

The City Record

Official Publication of the Council of the City of Cleveland



October the Eighth, 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

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www.clevelandcitycouncil.org

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	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
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects
 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, Executive Assistant to the Mayor, Chief of Public Affairs
 Edward W. Rybka, Executive Assistant to the Mayor, Chief of Regional Development

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

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

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

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

Natasha Brandt, Manager, Internal Audit
DIVISIONS:
 Accounts – Lonya Moss Walker, Commissioner, Room 19
 Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
 City Treasury – James Hartley, Interim Treasurer, Room 115
 Financial Reporting and Control – James Gentile, Controller, Room 18
 Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue

Purchases and Supplies – Tiffany White, Commissioner, Room 128
 Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
 Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Sharon Dumas, Interim Director, 1201 Lakeside Avenue

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

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

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

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

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

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

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

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

DIVISIONS:
 Animal Control Services – 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 – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

DEPT. OF HUMAN RESOURCES – Deborah Southering, Director, Room 121

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Robert N. Brown, Allan Dreyer, Giancarlo Calicchia, Council Member Terrell H. Pruitt, Robert Vilkas, Donald Petit, Interim Secretary.

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 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

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Vol. 101

WEDNESDAY, OCTOBER 8, 2014

No. 5261

CITY COUNCIL

MONDAY, OCTOBER 6, 2014

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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 Property 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

Cleveland, Ohio
Monday, October 6, 2014
The meeting of the Council was called to order at 7:07 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

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

Also present were: Chief of Staff Ken Silliman, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Sustainability Jenita McGowan, and Directors Langhenry, Dumas, Smith, Spronz, McGrath, Cox, Rush, O'Leary, Southerington, Nichols, Griffin, Fumich, and Ambroz.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Bryant Taylor, Pastor Emeritus of Glenville Seventh Day Adventist Church, Cleveland, Ohio (Ward 9). Pledge of Allegiance.

MOTION

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

OATHS OF OFFICE

File No. 1280-14.
John W. Andrews. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1281-14.
Robert D. Berry. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1282-14.
Brian K. Besserer. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1283-14.
Thomas M. Burke. Captain of Fire, Department of Public Safety. Received.

File No. 1284-14.
Alan J. Dewaele. Captain of Fire, Department of Public Safety. Received.

File No. 1285-14.
Joseph D. Dorsey. Captain of Fire, Department of Public Safety. Received.

File No. 1286-14.
Jeffrey T. Dudley. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1287-14.
Thomas J. English. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1288-14.
William J. Gill. Captain of Fire, Department of Public Safety. Received.

File No. 1289-14.
Geoffrey J. Goloja. Captain of Fire, Department of Public Safety. Received.

File No. 1290-14.
Andrew R. Gorski. Captain of Fire, Department of Public Safety. Received.

File No. 1291-14.
Thomas A. Harrison. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1292-14.
Sean L. Hodges. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1293-14.
Jeffrey R. Homan, Jr. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1294-14.
Paul J. Kasperek. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1295-14.
Thomas W. Keane. Lieutenant of Fire, Department of Public Safety. Received.

File No. 1296-14.
Charles T. Kelley. Captain of Fire, Department of Public Safety. Received.

File No. 1297-14.
John H. Koz, Lieutenant of Fire,
Department of Public Safety.
Received.

File No. 1298-14.
Francis X. Lally, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1299-14.
Thomas M. Lally, Captain of Fire,
Department of Public Safety.
Received.

File No. 1300-14.
Kenneth W. Latkovic, Captain of
Fire, Department of Public Safety.
Received.

File No. 1301-14.
Gregory C. Lightcap, Jr. Captain
of Fire, Department of Public Safe-
ty. Received.

File No. 1302-14.
Christopher J. Loftus, Lieutenant
of Fire, Department of Public Safe-
ty. Received.

File No. 1303-14.
Thomas A. Lugo, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1304-14.
Brendan J. McNamara, Captain of
Fire, Department of Public Safety.
Received.

File No. 1305-14.
Michael D. Miceli, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1306-14.
Rafael Muniz, Jr. Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1307-14.
Neal S. O'Donnell, Captain of Fire,
Department of Public Safety.
Received.

File No. 1308-14.
John A. O'Flaherty, Captain of
Fire, Department of Public Safety.
Received.

File No. 1309-14.
Nicholas Pastirik, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1310-14.
Patrick M. Perkins, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1311-14.
James C. Purnell, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1312-14.
Mark G. Sahley, Captain of Fire,
Department of Public Safety.
Received.

File No. 1313-14.
Paul B. Schumacher, Captain of
Fire, Department of Public Safety.
Received.

File No. 1314-14.
Allen L. Scroggins, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1315-14.
Eric L. Seaberry, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1316-14.
Philip A. Seger, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1317-14.
James A. Stuhm, Captain of Fire,
Department of Public Safety.
Received.

