

# The City Record

Official Publication of the Council of the City of Cleveland



January the Twenty-Second, Two Thousand and Fourteen

**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 Martin J. Sweeney
- 17 Martin J. Keane

The City Record is available online at  
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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	Martin J. Sweeney	3632 West 133rd Street	44111
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  
 Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development  
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
 Maureen Harper, Executive Assistant to the Mayor, Chief of Communications  
 Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability  
 Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

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

#### DIVISIONS:

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

**DEPT. OF LAW** – Barbara A. Langhenry, Director, \_\_\_\_\_, Chief Counsel,  
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,  
 Room 106: John Skrtic, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

#### DIVISIONS:

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

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

#### DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner  
 Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
 Utilities Fiscal Control – Dennis Nichols, Commissioner  
 Water – Alex Margevicius, Interim Commissioner  
 Water Pollution Control – Rachid Zoghaib, Commissioner

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

#### DIVISIONS:

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

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

#### OFFICES:

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

#### DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner  
 Park Maintenance and Properties – Richard L. Silva, Commissioner  
 Parking Facilities – Antonette Thompson, Interim Commissioner  
 Property Management – Tom Nagle, Commissioner  
 Recreation – Samuel Gissentaner, Interim Commissioner  
 Streets – \_\_\_\_\_, Commissioner  
 Traffic Engineering – Robert Mavec, Commissioner  
 Waste Collection and Disposal – Randell T. Scott, Interim Commissioner

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

#### DIVISIONS:

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

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

#### DIVISIONS:

Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street  
 Correction – Robert Taskay, 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 – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

### DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

#### DIVISIONS:

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

### DEPT. OF BUILDING AND HOUSING – Edward W. Rybka, Director, Room 500

#### DIVISIONS:

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

### DEPT. OF HUMAN RESOURCES – Deborah Southerington, Director, Room 121

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

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

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

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

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

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

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

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

**BOARD OF SIDEWALK APPEALS** – Capital Projects Director Jomarie Wasik, Law Director Barbara A. Langhenry; Council Member \_\_\_\_\_.

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

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

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

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

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

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

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

**CLEVELAND LANDMARKS COMMISSION** – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Giancarlo Calicchia, John Torres, Robert Vilkas, Robert Keiser, Secretary.

**AUDIT COMMITTEE** – Yvette M. Itu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President \_\_\_\_\_; 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 12B  
 Judge Marilyn B. Cassidy – Courtroom 13A  
 Judge Michelle Denise Earley – Courtroom 12C  
 Judge Emanuella Groves – Courtroom 14B  
 Judge Anita Laster Mays – Courtroom 14C  
 Judge Lauren C. Moore – Courtroom 14A  
 Judge Charles L. Patton, Jr. – Courtroom 13D  
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B  
 Judge Angela R. Stokes – Courtroom 15C  
 Judge Pauline H. Tarver – Courtroom 13C  
 Judge Ed Wade – Courtroom 12A  
 Judge Joseph J. Zone – Courtroom 14D

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

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, JANUARY 22, 2014

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## CITY COUNCIL

MONDAY, JANUARY 20, 2014

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

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2014-2017

#### 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), Sweeney (VICE-CHAIR), Brancatelli, Cummins, Dow, J. Johnson, 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, Polensek, Pruitt, Reed, Sweeney.

#### WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:**  
Zone (CHAIR), Conwell (VICE-CHAIR), Cimperman, Dow, K. Johnson, Keane, Polensek.

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

January 15, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 15, 2014 at 10:36 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Absent: Mayor Jackson, Directors Smith and Southerington.

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

Natoya Walker-Minor, Interim Director, Office of Equal Opportunity.

Tiffany White, Commissioner, Purchases & Supplies.

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

#### Resolution No. 9-14.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that under the authority of Ordinance No. 850-13, passed by the Council of the City of Cleveland on August 14, 2013, DLZ Ohio, Inc. is selected upon the nomination of the Director of Capital Projects from a list of qualified engineering consul-

tants or firms of such consultants determined to be available after a full and complete canvass by the Director of Capital Projects as the firm to be employed by contract to supplement the regularly employed staff of the several departments of the City to obtain the design engineering services necessary for the rehabilitation of Woodland Avenue between Buckeye Avenue and Martin Luther King, Jr. Blvd.

Be it further resolved that the Director of Capital Projects is authorized to enter into a written contract with DLZ Ohio, Inc. for the above-mentioned services based on its proposal dated September 25, 2013, which contract shall be prepared by the Director of Law, shall provide that the compensation to DLZ Ohio, Inc. for the services shall not exceed \$364,012.00 and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by DLZ Ohio, Inc. is approved:

Euthenics, Inc.  
(CSB) — \$80,890.00 — (22.22%)

Lawhon & Associates, Inc.  
(CSB, FBE) — \$27,287.00 — (7.50%)

S.E. Blueprint, Inc.  
(CSB) — \$2,967.00 — (0.82%)

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### Resolution No. 10-14.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that all bids received on April 11, 2013 for Demolition of City Facilities-Package D for the Mayors Office of Capital Projects, pursuant to the authority of Codified Ordinance Chapter 185.01, are rejected.

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### Resolution No. 11-14.

By Director Spronz.

Be it resolved by the Board of Control of the City of Cleveland, that all bids received on February 28, 2013 for Demolition of City Facilities-Package A for the Mayor's Office of Capital Projects, pursuant to the authority of Codified Ordinance

nance Chapter 185.01, are rejected.

