

2. Section 337.12 which states that an application for a building permit shall not be approved unless a parking plan is submitted with it that shows the location, dimensions and grades of all required parking spaces.

3. Section 337.13 requires 1 parking space for each staff member, including doctors and nurses, plus 1 for each 3 other employees expected on the premises during the largest work shift period, plus 1 for each 6 beds. 6 spaces are required and 3 are proposed. (Filed September 15, 2015)

**Calendar No. 15-209:** 4960 Pearl Road (Ward 13)

F & M. Inc., owner, proposes to resurface and improve parking lot in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 347.08(a) which states that trash containers shall be located in such a manner that they are not visible from the street; no enclosure proposed.

2. Section 349.04 which states that the required accessory off-street parking not provided since the access to parking spaces are not accessible from the right-of-way and requires entrance from 4928 Fulton Road.

3. Section 352.10(1) which states that a six (6) foot frontage landscape strip is required and none are proposed.

4. Section 352.11 which states that 8 feet of landscaping is required where the property abuts a residential district and none are proposed. (Filed September 18, 2015)

**Calendar No. 15-210:** 4928 Fulton Road (Ward 13)

F & M. Inc., owner, proposes to resurface and improve parking lot in a C1 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 352.11 which states that 8 feet of landscaping is required where the property abuts a residential district and none are proposed. (Filed September 18, 2015)

#### POSTPONED FROM AUGUST 24, 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)

Third postponement was made at the request of the Board as the community meeting had yet occurred. 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, SEPTEMBER 21, 2015

At the meeting of the Board of Zoning Appeals on Monday, September 21, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED**:

**Calendar No. 15-180:** 12160 Triskett Road

The Lantern, owner, proposes to construct a building addition and connector to consolidate with 12156 Triskett Road in a B3 Semi-Industrial District.

**Calendar No. 15-181:** 12156 Triskett Road

The Lantern, owner, proposes to construct a building addition and connector to consolidate with 12160 Triskett Road in a B3 Semi-Industrial District.

**Calendar No. 15-182:** 399 East 131st Street

Clement Kollin, owner, proposes to store fill dirt on a parcel located in a B3 Semi-Industry District.

**Calendar No. 15-187:** 4744 Broadview Road

4744 Broadview LLC, owner, proposes to change use to coffee shop/restaurant with exterior and interior alterations to add a drive-through window on the first floor only and to establish a parking lot in a C1 Local Retail Business District.

The following appeal was **DENIED**:

**Calendar No. 15-179:** 4561 West 147th Street

Michael Spangler, owner, proposes to construct/maintain the front porch in an A1 One-Family Residential District.

The following appeals were **WITHDRAWN**:

None.

The following appeals were **DISMISSED**:

None.

The following cases were **POSTPONED**:

**Calendar No. 15-155:** 17735 Euclid Avenue  
Everest Anozie. Postponed to October 19, 2015.

**Calendar No. 15-183:** 11502 Lorain Avenue  
Georgea Matheou. Postponed to October 19, 2015.

The following cases were heard by the Board of Zoning Appeals on Monday, September 14, 2015 and the decisions were adopted and approved on Monday, September 21, 2015:

The following appeals were **APPROVED**:

**Calendar No. 15-003:** 1460 East 9th Street

City of Cleveland, owner, and Hampton Inn, tenant proposes to install a 5 foot high solid metal gate in side street yard in an E5 General Retail Business District.

**Calendar No. 15-141:** 4305 John Avenue

Nicholas Speck, owner, proposes to erect approximately 100 linear feet

of five foot high wood fence and gate in the side street yard in a B1 Two-Family Residential District.

**Calendar No. 15-174:** 2058 West 18th Street

West 18 Bridge LLC, owner, proposes to erect a 22' x 58' - 11" three story single family dwelling unit in a B1 Two Family Residential District.

**Calendar No. 15-175:** 2050 West 18th Street

West 18 Bridge LLC, owner, proposes to erect a 22' x 53' - 2" three story single family dwelling unit in a B1 Two Family Residential District.

**Calendar No. 15-176:** 2145 West 18th Street

Tremont Property Investor, owner, proposes to erect a 24' x 46' three story single family dwelling unit with attached garage in a B1 Two Family Residential District.

**Calendar No. 15-177:** 2141 West 18th Street

Tremont Property Investor, owner, proposes to erect a 24' x 46' three story single family dwelling unit with attached garage in a B1 Two Family Residential District.

**Calendar No. 15-178:** 2135 West 18th Street

Tremont Property Investor, owner, proposes to erect a 24' x 46' three story single family dwelling unit with attached garage in a B1 Two Family Residential District.

The following appeal was **DENIED**:

**Calendar No. 15-145:** 3553 West 117th Street

Edward Francis, owner, appeals to change use from restaurant to Hookah Lounge in a C1 Local Retail Business District.