File No. 1318-14.
Michael M. Vazquez, Captain of
Fire, Department of Public Safety.
Received.

File No. 1319-14.
John P. Woidke, Lieutenant of
Fire, Department of Public Safety.
Received.

File No. 1320-14.
Scott A. Zele, Lieutenant of Fire,
Department of Public Safety.
Received.

File No. 1321-14.
Jerome P. Zimmerman, Lieutenant
of Fire, Department of Public Safe-
ty. Received.

COMMUNICATIONS

File No. 1322-14.
From Ronald J.H. O'Leary, Direc-
tor, Department of Building and
Housing, City of Cleveland. Notifi-
cation of acceptance of a gift of
\$8,613.00 from Urban Community
School for the City's demolition
fund. Received.

File No. 1323-14.
Mayor's Emergency Letter for
Emergency Vehicle System Installa-
tion and Upgrades for the Division
of Fire (RQS #1387; Project C14434).
Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 1257-14.
RE: Amended #23097000010. New
License Application, D5J, Driftwood
Catering, LLC, 1515 Euclid Ave.
(Ward 3). Received.

File No. 1335-14.
RE: #0346900. Transfer of Loca-
tion Application, D5J, Bad Whigs,
LLC, 15615 Waterloo Rd. (Ward 8).
Received.

File No. 1336-14.
RE: #0620098. New License Appli-
cation, C1, Benner Holdings, LLC,
4142 Lorain Ave. (Ward 3).
Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1338-14—Edward E.
Strowder.

Res. No. 1339-14—Marie Townsend.

Res. No. 1340-14—Gerald W.
Crislip.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 1341-14—Theresa B.
Boone.

Res. No. 1342-14—Shiloh Baptist
Church — 16th Anniversary.

RECOGNITION RESOLUTION

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

Res. No. 1343-14—32 Degree
Masons of the Ancient and Accept-
ed Scottish Rite Valley of Cleveland.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1324-14.

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

**An emergency ordinance authoriz-
ing the Director of Port Control to
employ one or more professional con-
sultants to provide talent manage-
ment support services and other relat-
ed services, for a period of one year,
with three one-year options to renew,
the second of which requires addition-
al legislative authority.**

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

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

Section 1. That the Director of Port
Control is authorized to employ by
contract or contracts one or more con-
sultants or one or more firms of con-
sultants for the purpose of supple-
menting the regularly employed staff
of the several departments of the City
of Cleveland in order to provide pro-
fessional services necessary to pro-
vide talent management support ser-
vices, including learning and develop-
ment as well as performance manage-
ment and enhancement services, for a
period of one year, with three one-
year options to renew, the second of
which requires additional legislative
authority. The first of the one-year
options to renew may be exercised by
the Director of Port Control, without
the necessity of obtaining additional
authority of this Council. The second
of the one-year options to renew may
not be exercised without additional
legislative authority. If such addi-
tional legislative authority is granted
and the second of the one-year options
to renew is exercised, then the third
of the one-year options to renew may
be exercisable at the option of the
Director of Port Control, without the
necessity of obtaining additional
authority of this Council.

The selection of the consultants for
the services shall be made by the
Board of Control on the nomination of
the Director of Port Control from a
list of qualified consultants available
for employment as may be determined
after a full and complete canvass by
the Director of Port Control for the
purpose of compiling a list. The com-
pensation to be paid for the services
shall be fixed by the Board of Control.
The contract or contracts authorized
shall be prepared by the Director of
Law, approved by the Director of Port
Control, and certified by the Director
of Finance.

Section 2. That the cost of the con-
tract or contracts authorized shall be
paid from Fund Nos. 60 SF 001, 60 SF
104, 60 SF 106, and 60 SF 141, Request
No. RQS 3001, RL 2014-113.

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

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

Referred to Directors of Port Control, Finance, Law; Committees on Transportation, Finance.

**Ord. No. 1325-14.
By Council Members K. Johnson and Kelley (by departmental request).**

An emergency ordinance determining the method of making the public improvement of repairing and constructing roadways, bus pads, sidewalks, driveway aprons, curbs, curb ramps, brick streets, and appurtenances and authorizing the Director of Capital Projects to enter into one or more public improvement requirement contracts for the making of the improvement, for a period not to exceed two years.

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

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

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of repairing and constructing roadways, bus pads, sidewalks, driveway aprons, curbs,

curb ramps, brick streets, and appurtenances, for the Division of Engineering and Construction, Office of Capital Projects, by one or more public improvement requirement contracts duly let to the lowest responsible bidder or bidders on a unit basis for the improvement.