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 12-14.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 1, 2013, for the purchase of Remanufactured Transmissions and Repairs, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 13-14.**

By Director Cox.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on December 6, 2013 for the purchase of Chrysler Dodge and Jeep Passenger Car, Light and Medium Duty parts and labor, all items, for the Division of Motor Vehicle Maintenance, Department of Public Works, under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 14-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 109-09-005 located at 10210 Parkgate Avenue in Ward 8; 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, Edith Burns and Willie Burns have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 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 purchasers of the parcel are 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 Edith Burns and Willie Burns for the sale and development of Permanent Parcel No. 109-09-005 located at 10210 Parkgate Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 15-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 107-12-138 located at 1375 East 94th Street in Ward 7; 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, Vernondo Parker has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 Vernondo Parker for the sale and development of Permanent Parcel No. 107-12-138 located at 1375 East 94th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 16-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 136-19-015 located at 4126 East 116th Street in Ward 2; 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, Margaret P. Gregory has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 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 Margaret P. Gregory for the sale and development of Permanent Parcel No. 136-19-015 located at 4126 East 116th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 17-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 105-26-131 located on East 70th Street in Ward 7; 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, Barbara Rodgers has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 Barbara Rodgers for the sale and development of Permanent Parcel No. 105-26-131 located on East 70th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### **Resolution No. 18-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 139-01-102 located at 3581 East 142nd Street in Ward 2; 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, Patricia Woods has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 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 Patricia Woods for the sale and development of Permanent Parcel No. 139-01-102 located at 3581 East 142nd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### **Resolution No. 19-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 107-07-103 located at 8124 Medina Avenue in Ward 7; 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, Marlene K. Arrington has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 Marlene K. Arrington for the sale and development of Permanent Parcel No. 107-07-103 located at 8124 Medina Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### **Resolution No. 20-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 143-19-139 located at 17802 Tarkington Avenue in Ward 1; 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, Yolanda McGhee has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 1 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 Yolanda McGhee for the sale and development of Permanent Parcel No. 143-19-139 located at 17802 Tarkington Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### **Resolution No. 21-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 128-13-085 located at 9718 Sophia Avenue in Ward 4; 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, James Smith has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 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 James Smith for the sale and development of Permanent Parcel No. 128-13-085 located at 9718 Sophia Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 22-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 110-08-094 located at 638 East 130th Street in Ward 10; 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, Myran Jackson has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 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 Myran Jackson for the sale and development of Permanent Parcel No. 110-08-094 located at 638 East 130th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 23-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 136-17-033 located at 4150 East 110th Street in Ward 2; 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, Mary L. Dumars has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 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 Mary L. Dumars for the sale and development of Permanent Parcel No. 136-17-033 located at 4150 East 110th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 24-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 115-10-049 located at 865 East 149th Street in Ward 10; 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, Carolyn V. Frazier has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 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 Carolyn V. Frazier for the sale and development of Permanent Parcel No. 115-10-049 located at 865 East 149 Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

**Resolution No. 25-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 106-13-080 located at 1651 East 70th Street in Ward 7; 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, Bonita Lawrence has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 Bonita Lawrence for the sale and development of Permanent Parcel No. 106-13-080 located at 1651 East 70th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### **Resolution No. 26-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 110-17-155 located at 943 East 130th Street in Ward 10; 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, Jeannet Wright has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 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 Jeannet Wright for the sale and development of Permanent Parcel No. 110-17-155 located at 943 East 130th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### **Resolution No. 27-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 129-18-104 located at 2913 East 117th Street in Ward 4; 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, Daniel McNamara and Diana Sette have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 4 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 purchasers 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 Daniel McNamara and Diana Sette for the sale and development of Permanent Parcel No. 129-18-104 located at 2913 East 117th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

#### **Resolution No. 28-14.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 113-20-034 located at 381 East 161st Street in Ward 11; 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, Natalie Williams has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 11 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 Natalie Williams for the sale and development of Permanent Parcel No. 113-20-034 located at 381 East 161st Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Langhenry, Dumas, Bender, Cox, Butler, Flask, Rush, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Directors Smith and Southerington.

JEFFREY B. MARKS,  
Secretary

## **CIVIL SERVICE NOTICES**

### **General Information**

Application blanks and information, regarding minimum entrance qualifications, scope of examination, and suggested reference materials may be obtained at the office of the Civil Service Commission, Room 119, City Hall, East 6th Street, and Lakeside Avenue.

Application blanks must be properly filled out on the official form



prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

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

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

ROBERT BENNETT,  
President

### SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, FEBRUARY 3, 2014

9:30 A.M.

**Calendar No. 13-272:** 1962 Columbus Road (Ward 3)

Kamis Properties LLC, owner, appeals to erect a 2,450 square foot single family house on a 2,601 square foot lot located in a C3 Semi-Industry District; contrary to Section 355.04(a), proposing a maximum gross floor area of 2,450 square feet where 1,300.5 is allowed and 30 feet where the minimum lot width in a "C" area district is 40 feet, with a minimum lot area of 2,601 square feet proposed contrary to 4,800; and subject to the provisions under Sections 357.09(b)(2)B the width of any interior side yard shall not be less than one-fourth the height of the main building on the premises and the main building height is 42 feet, requiring interior side yards of 10 feet and 4 feet is proposed contrary to the Cleveland Codified Ordinances.

**Calendar No. 13-273:** 1964 Columbus Road (Ward 3)

Kamis Properties LLC, owner, appeals to erect a 2,450 square foot single family house on a 2,516 square foot lot located in a C3 Semi-Industry District; contrary to Section 355.04(a), proposing a maximum gross floor area of 2,450 square feet where 1,258 is allowed and 29 feet where the minimum lot width in a "C" area district is 40 feet, with a minimum lot area of 2,516 square feet proposed contrary to 4,800; and subject to the provisions under Sections 357.09(b)(2)B the width of any interior side yard shall not be less than one-fourth the height of the main building on the premises and the main building height is 42 feet, requiring interior side yards of 10 feet and 4 feet is proposed contrary to the Cleveland Codified Ordinances.