The following case was heard by the Board of Zoning Appeals on Monday, May 11, 2015 and the decision was adopted and approved on Monday, September 21, 2015:

**Calendar No. 15-68:** 3275 West 117th Street

Bruce Zavotka, owner, and Mike Hohlakis, prospective purchaser, propose to add Motor Vehicle Sales Facility to existing, nonconforming Motor Vehicle Service Garage in a C1 Local Retail Business District.

Secretary

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

Re: Report of the Meeting of  
September 16, 2015

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

#### **Docket A-100-15.**

RE: Appeal of Kara King, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 2206 East 80th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 7, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued, and to grant the Appellant until October 1, 2015 to obtain all required permits and coordinate with the building plan for renovation of the property; and to grant the Appellant until June 1, 2016 to complete abatement of all violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

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#### **Docket A-108-15.**

RE: Appeal of SRN Rentals LLC, Owner of the R-2 Residential — Non-transient; Apartments (Shared Egress) Three Story Masonry Walls/Wood Floors Masonry Property, located on the premises known as 3635 Bosworth Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 13, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until December 15, 2015 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

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

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#### **Docket A-116-15.**

RE: Appeal of Louis Azman, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 1225 Norwood Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 13, 2015 of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until December 1, 2015 to complete abatement of the violations; the property is REMANDED at this time to the Department of

Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

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**Docket A-117-15.**

RE: Appeal of Edward I. & Lucy P. Peck, Owner of the One Dwelling Unit Single-Family Residence Two & One-half story Frame Property, located on the premises known as 2657 East 127th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 19, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-117-15 has been POSTPONED; to be rescheduled for October 14, 2015.

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**Docket A-118-15.**

RE: Appeal of West Ninth Properties, Owner of the PKLT Parking Lot Two & One-half Story Masonry Property, located on the premises known as 1200 West 9th Street from a NOTICE OF VIOLATION — HAZARDOUS CONDITIONS, dated May 21, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until January 1, 2016 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Bradley, Maschke. Nays: None. Not Voting: Mr. Saab.

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**Docket A-119-15.**

RE: Appeal of Donna Edwards, Owner of the Three Dwelling Units Three-Family Residence Three Story Wood Veneer Property, located on the premises known as 491 Cleveland Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 27, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

**Docket A-120-15.**

RE: Appeal of Matthew & Bonnie Kilbane, Owners of the One Dwelling Unit Single-Family Residence Two Story Wood Frame/Siding/Masonry Veneer Property, and One Story Garage — Detached; Wood Frame Property, located on the premises known as 17100 Bradgate Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated June 2, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require that the inspector and the Appellant arrange a meeting to achieve all understanding of the violations, and to grant the Appellant until December 1, 2015 to obtain all required permits and complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Denk.

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

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**Docket A-121-15.**

RE: Appeal of Reginald Bowers/Ashley Harris, Owners of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 11700 Angelus Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated June 2, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-121-15 has been POSTPONED; to be rescheduled for September 30, 2015.

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**Docket A-123-15.**

RE: Appeal of Khwate Nayef, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 3405 West 144th Street from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated May 19, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

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**Docket A-124-15.**

RE: Appeal of Shahidah Chisholm, Owner of the One Dwelling Unit Single-Family Residence Two &

One-half Story Frame Property, located on the premises known as 3844 East 50th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 10, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until December 15, 2015 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

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**Docket A-125-15.**

RE: Appeal of Rafiel C. Drew, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 1429 East 123rd Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 1, 2015 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

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**Docket A-126-15.**

RE: Appeal of Mark Makupson C/O Clemon Makupson, Owner of the Property, located on the premises known as 1540 East 71st Street (Front) from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 10, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

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**Docket A-127-15.**

RE: Appeal of Mark Makupson C/O Clemon Makupson, Owner of the Property, located on the premises



known as 1542 East 71st Street (Rear) from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 10, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

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**Docket A-136-15.**

RE: Appeal of Stanley Lojek,; Mark Dotore, Receiver of the Property, located on the premises known as 7720 Harvard Avenue from a NOTICE OF VIOLATION-FIRE CODE IMMEDIATE ABATEMENT ORDER FOR HAZARDOUS CONDITIONS, dated July 13, 2015 and July 17, 2015, of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to continue the docket and to release Mr. Lojek from further encumbrances, and that Mr. Lojek does not have to appear for the purposes of this specific Fire Code Violation before the Board. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

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**Docket A-170-15.**

RE: Appeal of Eddie L. & Bobbie J. Lyles, Owners of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 9709 Manor Avenue from an ORDER TO VACATE — HAZARDOUS CONDITIONS, dated August 17, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that based upon the photographic evidence and testimony presented, the Board finds that the Order To Vacate — Hazardous Conditions was properly issued, and that both health and safety hazards do exist on the property; the Appellants request for additional time is DENIED; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

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**Docket A-172-15.**

RE: Appeal of Drury Southwest, Inc., Owner of the Property, located on the premises known as 1380 East

6th Street from an ADJUDICATION ORDER, dated August 26, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to the existing 21 stair doors, and to allow the 60 minute rating, noting that should the doors be removed or replaced, the doors must comply with 90 minutes. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Bradley, Maschke. Nays: None. Not Voting: Mr. Saab.