Section 2. That, provided this Council authorizes and the City sells subordinated lien income tax bonds in 2015 for the purposes that include the improvement authorized in this ordinance, the Director of Capital Projects is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period not to exceed two years for the making of the above public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement for a period not to exceed the specified term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Engineering and Construction, Office of Capital Projects. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 3. That the Director of Capital Projects is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the costs of the contract or contracts shall be paid from Fund Nos. 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, and from the fund or funds to which are credited the proceeds of the sale of subordinated lien income tax bonds for 2015 if authorized by this Council and sold by the City for a purpose which includes this improvement, and shall also be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 0103, RL 2014-48)

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Capital Projects, Finance, Law; Committees on Municipal Services and Properties, Finance.

**Ord. No. 1326-14.
By Council Member Kelley (by departmental request).**

An emergency ordinance to amend Sections 30, 34, 36, 37, 39 and 40 of Ordinance No. 385-14, passed March 31, 2014, as amended, 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 the following:

Section 30 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 1123-14, passed September 22, 2014,

Section 34 of Ordinance No. 385-14, passed March 31, 2014;

Section 36 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 495-14, passed April 21, 2014,

Section 37 of Ordinance No. 385-14, passed March 31, 2014,

Section 39 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 739-14, passed July 16, 2014, and

Section 40 of Ordinance No. 385-14, passed March 31, 2014, are amended to read as follows:

Section 30. That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Animal Adoption/Volunteer Coordinator	\$20,800.00	\$45,000.00
2. Assessments Analyst	20,800.00	52,843.08
3. Budget Analyst.....	20,800.00	54,612.13
4. Buyer	20,800.00	49,930.03
5. Civil Service Examiner II.....	20,800.00	45,020.62
6. Civil Service Examiner III.....	20,800.00	51,677.50
7. Civil Service Examiner IV.....	20,800.00	64,132.45
8. Docket Clerk.....	20,800.00	37,422.27
9. Junior Personnel Assistant.....	20,800.00	40,556.67
10. Legal Secretary.....	20,800.00	47,303.11
11. Mailing Specialist.....	20,800.00	52,000.00
12. Misdemeanor Investigator	20,800.00	48,972.49
13. Office Manager	20,800.00	51,170.01
14. Paralegal.....	20,800.00	45,020.62
15. Personnel Assistant.....	20,800.00	48,871.45

16.	Private Secretary to Director.....	20,800.00	48,986.27
17.	Senior Personnel Assistant	20,800.00	51,677.50

Section 34. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Airport Maintenance Superintendent.....	\$20,800.00	\$65,041.78
2.	AMR Data Analyst	20,800.00	68,000.00
3.	Assistant Commissioner of Recreation.....	20,800.00	73,916.85
4.	Assistant Contract Compliance Officer.....	20,800.00	58,564.01
5.	Assistant Income Tax.....	20,800.00	58,564.01
6.	Assistant Manager of Audit Control and Personnel....	20,800.00	60,614.58
7.	Assistant Manager of Recreation.....	20,800.00	58,564.01
8.	Auditor.....	20,800.00	60,614.58
9.	Chief of the Demolition Bureau.....	20,800.00	58,564.01
10.	City Planner.....	30,000.00	62,541.14
11.	Deputy Commissioner of Recreation-Fiscal Control.....	20,800.00	73,916.85
12.	Deputy Project Director.....	20,800.00	64,734.08
13.	Desktop Publishing Specialist.....	20,800.00	59,870.58
14.	District Supervisor - Environmental Health.....	20,800.00	62,541.14
15.	GIS Technician	20,800.00	49,000.00
16.	Income Tax Supervisor.....	20,800.00	58,564.01
17.	Office of Professional Standards — Standards Research/Analyst.....	20,800.00	58,564.01
18.	Recreation Center Manager.....	32,500.00	73,916.85
19.	Reporter/Producer TV20	20,800.00	70,053.60
20.	Senior Electric Transmissions Operator	20,800.00	56,035.20
21.	Senior Tax Auditor.....	20,800.00	50,312.58
22.	Superintendent of Vehicle Administrative Services.....	20,800.00	72,945.53
23.	Supervisor Administrative Services-Data Processing Center.....	20,800.00	58,564.01
24.	Talent Development Assistant	20,800.00	62,000.00
25.	Talent Development Specialist	20,800.00	75,000.00
26.	Welfare Liaison.....	20,800.00	58,564.01