**Calendar No. 13-276:** 2450 Tremont Avenue (Ward 3)

Alfred and Annie Laudato, owners, appeal to construct a two-story

addition to a single family house located on a 30' x 100' parcel in a C1 Multi-Family District; subject to the provisions in Section 359.01(a) in the Cleveland Codified Ordinances, use of a building or land lawfully existing on the effective date of this Zoning Code for which a permit has been lawfully issued may be continued even though such use does not conform to the provisions in the zoning code for the use district in which it is located, but no enlargement or expansion shall be permitted except as a variance under the terms of Chapter 329 and not substitution or other change in such nonconforming use to other than a confirming use shall be permitted except by special permit from the Board of Zoning Appeals issued only if the Board finds after public hearing that such substitution or other change is no more harmful or objectionable than the previous nonconforming use in floor or other space occupied or any other characteristic of the new use as compared to the previous use.

Existing conditions and other non-conformities:

The lot area is approximately 3,000 square feet and in a "C" area district the minimum requirement is 4,800 square feet and the lot width is 30 feet contrary to 40 feet required for a one family house according to Section 355.04; and interior side yards are 4' of the property line on both sides where no interior side yard shall be less than 3 feet nor shall the aggregate width of side yards on the same premises be less than 10 feet, according to Sections 357.09(b)(2)B in the Cleveland Codified Ordinances.

**Calendar No. 14-003:** 2915 East 120th Street (Ward 4)

Cleveland Green Homes East L.P.I, owner, appeals to construct a 22' x 28' two-story single family house with a detached garage on a 35' x 135.27' parcel located in a B1 Two-Family District; proposing a front yard setback of 18'-5" contrary to Section 357.09(a) and the minimum requirement of 19'-6" and proposing 2'-6" (the roof eaves setback 1'-6" from the property line) contrary to the interior side yard minimum of 3 feet as required under Section 357.09(2)B in the Cleveland Codified Ordinances.

Secretary

### REPORT OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 21, 2014

At the meeting of the Board of Zoning Appeals on Tuesday, January 21, 2014, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

**Calendar No. 13-186:** 7830 Kinsman Road

Cuyahoga Metropolitan Housing Authority appeals to erect a four-story apartment building with 60

dwelling units in a C1 Multi-Family District.

The following appeal was **DENIED:**

**Calendar No. 13-271:** 3615 Lorain Avenue

OC Lorain Fulton LP, property owner, and McDonald's prospective tenant appeal the decision of the City Planning Commission.

The following appeal was **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

**Calendar No. 13-244:** 2169 West 31st Street

Cuyahoga County Land Reutilization, owner, and Jason Brooks, prospective purchaser, appeal to erect a two-story frame, carport and an open wood deck addition to a single family dwelling.

The following appeals were **POSTPONED:**

**Calendar No. 13-247:** 4414-20 Pearl Road: Landscaping variance postponed to 3-03-14.

**Calendar No. 13-263:** 2267 East 83rd Street: Notice of Violation postponed to 3-31-14.

The following appeal was heard by the Board on January 13, 2014 were adopted and approved on January 21, 2014.

The following appeal was **APPROVED:**

**Calendar No. 13-270:** 11001 Cedar Avenue

Board of County Commissioners appealed to construct an emergency generator building on acreage located in an F4 Residence Industry District.

The following appeal was heard by the Board on November 4, 2013 and was adopted and approved on January 21, 2014.

The following appeal was **APPROVED:**

**Calendar No. 13-225:** 17510 Lorain Avenue

West 176 Street, LLC, owner, appealed to change use from storage to retail in a C1 Shopping Center District.

The following appeal was heard by the Board on July 8, 2013 and was adopted and approved on January 21, 2014.

The following appeal was **APPROVED:**

**Calendar No. 13-109:** 3010 Chester Avenue

Realty Income Corporation, owner appeals to construct a parking lot on a corner parcel with parking in the setback and nonconforming landscaping.



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

Re: Report of the Meeting of  
January 15, 2014

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-261-13.**

RE: Appeal of Herald R. Bell, Jr., Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 4074 East 81st Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 25, 2012 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-261-13 has been POSTPONED; to be rescheduled for February 12, 2014.

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**Docket A-264-13.**

RE: Appeal of Marco Noce, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 7009 Quinn Ct. from a CONDEMNATION ORDER — MAIN STRUCTURE, dated October 1, 2013 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 based on the testimony presented and the condition of the property; the emergency was immediate. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

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**Docket A-265-13.**

RE: Appeal of Marco Noce, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 7010 Quinn Ct. from a CONDEMNATION ORDER — MAIN STRUCTURE, dated October 1, 2013 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 based on the testimony presented and the condition of the property; the emergency was immediate.

Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

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**Docket A-266-13.**

RE: Appeal of Luis R. & Regina M. Vizcarrondo, Owners of the One Dwelling Unit Single-Family Residence Three Story Wood Property, located on the premises known as 2205 West 85th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 5, 2013 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 six (6) months in which to complete abatement of the violations, including the exterior painting; 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, Bradley, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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**Docket A-268-13.**

RE: Appeal of George Kevin Monroe, Owner of the Three Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 2051 West 33rd Street from a NOTICE OF VIOLATION — INTERIOR/ EXTERIOR MAINTENANCE, dated September 20, 2013 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 REMAND the property to the Department of Building and Housing for supervision and any required further action, noting the continued progress and the satisfactory work so far. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

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**Docket A-269-13.**

RE: Appeal of Robert Caraballo, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 3579 West 123rd Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 10, 2012 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-269-13 has been POSTPONED; to be rescheduled for January 29, 2014.