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**Docket A-181-15.**

RE: Appeal of Eugene Pallas, Owner of the Two & One-half Story Masonry Walls/Wood Floors Property, located on the premises known as 7952 Lorain Avenue from a NOTICE OF VIOLATION — HVAC, dated August 25, 2015, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the air returns to remain as they are, with the provision that the basement remain open, and that signage be posted stating that it is not to be blocked for air return maintenance purposes; and to require that the chimney lines be inspected and approved by a heating contractor, noting that the commercial unit has been ducted to the furnace. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

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**APPROVAL OF RESOLUTIONS:**

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

A-105-15 — Carrie Patterson  
 A-106-15 — Joan Hicks  
 A-109-15 — Alfonso P. Sanchez  
 A-111-15 — Donald Rucker  
 A-112-15 — Gusto International, LLC  
 A-113-15 — Greater Cleveland R.T.A.  
 A-114-15 — Marquerite C. Hills  
 A-161-15 — Hamilton Clair Holdings, LLC

Yeas: Messrs. Gallagher, Saab, Bradley, Maschke. Nays: None. Not Voting: Mr. Denk.

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Saab and seconded by Mr. Bradley Approval and Adoption of the Minutes as presented by the

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

September 2, 2015

Yeas: Messrs. Gallagher, Saab, Bradley, Maschke. Nays: None. Not Voting: Mr. Denk.

\* \* \*

JOSEPH F. DENK  
 Chairman

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

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

**Mercedes Cotner  
 Committee Room 217  
 City Hall, Cleveland, Ohio  
 On Tuesday, September 29, 2015  
 9:30 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, September 29, 2015, at 9:30 a.m., to consider the following ordinances now pending in the Council:

**Ord. No. 849-15.**

By Council Member Brady.  
 An ordinance establishing the Variety Design Review District along the south side of Lorain Ave. between W. 123rd Street and W. 129th Street. As shown shaded on the attached Map. (Map Change No. 2511).

**Ord. No. 850-15.**

By Council Member Brady.  
 An ordinance establishing an Urban Form Overlay District along the south side of Lorain Avenue between West 123rd Street and West 129th Street (Map Change No. 2518).

**Ord. No. 851-15.**

By Council Member Kazy.  
 An ordinance establishing an Urban Form Overlay District on the north side of Lorain Avenue between West 123rd Street and West 136th Street and the south side of Lorain Avenue between West 129th Street and West 136th Street. (Map Change No. 2517).

**Ord. No. 852-15.**

By Council Member Cimperman.  
 An ordinance changing the Use District of parcels south of Abbey Ave and north of Willey Ave between W. 19th Street and Scranton Road to a Townhouse, or Local Retail district, changing the Area District to J, and changing the Height to 2 as identified on the attached map (Map Change No. 2519).



**Ord. No. 853-15.**

By Council Member Cimperman.  
An ordinance changing the Use, Area and Height Districts of lands on the northeast corner of Abbey Avenue and West 19th Street to Open Space Recreation, a 'B' Area District and a 'I' Height District (Map Change No. 2480).

**Ord. No. 932-15.**

By Council Member Brady.  
An ordinance changing the Use, Area and Height Districts of lands located on the east side of W. 117th Street north of Lorain Avenue to Local Retail, a 'C' Area District, and a 'I' Height District (Map Change No. 2521).

September 16, 2015 and September 23, 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."

**THURSDAY, OCTOBER 1, 2015**

**File No. 110-15 — The Rental of Heavy-Duty Equipment, Snow**

**Removal Equipment and Equipment Operators**, for the various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 579-15, passed by the Council of the City of Cleveland, June 8, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, SEPTEMBER 24, 2015 AT 10:30 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S, CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

September 16, 2015 and September 23, 2015

**THURSDAY, OCTOBER 15, 2015**

**File No. 111-15 — Pipe Repair Clamps and Couplings**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, OCTOBER 1, 2015 AT 10:30 A.M. THE DISTRIBUTION AND MAINTENANCE FACILITY, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

**File No. 112-15 — Purchase of John Deere Parts and Labor (Re-bid)**, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, OCTOBER 2, 2015 AT 10:00 A.M. MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BLDG. 1 BASEMENT, CLEVELAND, OHIO 44105.

**File No. 113-15 — Repair of Versalift Aerial Tower**, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, OCTOBER 2, 2015 AT 10:30 A.M. MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BLDG. 1 BASEMENT, CLEVELAND, OHIO 44105.