Section 36. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum	
1.	Accounts Payable Manager	\$22,333.40	\$72,000.00
2.	Airport Operations Superintendent.....	23,333.40	67,822.56
3.	Airport Security Coordinator.....	23,333.40	65,528.58
4.	Assistant Airport Safety Chief/ Training Officer.....	23,333.40	65,528.58
5.	Human Resources Program Planning & Management Specialist.....	22,333.40	65,528.58
6.	Assistant Manager of Stage.....	22,333.40	65,528.58
7.	Chief of Bureau of Accounts and Collections.....	22,333.40	65,528.58
8.	Chief of Bureau of Smoke Abatement.....	22,333.40	65,528.58
9.	Chief Engineer-Traffic.....	22,333.40	76,344.01
10.	Chief Senior Electric Switchboard Operator.....	22,333.40	82,416.00
11.	Chief of Tax Auditing Bureau.....	22,333.40	67,822.56
12.	Chief of Tax Records Bureau.....	22,333.40	65,528.58
13.	Deputy Commissioner of Purchases and Supplies.....	22,333.40	77,446.20
14.	Grants Administrator.....	22,333.40	77,446.20
15.	Health Center Director.....	22,333.40	77,446.20
16.	Human Resources Fiscal Administrator.....	22,333.40	65,528.58
17.	Income Tax Financial Supervisor.....	22,333.40	65,528.58
18.	Manager of Assigned Maintenance.....	22,333.40	76,344.01
19.	Manager of Parks and Recreation Research and Planning.....	22,333.40	76,344.01
20.	Manager of Parks and Urban Forestry.....	22,333.40	76,344.01
21.	Manager of Site Development.....	22,333.40	76,344.01
22.	Prevailing Wage Coordinator.....	27,193.50	69,367.62
23.	Project Director.....	22,333.40	82,706.96
24.	Programming Supervisor.....	22,333.40	65,528.58
25.	Superintendent of Sidewalks.....	22,333.40	65,528.58
26.	Warehouse Inventory Manager.....	22,333.40	82,706.96
27.	Water Business Plan Assistant Manager.....	22,333.40	82,706.96

Section 37. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Accountant Supervisor	\$23,647.11	\$74,729.73
2. Assistant Chief of Water Distribution	23,647.11	89,285.75
3. Assistant Commissioner of Assessments and Licenses	23,647.11	87,143.34
4. Assistant Commissioner, Division of Printing and Reproduction	23,647.11	87,143.34
5. Building Manager	23,647.11	80,438.24
6. Business Process Analyst	55,000.00	100,805.07
7. Chief Architect	23,647.11	104,877.59
8. Chief Auditor — Utilities	23,647.11	87,143.34
9. Chief City Planner	30,000.00	85,281.07
10. Chief, Computer Operations	23,647.11	87,143.34
11. Chief Electric Transmissions Operator	23,647.11	95,000.00
12. Chief Engineer — Civil	23,647.11	87,143.34
13. Chief Engineer — Mechanical	23,647.11	87,143.34
14. Chief Legal Investigator - Civil Branch	23,647.11	69,041.87
15. Chief of Street Lighting and Electrical Services	23,647.11	100,519.11
16. Chief of Laboratories	23,647.11	82,780.43
17. Chief of Purification	23,647.11	89,285.75
18. Convention Manager	23,647.11	80,438.24
19. Development Finance Analyst I	34,000.00	62,034.52
20. Development Finance Analyst II	51,043.20	87,567.00
21. Financial Systems Coordinator	23,647.11	69,041.87
22. Fiscal Grants Administrator	40,000.00	88,693.33
23. Fiscal Manager	23,647.11	87,143.34
24. Health Promotion Coordinator	22,333.40	79,595.52
25. Investment Manager	23,647.11	87,143.34
26. Manager of Enterprise Unit	23,647.11	80,438.24
27. Manager of Events	23,647.11	80,438.24
28. Manager of General Maintenance	23,647.11	80,438.24
29. Manager of Markets	23,647.11	80,438.24
30. Manager of Parking	23,647.11	80,438.24
31. Manager of Recreation	40,000.00	80,438.24
32. Master Plan Examiner	23,647.11	104,877.59
33. Purchasing Supervisor - Division of Purchases and Supplies	23,647.11	69,041.87
34. Secretary to the Board of Building Standards and Building Appeals	23,647.11	85,281.07
35. Secretary to the Board of Zoning Appeals	23,647.11	85,281.07
36. Security Manager	23,647.11	93,423.65
37. Senior Internal Auditor	23,647.11	69,041.87
38. Senior Programmer Analyst	23,647.11	71,459.83
39. Supervisor - Information Control	23,647.11	69,041.87
40. Theatrical Manager	23,647.11	69,041.87
41. Water Plant Manager	23,647.11	100,519.11

Section 39. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Administrative Manager	\$27,193.55	\$104,891.07
2. AMR Field Engineer	27,325.56	88,000.00
3. Assistant Commissioner of Water	27,325.56	125,945.67
4. Assistant Secretary of Sinking Fund Commission	27,325.56	100,773.99
5. Chief of Health Planning and Evaluation	27,325.56	79,843.51
6. Chief-Systems Analysis	27,325.56	100,773.99
7. Consulting Engineer	36,000.00	97,860.03
8. Disease Intervention Specialist Supervisor	47,396.28	68,182.40
9. Emergency Operations Center Manager	27,325.56	90,000.00
10. Harbor Manager	27,325.56	100,773.99
11. Health Services Administrator	27,325.56	79,843.51
12. Labor Relations Officer	27,325.56	79,843.51
13. Manager of Compensation and Classifications	27,325.56	120,000.00
14. Manager of Education and Research	27,325.56	90,312.42
15. Manager of Employee Relations	27,325.56	93,021.80
16. Manager of Equal Employment Opportunity	27,325.56	93,021.80
17. Manager of Public Safety Office of Quality Control	27,325.56	90,000.00
18. Minority Business Development Administrator	27,325.56	79,843.51
19. Project Coordinator	27,325.56	93,021.80
20. Risk Manager	27,325.56	100,773.99