**Docket A-270-13.**

RE: Appeal of James Pratt, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 10022 Ostend Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 19, 2012 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 note that the Appellant has obtained all required permits and therefore granted six (6) months, until approximately April 2014, to continue 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. Maschke and seconded by Mr. Bradley.

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

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**Docket A-271-13.**

RE: Appeal of Sandi Investment Group, LLC C/O Nicole Jones, Owner of the Three Dwelling Unit Three-Family Residence Two & One-half Story Masonry Property, located on the premises known as 15711 Trafalgar Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 24, 2012 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-271-13 has been POSTPONED; to be rescheduled for January 29, 2014.

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**Docket A-272-13.**

RE: Appeal of Roger Abboud, Owner of the MXD Mixed Uses — Multiple Uses In One Building Two & One-half Story Frame Property, located on the premises known as 3308 West 25th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated October 11, 2013 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 DENY the Appellant's request for additional time, noting the condition of the property and the lack of response by the Appellant; 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, Bradley, Maschke Nays: None Absent: Messrs. Gallagher, Saab

\* \* \*

**Docket A-273-13.**

RE: Appeal of Georgi Stankov, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property,

located on the premises known as 2075 West 103rd Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated October 15, 2013 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 July 1, 2014 in which 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. Maschke and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Bradly, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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**Docket A-274-13.**

RE: Appeal of Pruitt Investment, LLC, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property, located on the premises known as 570 East 107th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated October 15, 2013 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 thirty (30) days in which to present a plan to the Building Department and obtain all required permits, and six (6) months in which to complete abatement of the violations with additional time to be granted if progress is satisfactory; 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. Maschke and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Bradly, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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**Docket A-276-13.**

RE: Appeal of Jim Walls, Owner of the B Business — Offices, Laboratories, Adult School One Story Masonry Walls/Wood Floors Property, located on the premises known as 2711 East 93rd Street from a NOTICE OF VIOLATION — FIRE DAMAGE, dated October 22, 2013 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 forty-five (45) days in which to submit plans to the Building Department and obtain all required permits for the reconstruction of the property, noting that failure to meet that date will result in the property being Remanded immediately; 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, Bradly, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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**Docket A-277-13.**

RE: Appeal of LaSandra Johnson, Owner of the R-2 Residential — Non-transient; Apartments (Shared Egress) Three Story Masonry Walls/Wood Floors Property, located on the premises known as 1025 Linn Drive from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 7, 2012 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 forty-five (45) days in which to submit plans to the Building Department and obtain all required permits; noting that failure to meet that date will result in the property being Remanded immediately; 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, Bradly, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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**Docket A-278-13.**

RE: Appeal of Aeon Financial, LLC, Owner of the MXD Mixed Uses — Multiple Uses In One Building One Story Masonry Property, located on the premises known as 3880 East 116th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated October 14, 2013 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, that the Appellant has not submitted a plan to the Building Department for rehabilitation of the property, and that the Appellant was not present for the hearing; the request for additional time to abate the violations 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. Maschke and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Bradly, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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**Docket A-280-13.**

RE: Appeal of Vardeh LLC, Owner of the Property, located on the premises known as 2905 Chester Avenue from a NOTICE OF VIOLATION — ELEVATOR CODE, dated October 8, 2013 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 the Appellant to allow the City of Cleveland Building Department access to the building within the next two (2) weeks, and to either take the elevator out of service or make the repairs within a subsequent thirty (30) days. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Bradly, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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**Docket A-283-13.**

RE: Appeal of Melvin Lyons Jr., Owner of the Residential Property, located on the premises known as 4926 Mead Avenue from a LIMITATION ON THE PERMITS, dated May 8, 2013 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 four (4) additional months, under the original permits, until May 1, 2014 in which 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. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradly Nays: None Absent: Mr. Maschke

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**Docket A-289-13.**

RE: Appeal of Kimberly J. King-Chapman, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 8100 Jeffries Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated October 21, 2013 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 May 1, 2014 in which 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, Bradly, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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**Docket A-2-14.**

RE: Appeal of Heritage Development, Owner of the Property, located on the premises known as 1350 Euclid Avenue from an ADJUDICATION ORDER, dated December 30, 2013 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 requested variance and permit the door to be located on the East 14th Street facade where the section of the sidewalk widens approximately twenty (20) feet. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

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#### EXTENSION OF TIME:

##### Docket A-47-13.

Glenn Cunningham — 1435 West 50th Street:

A motion is in order at this time to grant the Appellant two (2) months in which to complete abatement of the interior violations and six (6) months total in which 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. Maschke and seconded by Mr. Bradley.

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

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##### Docket A-54-13.

Faith Alliance Bible Church — 17121 Euclid Avenue:

No action required at this time. The docket will remain open.

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##### Docket A-81-13.

Farley J. Seldon — 3036 East 111th Street:

A motion is in order at this time to grant the Appellant ninety (90) days in which 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, Bradley, Maschke Nays: None Absent: Messrs. Gallagher, Saab

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#### APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Maschke and seconded by Mr. Bradley 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-237-13 — Charles P. Woller  
 A-239-13 — Jesus Laboy  
 A-244-13 — Kim Middlebrooks  
 A-245-13 — Laura K. & Ola M. Bolen  
 A-246-13 — Southern Whips LLC  
 A-249-13 — Mohammed Algelbisi  
 A-252-13 — Edward R. Van Valkenburgh  
 A-257-13 — Mark A. Armstrong  
 A-259-13 — Jeremiah Anderson

A-260-13 — Star Calendar + Printing, Inc.