**File No. 114-15 — Purchase of Various Compressor, Vehicle Lifts and Related Equipment Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, OCTOBER 2, 2015 AT 11:00 A.M. MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BLDG. 1 BASEMENT, CLEVELAND, OHIO 44105.

**File No. 115-15 — Animal Cremations**, for the Division of Animal Care and Control, Department of Public Safety, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING MONDAY, OCTOBER 5, 2015 AT 11:00 A.M. THE DIVISION OF ANIMAL CARE AND CONTROL, 2690 WEST 7TH STREET, CLEVELAND, OHIO 44113.

**File No. 116-15 — Uniform Clothing Supplies 2016**, for the Division of Police, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, OCTOBER 2, 2015 AT 10:00 A.M. CLEVELAND POLICE HEADQUARTERS, 7TH FLOOR, ROOM 3, 1300 ONTARIO STREET, CLEVELAND, OHIO 44114.

September 23, 2015 and September 30, 2015

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 1127-15.**

**By Council Member Cimperman.**

**An emergency resolution supporting the Round 15 Catalytic Project Application of Landmark Management to the Ohio Development Services Agency for State Historic Preservation Tax Credits for the adaptive reuse and redevelopment of the May Company Building, located at 200 Euclid Avenue.**

Whereas, each year the State of Ohio through the Ohio Development Services Agency allocates State Historic Preservation Tax Credits to encourage private investment in redeveloping historically significant buildings throughout Ohio using a competitive proposal process; and

Whereas, Landmark Management is applying for the State's newly enacted \$25 million tax credit award under the Catalytic Project Application that will only be awarded to one project within the entire State of Ohio during Round 15 for the biennium that includes 2015 and 2016, in order to execute its plans for redevelopment of the May Company Building; and

Whereas, the Cleveland City Council has recognized the need for adaptive reuse and redevelopment of historic buildings in Downtown Cleveland, and desires to have the May Company Building, that has been vacant for twenty years, redeveloped by Landmark Management; and

Whereas, Landmark Management is proposing to restore and redevelop the historic one million square foot May Company Building into an exciting and vibrant new mixed-use development, adding 500 new residents and commercial opportunities to the heart of Public Square; and

Whereas, the building is located where Euclid Avenue meets Public Square, at a central point in Downtown Cleveland at the heart of our transit operations where residents

and visitors enter the downtown experience to work, play or visit our community; and

Whereas, the May Company Building's redevelopment will anchor Public Square's \$30 million transformation as Cleveland's "front door" to Public Square at the 2016 Republican National Convention, and have a catalytic impact on the broader image of Cleveland and Ohio on a national stage; and

Whereas, Cleveland City Council supports Landmark Management's proposal for the May Company Building as a high priority initiative for future development in the heart of Downtown to benefit the citizens of the City of Cleveland; and

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

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

**Section 1.** That this Council supports the Round 15 Catalytic Project Application of Landmark Management to the Ohio Development Services Agency for State Historic Preservation Tax Credits for the adaptive reuse and redevelopment of the May Company Building, located at 200 Euclid Avenue.

**Section 2.** That the Clerk of Council is hereby directed to transmit a certified copy of this resolution to David Goodman, Director, Ohio Development Services Agency, and David Goldberg and John Carney, Landmark Management.

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

Adopted September 14, 2015.  
Effective September 15, 2015.

**Res. No. 1128-15.  
By Council Member Cimperman.  
An emergency resolution objecting to a New C1 Liquor Permit at 614 W. Superior Avenue.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Crows Nest, Inc., DBA The Crows Nest, Inc., 614 W. Superior Avenue, Cleveland, Ohio 44113, Permanent Number 1837561; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to a New C1 Liquor Permit at Crows Nest, Inc., DBA The Crows Nest, Inc., 614 W. Superior Avenue, Cleveland, Ohio 44113, Permanent Number 1837561; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 14, 2015.  
Effective September 15, 2015.

**Res. No. 1129-15.  
By Council Member Kazy.  
An emergency resolution objecting to the transfer of location of a C2 and C2X Liquor Permit to 4282 West 130th Street.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a C2 and C2X Liquor Permit from Ocean, Inc., 10808 Dove Avenue, 1st floor, Cleveland, Ohio 44105, Permanent Number 6503136 to Touma, LLC, DBA JJS Grab & Go, 4282 West 130th Street, Cleveland, Ohio 44135, Permanent Number 90092450005; and

Whereas, the granting of this application for a liquor permit to this high

crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of location of a C2 and C2X Liquor Permit from Ocean, Inc., 10808 Dove Avenue, 1st floor, Cleveland, Ohio 44105, Permanent Number 6503136 to Touma, LLC, DBA JJS Grab & Go, 4282 West 130th Street, Cleveland, Ohio 44135, Permanent Number 90092450005; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 14, 2015.  
Effective September 15, 2015.