21.	Senior Compensation Analyst/HRIS	27,325.56	97,830.00
22.	Superintendent of Electric Trouble Operations.....	27,325.56	79,843.51
23.	Testing, Training and Exercises Planner	27,325.56	85,000.00
24.	Water Business Plan Manager.....	27,325.56	93,021.80

Section 40. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Administrator of Engineering and Planning.....	\$30,214.95	\$115,924.76
2. Airport Chief Engineer.....	30,214.95	115,924.76
3. Assistant City Comptroller.....	41,312.22	117,075.20
4. Airport Planning Environmental Officer.....	30,214.95	91,848.40
5. Air Trade Development Manager.....	30,214.95	107,006.06
6. Assistant Director of Human Resources and Economic Development.....	30,214.95	115,924.43
7. Budget Administrator.....	30,214.95	107,006.06
8. Comptroller-Airports.....	30,214.95	115,924.76
9. Data Base Analyst.....	30,214.95	91,848.40
10. Deputy Commissioner of Cleveland Hopkins International Airport.....	30,214.95	107,006.06
11. Deputy Commissioner of Parks, Maintenance and Properties.....	30,214.95	107,006.06
12. Deputy Commissioner of Water.....	30,214.95	133,631.28
13. Deputy Commissioner of Water Pollution Control.....	30,214.95	107,006.06
14. Electric Transmission SCADA Engineer.....	30,214.95	100,773.99
15. Energy Marketing Manager.....	30,214.95	115,000.00
16. Environmental Programs Manager.....	45,000.00	89,875.90
17. Executive Commissioner of Public Safety — Operations.....	36,590.39	146,639.64
18. Executive Commissioner of Public Safety — Projects, Grants and Technology.....	36,590.39	146,639.64
19. Field Manager.....	35,000.00	61,236.86
20. Fleet Management Data Manager.....	30,000.00	68,793.87
21. GIS/IS Coordinator.....	52,000.00	96,652.20
22. In-Charge Senior Internal Auditor.....	49,500.00	86,918.31
23. Labor Relations Manager.....	30,214.95	115,924.76
24. Manager of Marketing.....	30,214.95	107,006.06
25. Manager of Plant Operations.....	30,214.95	120,000.00
26. Manager of Telecommunications.....	30,214.95	107,006.06
27. Manager of Water Distribution Systems.....	30,214.95	120,000.00
28. Nurse Practitioner.....	30,214.95	107,006.06
29. Permit Review Manager.....	30,214.95	107,006.06
30. Project Leader/Applications.....	45,000.00	94,606.21
31. Safety Programs Manager.....	30,214.95	91,848.40
32. Section Chief — Architecture & Site Development.....	40,000.00	100,773.99
33. Section Chief — Engineering & Construction.....	50,000.00	100,773.99
34. Senior Instructional Designer.....	30,214.95	92,000.00
35. Software Analyst.....	45,000.00	89,875.90
36. Superintendent of Electric Transmission and Distribution.....	50,000.00	102,337.75
37. Supervisor of Computer Operations.....	30,214.95	91,848.40
38. Supervisor Hardware Evaluation.....	30,214.95	91,848.40
39. Transmissions Operations Manager.....	30,214.95	110,000.00
40. Veterinarian in Charge of Spay and Neuter Clinic.....	30,214.95	91,848.40

Section 2. That the following existing:

Section 30 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 1123-14, passed September 22, 2014,

Section 34 of Ordinance No. 385-14, passed March 31, 2014;

Section 36 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 495-14, passed April 21, 2014,

Section 37 of Ordinance No. 385-14, passed March 31, 2014,

Section 39 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 739-14, passed July 16, 2014, and

Section 40 of Ordinance No. 385-14, passed March 31, 2014, 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.

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

**Ord. No. 1327-14.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance approving the Tax Incentive Review Council's Year 2013 recommendations.