A-275-13 — Jesus Laboy

Yeas: Messrs. Denk, Bradley, Maschke, Saab (In Absentia) Nays: None. Absent: Mr. Gallagher

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#### APPROVAL OF MINUTES:

Separate motions were entered by Mr. Bradley and seconded by Mr. Maschke for 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):

December 18, 2013

Yeas: Messrs. Denk, Bradley, Maschke, Saab (In Absentia) Nays: None. Absent: Mr. Gallagher.

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JOSEPH F. DENK  
 Chairman

#### PUBLIC NOTICE

The application to establish Gordon Square as a Community Entertainment District is on file in the Office of the Clerk of Cleveland City Council, Cleveland City Hall, 601 Lakeside Avenue, Room 220, Cleveland, Ohio and is available for inspection by the public between 8:30 a.m. and 4:30 p.m. on regular days of business. Ordinance No. 59-14, approving the application to establish Gordon Square as a Community Entertainment District and amending Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1222-13, passed October 7, 2013, relating to Community Entertainment Districts, will be heard at the Development, Planning and Sustainability Committee on January 28, 2014 at 9:30 am in the Mercedes Cotner Committee Room, Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio; and will also be heard at the Finance Committee on February 3, 2014 at 2:00 p.m. in the Mercedes Cotner Committee Room, Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio.

January 15, 2014, January 22, 2014 and January 29, 2014

#### 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, January 28, 2014  
 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 Tues-

day, January 28, 2014, at 9:30 a.m., to consider the following ordinances now pending in the Council:

##### Ord. No. 1605-13.

By Council Member Westbrook.  
 An ordinance changing the Use, Area and Height Districts of lands located on the east side of West 117th Street; north side of Madison Avenue and between West 116th Street and West 115th Street to Residence-Office (RO-C2), Local Retail (LR-C2), Multi-Family (MF-C2) and Townhouse (RA2-2) (Map Change No. 2469).

##### Ord. No. 59-14.

By Council Member Zone.  
 An emergency ordinance to amend Section 699A.011 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1222-13, passed October 7, 2013 relating to Community Entertainment Districts defined.

##### Ord. No. 60-14.

By Council Member Cimperman.  
 An emergency ordinance designating the Hubbard Cooke Building as a Cleveland Landmark.

##### Ord. No. 64-14.

By Council Member Brady.  
 An ordinance changing the Use District of land located on the west side of West 117th Street south of Lorain Avenue from Two Family Residential to Residence Office (Map Change No. 2470).

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

Anthony Brancatelli, Chair  
 Committee on Development,  
 Planning and Sustainability

January 15, 2014 and January 22, 2014

#### CITY OF CLEVELAND BIDS

##### For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before



doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the office of Equal Opportunity ("OEO") prior to the date of bid opening or submission of proposals or as specified by the Director. Failure to comply with the business enterprise code or with representations made on these forms may result in cancellation of the contract or other civil or criminal penalties."

**WEDNESDAY, FEBRUARY 19, 2014**

**File No. 4-14 — Labor and materials necessary to purchase, install, operate and maintain Adaptive Control and Remote Monitoring (ACRM) of LED Roadway Luminaire,** for the Division of Cleveland Public Power, Department of Public Utilities.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, JANUARY 31, 2014 AT 10:00 A.M. TOM L. JOHNSON BUILDING 1300 LAKESIDE AVENUE CLEVELAND, OHIO 44114.

**File No. 5-14 — Body Worn Camera Systems,** for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 1413-13, passed by the Council of the City of Cleveland, October 21, 2013.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, JANUARY 23, 2014 AT 1:00 P.M. CLEVELAND POLICE HEADQUARTERS ROOM 731 1300 ONTARIO AVENUE CLEVELAND, OHIO 44113.

**File No. 6-14 — Glock Model 17 & Model 19 Semi-Automatic Pistols with 3 magazines each,** for the Division of Police, Department of Public Safety, as authorized by Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, JANUARY 23, 2014 AT 2:00 P.M. CLEVELAND POLICE HEADQUARTERS ROOM 731 1300 ONTARIO AVENUE CLEVELAND, OHIO 44113.

January 15, 2014 and January 22, 2014

**FRIDAY, FEBRUARY 7, 2014**

**File No. 7-14 — Employee Uniforms,** for the Various Division of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, JANUARY 31, 2014 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OH 44135-3193.

January 22, 2014 and January 29, 2014

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 69-14.**

**By Council Member Brancatelli.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 5222 Fleet Avenue.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from 5222 Fleet, Inc., DBA Open Pantry, 5222 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 2759492 to A & H Pantry, Inc., 5222 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 0003595; 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 ownership of a C1 and C2 Liquor Permit from 5222 Fleet, Inc., DBA Open Pantry, 5222 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 2759492 to A & H Pantry, Inc., 5222 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 0003595; 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 January 13, 2014.

Effective January 15, 2014.

**Res. No. 70-14.**

**By Council Member Polensek.**

**An emergency resolution objecting to a New C1 Liquor Permit at 511 East 140th Street.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at Bangla 1 Gas, Inc., DBA H Gas, 511 East 140th Street, Cleveland, Ohio 44110, Permanent Number 0430090; 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 Bangla 1 Gas, Inc., DBA H Gas, 511 East 140th Street, Cleveland, Ohio 44110, Permanent Number 0430090; 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 January 13, 2014.  
Effective January 15, 2014.