**Ord. No. 843-15.  
By Council Members Conwell, J. Johnson and Polensek.  
An emergency ordinance authorizing the Director of Public Works to**

**lease the East Side Market located at the corner of East 105th Street and St. Clair Avenue to Northeast Ohio Neighborhood Health Services, Inc. for the purpose of offering space for food-related businesses, for a term of five years, with two five-year options to renew, exercisable by the Director of Public Works.**

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

Whereas, Northeast Ohio Neighborhood Health Services, Inc. has proposed to lease the property from the City and will develop space for sublease at the market to various food-related businesses including a grocery store, vendors or cooperatives, and health-related services, in order to offer both retail and non-retail sales opportunities; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions

of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Public Works is authorized to lease to Northeast Ohio Neighborhood Health Services, Inc. ("Lessee"), certain property known as the East Side Market, Permanent Parcel No. 108-12-001, which includes the market, loading docks, and parking lot, which are not needed for the City's public use and is more fully described as follows:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Parcel No. 2 (1.7839 Acres) in the Lot Split & Consolidation Plat of P.P.N. 108-12-001 Thru 006, P.P.N. 108-12-034 & 035, P.P.N. 108-12-043 Thru 046 & 049 as requested by Glenville Towne Center, LTD. of part of Original One Hundred Acre Lot No. 362, formerly in the Village of Glenville, now in the City of Cleveland as shown in Volume 300, Page 49 of Cuyahoga County Map Records.

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

**Section 3.** That the property authorized by this ordinance shall be leased at a rental of \$1.00 per year,

and other valuable consideration, which due to the planned capital improvements to the property by Lessee, is determined to be fair market value, exclusive of Lessee's cost of all utilities and day to day maintenance of the property.

**Section 4.** That the lease may authorize the Lessee to make improvements to the leased premises subject to the approval of appropriate City agencies and officials.

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

**Section 6.** That the Director of Public Works, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

**Section 7.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed September 14, 2015.

Effective September 15, 2015.

**Ord. No. 855-15.**

**By Council Member Dow.**

**An ordinance applying mapped setbacks to parcels along Chester Avenue, East 97th Street, Woodward Court and East 101st Street of 0' and 6' as shown on the attached map (Map Change No. 2520).**

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

**Section 1.** That the mapped building front setback on the west side of East 97th Street (56.00 feet wide) extending from the intersection of Chester Avenue (width varies) north a distance of 470 feet; And as identified on the attached map is changed to a mapped setback of zero feet;

**Section 2.** That the mapped building front setback on the west side of East 97th Street (56.00 feet wide) extending from the intersection of Longmont Avenue (50 feet wide) south a distance of 508 feet; And as identified on the attached map is changed to a mapped setback of six feet;

**Section 3.** That the mapped building front setback on the east side of East 97th Street (56.00 feet wide) extending from the intersection of Longmont Avenue (50 feet wide) south to the intersection of Logan Court (40 feet wide); And as identified on the attached map is changed to a mapped setback of six feet;

**Section 4.** That the mapped building front setback on the east side of East 97th Street (56.00 feet wide) extending from the intersection of Logan Court (40 feet wide) south to the intersection of Chester Avenue (width varies); And as identified on the attached map is changed to a mapped setback of zero feet;

**Section 5.** That the mapped building front setback on the north side of Chester Avenue (width varies) extending from the intersection of East 93rd Street (60 feet wide) east to the intersection of East 97th Street (56.00 feet wide); And as identified on the attached map is changed to a mapped setback of zero feet;

**Section 6.** That the mapped building front setback on the north side of Chester Avenue (width varies) extending from the intersection of East 93rd Street (60 feet wide) east to the intersection of East 101st Street (60.00 feet wide); And as identified on the attached map is changed to a mapped setback of zero feet;

**Section 7.** That the mapped building front setback on the west side of East 101st Street (60.00 feet wide) extending from the intersection of Chester Avenue (width varies) north a distance of 307 feet; And as identified on the attached map is changed to a mapped setback of zero feet;

**Section 8.** That the mapped building front setback on the west side of East 101st Street (60.00 feet wide) extending from the intersection of Woodward Court (40 feet wide) south a distance of 438 feet; And as identified on the attached map is changed to a mapped setback of six feet;