Whereas, under Section 5709.85 of the Revised Code, if a municipal corporation grants an exemption from taxation, they shall create a Tax Incentive Review Council ("TIRC"); and

Whereas, one of the functions of the TIRC is to annually review all agreements granting exemptions from property taxation and to make recommendations to either continue, modify, or cancel their agreements based on various factors, including

fluctuations in the business cycle unique to the owner's business; and

Whereas, in compliance with Section 5709.85 of the Revised Code, the City of Cleveland has created a TIRC and the TIRC has made written recommendations on exemptions to be approved by the legislative authority; and

Whereas, under Section 5709.85 of the Revised Code, once a legislative authority receives written recommendations from a tax incentive review council, that legislative authority has sixty days after receiving the recommendations, to hold a meeting and vote to accept, reject, or modify, all or any portion of the recommendations; and

Whereas, this ordinance constitutes an emergency measure providing for

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

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

Section 1. That the TIRC's Year 2013 recommendations contained in File No. 1327-14-A are approved.

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

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

Ord. No. 1328-14.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Ohio Patrolmen's Benevolent Association Chief Dispatchers; and to amend Section 15 of Ordinance No. 385-14, passed March 31, 2014, 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 Ohio Patrolmen's Benevolent Association Chief Dispatchers, under the terms contained in File No. 1328-14-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:

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

Section 2. That Section 15 of Ordinance No. 385-14, passed March 31, 2014, is amended to read as follows:

Section 15. Ohio Patrolmen's Benevolent Association (Chief Dispatcher). That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Chief Radio Dispatcher.....	\$46,147.53	\$50,321.80

Section 3. That existing Section 15 of Ordinance No. 385-14, passed March 31, 2014, is repealed.

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

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

FIRST READING ORDINANCE REFERRED

Ord. No. 1329-14.

By Council Member Cleveland

An ordinance changing the Use, Area and Height Districts of lands bounded by East 79th Street, the New York, Chicago & St. Louis Railroad; the Pennsylvania System Railroad and the Cleveland Interurban Railroad as shown on the attached map to Semi-Industry, a 'C' Area District and a '2' Height District (Map Change No. 2504).

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

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

Beginning in the centerline of East 79th Street at its intersection with the centerline of Holton Avenue;

Thence southerly along said centerline of East 79th Street to its intersection with the centerline of the Cleveland Interurban Railroad (Rapid Transit);

Thence northeasterly along said centerline of the Cleveland Interurban Railroad to its intersection with the centerline of the Pennsylvania System Railroad;

Thence northwesterly along said centerline of the Pennsylvania System Railroad to its intersection with the New York, Chicago & St. Louis Railroad;

Thence southwesterly along said centerline of the New York, Chicago & St. Louis Railroad to its intersection with the centerline line of East 79th Street;

Thence southerly along said centerline of East 79th Street to its intersection with the centerline of Holton Avenue and the principal place of beginning;

and as shaded on the attached map is changed to a Semi-Industrial District, 'C' Area District and a '2' Height District.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of The Bernie Shuffle, on November 1, 2014, start: Voinovich Park; East 9th south to Lakeside; Lakeside east to East 18th; East 18th south to St. Clair; St. Clair west to West 6th; West 6th north to Lakeside; Lakeside east to West 3rd; West 3rd north to Erieside; Erieside east to East 9th; East 9th north to Voinovich Park—finish line; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 1333-14.

By Council Member J. Johnson.

An emergency ordinance authorizing the Director of the City Planning Commission to enter into an agreement with the St. Clair Superior Development Corporation for the AsiaTown Cultural Center feasibility Study through the use of Ward 10 Neighborhood Capital Funds, and repealing Ordinance No. 1258-14, passed September 29, 2014.

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 the Department of the City Planning Commission be authorized to enter into an agreement with the St. Clair Superior Development Corporation for the AsiaTown Cultural Center Feasibility Study for the public purpose of creating a new AsiaTown Community and Cultural Center that will serve the Asian-American community and be used to hold events that promote the Asian culture in the city of Cleveland through the use of Ward 10 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 177.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he

deems necessary to protect the City's interest.

Section 4. That Ordinance No. 1258-14, passed September 29, 2014, is hereby repealed.

Section 5. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1334-14.

By Council Member Brady.

An emergency resolution withdrawing objections to the renewal of a D1, D2, D3 and D3A Liquor Permit at 11619 Lorain Avenue, 1st floor and basement and repealing Resolution Nos. 1023-12, 1059-13 and 890-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3 and D3A Liquor Permit to Cyber Weekend, Ltd., DBA Grzejkas Place, 1st floor and basement, 11619 Lorain Avenue, Cleveland, Ohio 44102, Permanent Number 1869990 by Resolution No. 1023-12 adopted by the Council on August 8, 2012; Resolution No. 1059-13 adopted by the Council on August 14, 2013; and Resolution No. 890-14 adopted by the Council on July 16, 2014; and

Whereas, this Council wishes to withdraw its objections 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 objections to the renewal of a D1, D2, D3 and D3A Liquor Permit to Cyber Weekend, Ltd., DBA Grzejkas Place, 1st floor and basement, 11619 Lorain Avenue, Cleveland, Ohio 44102, Permanent Number 1869990 by Resolution No. 1023-12 adopted by the Council on August 8, 2012; Resolution No. 1059-13 adopted by the Council on August 14, 2013; and Resolution No. 890-14 adopted by the Council on July 16, 2014, containing such objections, be and the same are hereby repealed and that this Council consents to the immediate permit thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 1337-14.