**Res. No. 71-14.**  
**By Council Member Brancatelli.**  
**An emergency resolution withdrawing objection to the transfer of ownership of a D5 Liquor Permit at 3528-30 Independence Road, 1st floor and patio and repealing Resolution No. 1203-13, objecting to said permit.**

Whereas, this Council objected to a transfer of ownership of a D5 Liquor Permit to 3528-30 Independence Road, 1st floor and patio by Resolution No. 1203-13 adopted by the Council on September 16, 2013; 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 the transfer of ownership of a D5 Liquor Permit to Royal Klassic, LLC and Patio, 3528-30 Independence Road, 1st floor and patio, Cleveland, Ohio 44105, Permanent Number 7964035, be and the same is hereby withdrawn and Resolution No. 1203-13, 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.

Adopted January 13, 2014.  
Effective January 15, 2014.

**Res. No. 73-14.**  
**By Council Member Cleveland.**  
**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 2625 East 55th Street.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from 2625 East 55th Gas, Inc., DBA East 55th Street Shell, 2625 East 55th Street, Cleveland, Ohio 44104, Permanent Number 9116701 to R & H Gas, Inc., DBA East 55th Street Shell, 2625 East 55th Street, Cleveland, Ohio 44104, Permanent Number 7148708; 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 ownership of a C1 and C2 Liquor Permit from 2625 East 55th Gas, Inc., DBA East 55th Street Shell, 2625 East 55th Street, Cleveland, Ohio 44104, Permanent Number 9116701 to R & H Gas, Inc., DBA East 55th Street Shell, 2625 East 55th Street, Cleveland, Ohio 44104, Permanent Number 7148708; 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 January 13, 2014.  
Effective January 15, 2014.

**Res. No. 74-14.**  
**By Council Member J. Johnson.**  
**An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D6 Liquor Permit at 3604 Superior Avenue, 1st floor and basement and repealing Resolution No. 1645-13, objecting to said permit.**

Whereas, this Council objected to a transfer of ownership of a D1, D2, D3 and D6 Liquor Permit to 3604 Superior Avenue, 1st floor and basement by

Resolution No. 1645-13 adopted by the Council on December 2, 2013; 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 D1, D2, D3 and D6 Liquor Permit to Marjees, LLC, 3604 Superior Avenue, 1st floor and basement, Cleveland, Ohio 44114, Permanent Number 5546136, be and the same is hereby withdrawn and Resolution No. 1645-13, 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.

Adopted January 13, 2014.  
Effective January 15, 2014.

**Res. No. 75-14.**  
**By Council Member K. Johnson.**  
**An emergency resolution objecting to a New C1 Liquor Permit at 10202 Sophia Avenue, 1st floor.**

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at R T Diversified, Inc., DBA Families Corner Store, 10202 Sophia Avenue, 1st floor, Cleveland, Ohio 44104, Permanent Number 7569721; 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 provid-

ing 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 R T Diversified, Inc., DBA Families Corner Store, 10202 Sophia Avenue, 1st floor, Cleveland, Ohio 44104, Permanent Number 7569721; 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 January 13, 2014.  
Effective January 15, 2014.

**Res. No. 76-14.**

**By Council Member Mitchell.**

**An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 11007 Mt. Carmel Road, 1st floor and repealing Resolution No. 939-13, objecting to said renewal.**

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to Sperrys Forge, Inc., 11007 Mt. Carmel Road, 1st floor, Cleveland, Ohio 44104, Permanent Number 8423265 by Resolution No. 939-13, adopted by the Council on July 10, 2013; 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 renewal of a C2 and C2X Liquor Permit to Sperrys Forge, Inc., 11007 Mt. Carmel Road, 1st floor, Cleveland, Ohio 44104, Permanent Number 8423265, be and the same is hereby withdrawn and Resolution No. 939-13, 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.

Adopted January 13, 2014.  
Effective January 15, 2014.

**Res. No. 79-14.**

**By Council Member Cimperman.**

**An emergency resolution objecting to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to 2102 Freeman Avenue, 1st floor and basement.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit from Cull Long & Michalak, LLC, DBA Duck Island Club, 2102 Freeman Avenue, 1st floor and basement, Cleveland, Ohio 44113, Permanent Number 1845797 to Duck Island Club, LLC, DBA Duck Island Club, 2102 Freeman Avenue, 1st floor and basement, Cleveland, Ohio 44113, Permanent Number 2326141; 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 ownership of a D1, D2, D3 and D3A Liquor Permit from Cull Long & Michalak, LLC, DBA Duck Island Club, 2102 Freeman Avenue, 1st floor and basement, Cleveland, Ohio 44113, Permanent Number 1845797 to Duck Island Club, LLC, DBA Duck Island Club, 2102 Freeman Avenue, 1st floor and basement, Cleveland, Ohio 44113, Permanent Number 2326141; 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 January 13, 2014.  
Effective January 15, 2014.

**Ord. No. 1593-13.**

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

**An emergency ordinance authorizing the Director of Finance to enter into one or more contracts with Debt Next, LLC for professional services necessary to assist various departments and divisions of the City with improving its accounts receivables management, for a period up to two years, with two one-year options to renew, exercisable by the Director of Finance.**

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 is authorized to enter into one or more contracts with Debt Next, LLC for professional in-house accounts receivables management, collection and consulting services necessary to collect amounts and claims owed to the various departments and divisions of the City government.

**Section 2.** That the compensation to be paid for the services shall be a contingent fee, the percentage or rate of which shall be fixed by the Board of Control. The contract or contracts authorized shall require that all amounts collected be remitted to the City for deposit in the City Treasury.

**Section 3.** That the percentage of monies collected which is equal to the contingent fees owed as established by the contract or contracts is appropriated for payment of the compensation authorized in this ordinance.