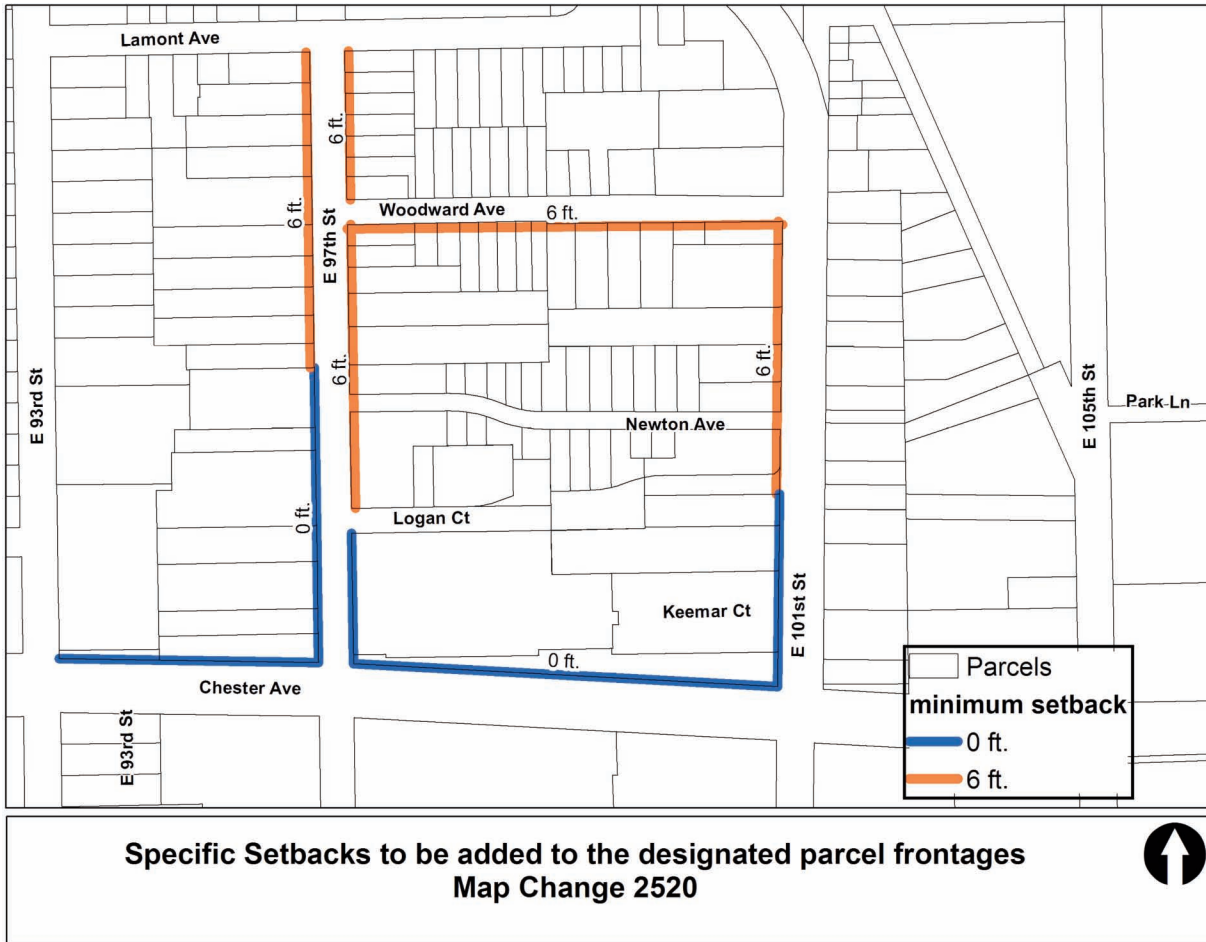
**Section 9.** That the mapped building front setback on the south side of Woodward Court (40 feet wide) extending from the intersection of East 97th Street (56.00 feet wide) east to the intersection of East 101st Street (60.00 feet wide); And as identified on the attached map is changed to a mapped setback of six feet;

**Section 10.** That the mapped building front setback on the east side of East 97th Street (56.00 feet wide) extending from the intersection of Logan Court (40 feet wide) south to the intersection of Chester Avenue (width varies); And as identified on the attached map is changed to a mapped setback of zero feet;

**Section 11.** That the change of zoning of lands described in Section 1 through 10 shall be identified as Map Change No. 2520, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

**Section 12.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.





Passed September 14, 2015.  
Effective September 15, 2015.

**Ord. No. 881-15.**  
**By Council Member Dow.**  
**An emergency ordinance designating the Mueller Electric Company Building as a Cleveland Landmark.**

Whereas, under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976, the Cleveland Landmarks Commission (the "Commission"), has proposed to designate the Mueller Electric Company Building as a landmark; and

Whereas, the owner of the Mueller Electric Company Building has been properly notified and has consented in writing to the proposed designation; and

Whereas, the Commission has recommended designation of the Mueller Electric Company Building as a landmark and has set forth certain findings of fact constituting the basis for its decision; and

Whereas, this ordinance constitutes an emergency measure providing for the immediate preservation of the public peace, property, health, and safety in that the immediate protection of the historic landmark is necessary to safeguard the special historical, community, or aesthetic interest or value in the landmark; now, therefore

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

**Section 1.** That the Mueller Electric Company Building whose street address in the City of Cleveland is 1565-1607 East 31st Street, Cuyahoga County Auditor's Permanent Parcel Numbers are 102-28-109, 102-28-110, 102-28-111, 102-28-112, 102-28-113, and 102-28-114, and is also known as the following described property:

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and being known as parcel "A" in the Plat of Lot Split and Consolidation of part of Original 10 Acre Lot Nos. 114 and 115, as shown by the recorded plat in Volume 339, page 38 of Cuyahoga County Map Records, as appears by said plat, be the same more or less, but subject to all legal highways.