By Council Members Kelley, Cleveland, Pruitt, Zone, Sweeney and Cimperman.

An emergency resolution supporting the clemency application of Benny Bonanno.

Whereas, Benny Bonanno is applying for clemency for a 1995 conviction; and

Whereas, after his release in 1996, Mr. Bonanno served 200 hours of community service and became employed by Minute-Men Staffing where, after 3 years, he was promoted to Director of Marketing; while at Minute-Men, Mr. Bonanno began a program to recruit potential employees from half-way houses; and

Whereas, in 1999, Bonanno joined Pubco Corporation where he is currently employed as Vice President of Sales and Director of Marketing; in this position, he was instrumental in obtaining an industrial development bond of over 3 million dollars for the purchase of new manufacturing equipment which in turn created community jobs; and

Whereas, since 2003, Bonanno has been involved with the Second Chance Program, an organization that tries to employ those that are hard to place or have had run-ins with the law; and

Whereas, in 2007, Bonanno's record was expunged; and

Whereas, since his return to society, Benny Bonanno has consistently demonstrated his commitment to the betterment of the community, to empowering the economically disadvantaged and to giving deserving individuals a second chance; and

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

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

Section 1. That this Council supports the clemency application of Benny Bonanno.

Section 2. That the Clerk of Council is directed to transmit a copy of this resolution to the Ohio Adult Parole Authority.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 1344-14.

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit at 3855-57 Pearl Road, 1st floor and basement and repealing Resolution No. 878-14, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to Reid & Ivaskovic, LLC, 3855-57 Pearl Road, 1st floor and basement, Cleveland, Ohio 44109, Permanent No. 7279515 by Resolution No. 878-14 adopted by the Council on July 16, 2014; and

Whereas, this Council wishes to withdraw its objection to the above transfer and consents to said transfer; 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 D1, D2, D3 and D3A Liquor Permit to Reid & Ivaskovic, LLC, 3855-57 Pearl Road, 1st floor and basement, Cleveland, Ohio 44109, Permanent No. 7279515, be and the same is hereby withdrawn and Resolution No. 878-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 306-14.

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

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with the County of Cuyahoga, Ohio, or its designee, to partially finance the construction of an approximately 600-room, 580,000 square feet Hotel, adjacent to the Global Center for Health Innovation and Cleveland Convention Center, to be located at 1219 Ontario Street, Cleveland; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

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

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

Those voting yea: Council Members Kevin J. Kelley, Dona Brady, Anthony Brancatelli, Joe Cimperman, Phyllis E. Cleveland, Kevin Conwell, Brian J. Cummins, TJ Dow, Jeffrey D. Johnson, Kevin J. Kelley, Kenneth L. Johnson, Martin J. Keane, Mamie J. Mitchell, Michael

D. Polensek, Terrell H. Pruitt, Zack Reed, Martin J. Sweeney, and Matthew Zone.

Those voting nay: None.

Pursuant to Rule 19 of the Rules of Council, Council Member Cimperman recused himself from the vote regarding Ordinance No. 306-14.

Ord. No. 834-14.

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

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Crown Castle NG East Inc. to encroach into the public right-of-way with 23 nodes (distributed antenna systems) to be attached to Cleveland Public Power utility poles and City of Cleveland traffic signal poles (by separate permission of the poles' owners) together with 23 ground cabinets and electrical duct banks.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Development Planning and Sustainability.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 982-14.

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1105-13, passed September 23, 2013, relating to the public improvement of cleaning, cement mortar lining, and replacing various distribution water mains in 2014 and 2015.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 1187-14.

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts without competitive bidding with Hach Company to maintain, service, calibrate, refurbish, and test various scientific and in-line process analytical instruments used to monitor the drinking water purification process manufactured by Hach Company, for the Division of Water, Department of Public Utilities, for a period of three years.

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

1. In the title, strike the last line and insert "period of two years, with a one-year option to renew, exercisable through additional legislative authority."

2. In Section 1, line 5, strike "period of three years" and insert "period of two years, with a one-year option to renew, exercisable through additional legislative authority".

Amendments agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

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

Ord. No. 1203-14.

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

An emergency ordinance ratifying and approving the emergency repair of the Ridgeland Circle sewer and stabilization of the slope in accordance with the Mayor's Emergency Repair letter of July 16, 2014.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

MOTION

The Council Meeting adjourned at 7:47 p.m. to meet on Monday, October 13, 2014, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

October 1, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 1, 2014 at 10:50 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson.

Others: D. Anthony, Acting Director, Office of Equal Opportunity.

Tiffany White, Commissioner, Division of Purchases & Supplies.