**Section 4.** That the contract or contracts authorized shall be for a period up to two years, with two one-year options to renew, exercisable by the Director of Finance.

**Section 5.** That the contract or contracts shall be prepared by the Director of Law.

**Section 6.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed January 13, 2014.  
Effective January 15, 2014.

**Ord. No. 65-14.**

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

**An emergency ordinance approving the collective bargaining agreement with the International Brotherhood of Electrical Workers (IBEW), Local 38; and amending Section 20 of Ordinance No. 1689-11, passed November 28, 2011, 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 (IBEW), Local 38, under the terms contained in File No. 65-14-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:

<u>Increase</u>	<u>Approximate Date of Increase*</u>
1%	April 1, 2013
2%	April 1, 2014
2%	April 1, 2015

\* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

**Section 2.** That Section 20 of Ordinance No. 1689-11, passed November 28, 2011, is amended to read as follows:

**Section 20. International Brotherhood of Electrical Workers, Local 38.** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Electrical Inspector 1.....	\$14.83	\$24.85
2. Electrical Inspector 2.....	15.66	26.25
3. Electrical Inspector 3.....	16.49	27.66
4. Electrical Inspector 4.....	26.88	29.10

**Section 3.** That existing Section 20 of Ordinance No. 1689-11, passed November 28, 2011, 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.

Passed January 13, 2014.

Effective January 15, 2014.

**Ord. No. 66-14.**

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

**An emergency ordinance approving the collective bargaining agreement with the International Union of Allied Painters and Trades (IUPAT), District Council 6; and amending Section 13 of Ordinance No. 1689-11, passed November 28, 2011, 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 Union of Allied Painters and Trades (IUPAT), District Council 6, under the terms contained in File No. 66-14-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:

<u>Increase</u>	<u>Approximate Date of Increase*</u>
1%	April 1, 2013
2%	April 1, 2014
2%	April 1, 2015

\* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

**Section 2.** That Section 13 of Ordinance No. 1689-11, passed November 28, 2011, is amended to read as follows:

**Section 13. International Union of Painters and Allied Trades, District Council 6.**

That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Sign Painter.....	\$23.23	\$32.94
2. Sign Painter Unit Leader.....	24.23	35.47
3. Traffic Sign and Marking Supervisor.....	13.28	25.81
4. Traffic Sign Process Operator.....	13.28	25.85

**Section 3.** That existing Section 13 of Ordinance No. 1689-11, passed November 28, 2011, 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.

Passed January 13, 2014.  
Effective January 15, 2014.

**Ord. No. 67-14.**

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

**An emergency ordinance approving the collective bargaining agreement with the Plumbers Local 55 (Plumbing Inspectors); and amending Section 21 of Ordinance No. 1689-11, passed November 28, 2011, 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 Plumbers Local 55 (Plumbing Inspectors), under the terms contained in File No. 67-14, 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:

<u>Increase</u>	<u>Approximate Date of Increase*</u>
1%	April 1, 2013
2%	April 1, 2014
2%	April 1, 2015

\* Wage increases shall be effective as follows:

- (a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or
- (b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

**Section 2.** That Section 21 of Ordinance No. 1689-11, passed November 28, 2011, is amended to read as follows:

**Section 21. Plumbers Local 55 (Plumbers Inspectors).** That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	<b>Minimum</b>	<b>Maximum</b>
1. Plumbing Inspector 1.....	\$14.83	\$24.85
2. Plumbing Inspector 2.....	15.66	26.25
3. Plumbing Inspector 3.....	16.49	27.66
4. Plumbing Inspector 4.....	26.88	29.10

**Section 3.** That existing Section 21 of Ordinance No. 1689-11, passed November 28, 2011, 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.

Passed January 13, 2014.  
Effective January 15, 2014.

**Ord. No. 68-14.**

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

**An emergency ordinance authorizing the Director of Public Utilities to execute a deed of easement granting to the Lake Erie Energy Development Corporation, or its designee, certain easement rights in property located near South Marginal Road between East 49th Street and vacated East 53rd Street in order to facilitate a submerged land lease with the State of Ohio; and declaring that the easement rights granted are not needed for public use.**

Whereas, the Lake Erie Energy Development Corporation, or its designee, ("LEEDCo") has requested the Director of Public Utilities to convey certain easement rights in property located near South Marginal Road between East 49th Street and vacated East 53rd Street, known as Parcel No. 104-02-010 to allow LEEDCo to establish an upland property interest as required by the State of Ohio before LEEDCo can obtain a submerged land lease for its proposed offshore wind energy project in Lake Erie; and

Whereas, the easement rights to be granted are not needed for the City's use; 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, it is found and determined that the easement interest in the following



described property is not needed for the City's use:

Upland Easement  
0.2085 Acres

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 10-acre Lot Nos. 159, 160, 161 and 162. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 651, Page 224 and Volume 651, Page 226 of the Cuyahoga County Records and being part of vacated E. 53rd Street, being more definitely described as follows.