Legal Description approved by Greg Esber, Section Chief, Plats, Surveys and House Numbering Section which in its entirety is a property having special character or special historical or aesthetic value as part of the development, heritage, or cultural characteristics of the City, State, or the United States, is designated a landmark under Chapter 161 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

Passed September 14, 2015.  
Effective September 15, 2015.

**Ord. No. 977-15.**  
**By Council Member Kelley.**  
**An emergency ordinance authorizing the Clerk of Council to enter into one or more internship agreements with various individuals to provide assistance to the Office of the Clerk and the members of Cleveland City Council in any and all matters related to official Council business.**

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

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

**Section 1.** That the Clerk of Council is authorized to enter into one or more



internship agreements with various individuals to provide assistance to the Office of the Clerk and the members of Cleveland City Council in any and all matters related to official Council business, as may be directed by the Clerk or her designees. The agreements may be for terms of any number of weeks starting on or after September 1, 2015 and ending on or before September 30, 2015. The individuals shall be paid on an hourly basis in an amount up to and not to exceed \$15.00 per hour and shall be certified from fund number 01, sub-fund 001, department 0101, object 6320.

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

Passed September 14, 2015.

Effective September 15, 2015.

**Ord. No. 985-15.**

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

**An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept grants from Cuyahoga County for the 2015-2019 Domestic Intervention, Education & Training (DIET) Program.**

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

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

**Section 1.** That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to apply for and accept grants for the 2015-2019 Domestic Intervention, Education & Training (DIET) Program from Cuyahoga County, each year for a period of five years, in the approximate amount of \$218,360 annually, and any other funds that become available during the grant terms; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the setup form for the grant contained in the file described below.

**Section 2.** That the setup form for the grant, File No. 985-15-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

**Section 3.** That the Chief Probation Officer is authorized to charge and accept fees from participants of this program and to deposit those fees into a revolving fund which will be used to provide additional materials equipment, supplies, and services under the program described in the file, and the funds are appropriated for that purpose.

**Section 4.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take

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

Passed September 14, 2015.

Effective September 15, 2015.

**Ord. No. 988-15.**

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

**An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with the Urban League of Greater Cleveland, INC. to provide financial assistance for operating expenses associated with business outreach.**

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

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

**Section 1.** That the Director of Economic Development is authorized to enter into a grant agreement with the Urban League of Greater Cleveland, INC. to provide financial assistance over a three-year period for operating expenses associated with business outreach.

**Section 2.** That the costs of the grant shall not exceed an amount of \$600,000 and shall be paid from Fund No. 17 SF 652, Request No. RQS 9501, RL 2015-114.

**Section 3.** That the agreement and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

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

Passed September 14, 2015.

Effective September 15, 2015.

**Ord. No. 989-15.**

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

**An emergency ordinance authorizing the Director of Human Resources to enter into one or more contracts without competitive bidding with RDT Concepts for the purchase of a high-density records storage system, including design, installation, and other components, for the Department of Human Resources.**

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

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

**Section 1.** That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than RDT Concepts. Therefore the Director of Human Resources is authorized to make one or more written contracts with RDT Concepts on the basis of its

proposal dated July 23, 2015, in an amount not to exceed \$150,000, for the purchase of a high-density records storage system, including design, installation, and other components, to be purchased by the Commissioner of Purchases and Supplies, for the Department of Human Resources. The contract or contracts authorized shall be paid from Fund No. 20 SF 562, RQS 0402, RL 2015-110.

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

Passed September 14, 2015.

Effective September 15, 2015.

**Ord. No. 1130-15.**

**By Council Member Cimperman.**

**An emergency ordinance consenting and approving the issuance of a permit for the 38th Annual "Walk of Hope", on Saturday, October 3, 2015, sponsored by the Catholic Charities Disability Services and Ministries.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the 38th Annual "Walk for Hope," sponsored by the Catholic Charities Disability Services and Ministries, on Saturday, October 3, 2015, leave OLA/St. Joseph Center parking lot on Kenilworth Avenue; head east on Kenilworth to West 11th Street; turn right on West 11th to Starkweather Avenue; turn right on Starkweather to West 14th Street; turn right on West 14th to Kenilworth Avenue; turn right on Kenilworth to West 11th Street; turn left on West 11th and walk to University Road; turn right on University and walk to West 10th Street; turn right on West 10th and walk to stop sign; veer left to Professor Avenue—staying on the right hand side of the street and walk to Jefferson Avenue; turn right on Jefferson and walk to Starkweather Avenue—cross West 14th Street to the west side of West 14th; turn right on to West 14th Street—cross Kenilworth Avenue and return to OLA/St. Joseph Center, provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

**Section 2.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all

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

Passed September 14, 2015.

Effective September 15, 2015.

**Ord. No. 1131-15.**

**By Council Member Zone.**

**An emergency ordinance consenting and approving the issuance of a permit for the NEOCycle Night Ride on September 12, 2015 and the NEOCycle Criterium on September 13, 2015, sponsored by the Greater Cleveland Sports Commission.**

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

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

**Section 1.** That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the NEOCycle Night Ride on September 12, 2015 and the NEOCycle Criterium on September 13, 2015: Cyclist course: enter eastbound Shoreway via Edgewater Park entrance ramp; head east, maintain the south lane; continue past East 9th Street; turnaround in front of Municipal Parking Lot; head west maintaining north lanes; exit Shoreway at Clifton Boulevard/Lake Avenue; turn right onto Lake Avenue and head west; turn right at West Boulevard; turn right and enter eastbound Shoreway, maintaining south lanes heading east; continue east and exit Shoreway at Edgewater Park Exit Ramp—finish; 1km Course: Father Frascati Drive in front of Battery Park Grass Field to West 73rd Street; turn right onto West 73rd traveling south to Herman Avenue; turn right onto Herman Avenue traveling west to West 76th Street; turn right onto West 76th traveling north to Father Frascati Drive; turn right onto Father Frascati Drive to finish; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed September 14, 2015.

Effective September 15, 2015.

**Ord. No. 1132-15.**

**By Council Member Cummins.**

**An emergency ordinance amending the Title and Sections 1 and 2 of Ordinance No. 658-15 passed June 1, 2015 as it pertains to the Aldo Dure or designee for the Be Next Awning & Graphics, Inc. 50/50 Project through the use of Ward 14 Neighborhood Capital Funds.**

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

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

**Section 1.** That the Title and Sections 1 and 2 of Ordinance No. 658-15 passed June 1, 2015 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into an agreement with Aldo Dure or designee for the Be Next Awning & Graphics, Inc. 50/50 Project through the use of Ward 14 Casino Revenue Funds.

**Section 1.** That the Director of the Department of Economic Development is authorized to enter into an agreement with Aldo Dure or designee for the Be Next Awning & Graphics, Inc. 50/50 Project located at 5109 Clark Avenue, Cleveland, Ohio 44102 for the public purpose of doing exterior improvements for local business resulting in new job creation for Cleveland residents through the use of Ward 14 Casino Revenue Funds.

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

**Section 2.** That the Title and Sections 1 and 2 of Ordinance No. 658-15 passed June 1, 2015 are hereby repealed.

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

Passed September 14, 2015.

Effective September 15, 2015.

**Ord. No. 1133-15.**

**By Council Member Cummins.**

**An emergency ordinance amending the Title and Sections 1 and 2 of Ordinance No. 660-15 passed June 1, 2015 as it pertains to Virginia's Beauty & Barber Shop 50/50 Project through the use of Ward 14 Neighborhood Capital Funds.**

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

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

**Section 1.** That the Title and Sections 1 and 2 of Ordinance No. 660-15 passed June 1, 2015 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into an agreement with Virginia Gonzalez or her designee for the Virginia's Beauty & Barber Shop 50/50 Project through the use of Ward 14 Casino Revenue Funds.

**Section 1.** That the Director of the Department of Economic Development is authorized to enter into an agreement with Virginia Gonzalez or her designee for the Virginia's Beauty & Barber Shop 50/50 Project located at 2804 Clark Avenue, Cleveland, Ohio 44109 for the public purpose of doing exterior improvements for local businesses resulting in new job creation for Cleveland residents through the use of Ward 14 Casino Revenue Funds.

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

**Section 2.** That the Title and Sections 1 and 2 of Ordinance No. 660-15 passed June 1, 2015 are hereby repealed.

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

Passed September 14, 2015.

Effective September 15, 2015.

**COUNCIL COMMITTEE MEETINGS**

**Monday September 21, 2015  
2:00 p.m.**

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

**2:30 p.m.**

**Operations Committee:** Present: Pruitt, Chair; Keane, Kelley, Mitchell, Zone.

**Tuesday September 22, 2015  
9:30 a.m.**

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

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

**Wednesday September 23, 2015  
10:00**

**Transportation Committee:** Present: Keane, Chair; Dow, Vice Chair; Conwell, J. Johnson, K. Johnson, Kazy, Reed.

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O—Ordinance; R—Resolution; F—File  
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
 Bold type in sections indicates amendments

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