Commencing at a drill hole found in a monument box at the intersection of the northerly right of way of St. Clair Avenue (99 feet wide) and the centerline of East 49th Street (60 feet wide);

Thence, along the centerline of East 49th Street, North 32° 48' 54" West, 1489.53 feet;

Thence, leaving the centerline of East 49th Street, North 57° 11' 14" East, 30.00 feet to the easterly right of way of East 49th Street at the southwesterly corner of said land conveyed to the City of Cleveland as recorded in Volume 651, Page 224 of the Cuyahoga County Records;

Thence, along the easterly right of way of East 49th Street, North 32° 48' 54" West, 245.71 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along the easterly right of way of East 49th Street, North 32° 48' 54" West, 10.01 feet to the Original 1876 shoreline of Lake Erie as shown on "Survey of N. & N.W. Lakes" prepared by Major C.B. Comstock, Corps of Engineers, dated 1876;

Thence leaving the easterly right of way of East 49th Street, along the Original 1876 shoreline of Lake Erie the following ten courses;

North 55° 05' 45" East, 21.18 feet;  
Thence North 53° 20' 29" East, 128.50 feet;

Thence North 52° 55' 26" East, 112.71 feet;

Thence North 56° 01' 06" East, 113.74 feet;

Thence North 58° 43' 19" East, 130.88 feet;

Thence North 35° 00' 22" East, 53.53 feet;

Thence North 33° 42' 21" East, 71.14 feet;

Thence North 52° 55' 21" East, 112.72 feet;

Thence North 49° 46' 46" East, 149.36 feet;

Thence North 51° 21' 25" East, 14.66 feet to the centerline of vacated East 53rd Street;

Thence, along the centerline of vacated East 53rd, South 32° 48' 03" East, 10.05 feet;

Thence, leaving the centerline of vacated East 53rd, South 51° 21' 25" West, 13.50 feet;

Thence South 49° 46' 46" West, 149.49 feet;

Thence South 52° 55' 21" West, 111.30 feet;

Thence South 33° 42' 21" West, 69.56 feet;

Thence South 35° 00' 22" West, 55.74 feet;

Thence South 58° 43' 19" West, 132.75 feet;

Thence South 56° 01' 06" West, 113.23 feet;

Thence South 52° 55' 26" West, 112.48 feet;

Thence South 53° 20' 29" West, 128.69 feet;

Thence South 55° 05' 45" West, 21.69 feet to the point of beginning.

Containing within said bounds 0.2085 acres (9,084 sq.ft.) of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in December 2013.

Bearings are based on Ohio State Plane, North Zone NAD83 (1995) Grid North.

**Section 2.** That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interest to LEEDCo subject to any conditions stated in this ordinance, at a price of \$1.00, and other valuable considerations, which is determined to be fair market value.

**Section 3.** That the purpose of the non-exclusive easement shall be to allow LEEDCo to establish an upland property interest as required by the State of Ohio before it can obtain a submerged land lease for its proposed offshore wind energy project in Lake Erie. No construction or other onsite use will be allowed without the prior written approval of the Director of Public Utilities.

**Section 4.** That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Public Utilities; that the easement shall require that LEEDCo indemnify the City, provide reasonable insurance, maintain any approved LEEDCo improvements located within the easement; and pay any and all applicable taxes and assessments.

**Section 5.** That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Utilities on behalf of the City of Cleveland. The Directors of Public Utilities and Law are authorized to execute any other documents, including without limitation, contracts for rights of entry, as may be necessary to effectuate this ordinance.

**Section 6.** That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, that by and at the approval of the Director of Public Utilities and the direction of the Board of Control, the Commissioner of Purchases and Supplies and the Director of any other affected City Department are authorized to grant additional easements to LEEDCo as are necessary for LEEDCo to connect its proposed offshore wind energy project to Cleveland Public Power facilities.

**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 January 13, 2014.  
Effective January 15, 2014.

**Ord. No. 80-14.**

**By Council Member Cimperman.**

**An emergency ordinance to amend the title, the sixth whereas clause, and Sections 5 and 6 of Ordinance No. 1505-13, passed November 11, 2013, relating to a Tax Increment Financing Agreement and Cooperative Agreement(s) with Geis Companies, or its designee, or others, for the redevelopment of the Ameritrust complex.**

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, the sixth whereas clause, and Sections 5 and 6 of Ordinance No. 1505-13, passed November 11, 2013, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Geis Companies, or its designee, or others, and Cooperative Agreement(s) if required by and among the City, the Geis Companies, or its designee, or others, including a Trustee, to provide for redevelopment of the Ameritrust complex located at 900-916 Euclid Avenue, 1010 Euclid Avenue, 2017 East 9th Street, and 2123 East 9th Street; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

Whereas, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt, and the Cooperative Agreement(s) will require such owners to also make supplemental payments ("Minimum Payments") required to pay debt service; and

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper and other parties to provide for the exemption, service payments and Minimum Payments described in this ordinance, including, without limitation, the Cooperative Agreement(s) if required and other agreements securing the payments described in Section 3 of this ordinance, which agreement or agreements shall contain those terms contained in the file mentioned above. The Director of Economic Development is further authorized to enter into an agreement with the Cuyahoga County Treasurer relating to the sale of tax liens on the Real Property.

Section 6. That under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund (the "TIF Fund") into which shall be deposited service payments in lieu of taxes not required to be paid to the District under Section 4 of this ordinance. The service payments in lieu of taxes deposited in the TIF Fund shall be used for the

purpose of paying principal, interest, and related fees and costs of project debt or for other economic development purposes as determined by the Director of Economic Development.

**Section 2.** That the existing title, the sixth whereas clause, and Sections 5 and 6 of Ordinance No. 1505-13, passed November 11, 2013, are repealed.

**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.  
Passed January 13, 2014.  
Effective January 15, 2014.

**12:00 p.m.**

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

**COUNCIL COMMITTEE MEETINGS**

**Wednesday, January 22, 2014  
10:00 a.m.**

**Tuesday, January 21, 2014  
9:30 a.m.**

**Safety Committee:** Present: Zone, Chair; Cimperman, Dow, K. Johnson, Keane, Polensek. *Unauthorized Absence:* Conwell, Vice Chair.

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

**2:00 p.m.**

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

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