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

Resolution No. 464-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Ferguson Enterprises Inc. dba Ferguson Waterworks for an estimated quantity of ductile iron pipe and fittings, items 12, 13, 17 and 138, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on

July 16, 2014 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$94,543.00 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 465-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of HD Supply Waterworks, Ltd. for an estimated quantity of ductile iron pipe and fittings, items 8-10, 15, 16, 18 and 19, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on July 16, 2014 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$166,211.50 (0%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 466-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Simplified Alternatives Inc. for an estimated quantity of ductile iron pipe and fittings, items 2-7, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on July 16, 2014 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$130,285.00 (0%, 30 Days), is affirmed and

approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 467-14.

By Director Bender.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Trumbull Industries, Inc. for an estimated quantity of ductile iron pipe and fittings, items 1, 11, 14 and 20-137, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on July 16, 2014 under the authority of Section 129.25 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$154,798.97 (0%, 25 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services necessary for the specified items.

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

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 468-14.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that all bids received for the purchase of recycle bins for the Department of Port Control, received July 30, 2014, under the authority of Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976 are rejected.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 469-14.

By Director Cox.

Whereas, under the authority of Ordinance No. 922-07 passed by the Council of the City of Cleveland on February 8, 2010, this Board of Control, by its Resolution No. 238-12, adopted May 30, 2012, the City, through the Director of Public

Works, entered into Contract No. PI2012-028 with SONA Construction LLC for Gym Floor Restoration at various recreation centers, for the Department of Public Works in the aggregate amount of \$91,400.00; and

Whereas, SONA Construction LLC wishes to use the services of an additional subcontractor; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by SONA Construction LLC under the above-mentioned Contract No. PI2012-028 is approved:

Subcontractor	Amount Percentage
The Ohio Floor Company (other)	TBD 0%

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 470-14.

By Director Cox.

Be it resolved by the Board of Control of the City of Cleveland that the bids received on September 9, 2014 for the Jefferson Ave. - Green Infrastructure Improvements for the Department of Public Works, pursuant to the authority of Ordinance No. 727-13, passed by the Council of the City of Cleveland on May 20, 2013, are rejected.

Yeas: Directors Langhenry, Dumas, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 471-14.

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. 130-04-110 located at 3321 East 121st Street; and

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

Whereas, Delois Miller and Gregory C. Miller 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 either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed 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 Delois Miller and Gregory C. Miller for the sale and development of Permanent Parcel No. 130-04-110 located at 3321 East 121st 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, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 472-14.

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. 134-18-089 located at 7812 Connecticut Avenue; and

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

Whereas, Lenora Nowden 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 either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Lenora Nowden for the sale and development of Permanent Parcel No. 134-18-089 located at 7812 Connecticut 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, Acting Director Shaw, Directors Smith, Cox, Parrilla, McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

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 stated in the examination announcement.

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 27, 2014

9:30 A.M.

Calendar No. 14-184: 2341 East 79th Street (Ward 7)

Fairfax Development Organization, owner, and Cleveland Botanical Garden lessee, appeals to erect 50 linear feet of 6 foot high chain link fence in the front yard of a parcel located in a C1 Multi-Family Residential District contrary to Section 337.24(b)(1) of the Cleveland Codified Ordinances which states that a fence located within the required front yard of an agricultural use in a residential district cannot exceed four feet in height and 6 feet are proposed. (Filed September 16, 2014)

Calendar No. 14-185: 2345 East 79th Street (Ward 7)

Fairfax Development Organization, owner, and Cleveland Botanical Garden lessee, appeals to erect 50 linear feet of 6 foot high chain link fence in the front yard of a parcel located in a C1 Multi-Family Residential District contrary to Section 337.24(b)(1) of the Cleveland Codified Ordinances which states that a fence located within the required

front yard of an agricultural use in a residential district cannot exceed four feet in height and 6 feet are proposed. (Filed September 16, 2014)

Calendar No. 14-186: 2347 East 79th Street (Ward 7)

Fairfax Development Organization, owner, and Cleveland Botanical Garden lessee, appeals to erect 50 linear feet of 6 foot high chain link fence in the front yard of a parcel located in a C1 Multi-Family Residential District contrary to Section 337.24(b)(1) of the Cleveland Codified Ordinances which states that a fence located within the required front yard of an agricultural use in a residential district cannot exceed four feet in height and 6 feet are proposed. (Filed September 16, 2014)

Calendar No. 14-187: 2353 East 79th Street (Ward 7)

Fairfax Development Organization, owner, and Cleveland Botanical Garden lessee, appeals to erect 50 linear feet of 6 foot high chain link fence in the front yard of a parcel located in a C1 Multi-Family Residential District contrary to Section 337.24(b)(1) of the Cleveland Codified Ordinances which states that a fence located within the required front yard of an agricultural use in a residential district cannot exceed four feet in height and 6 feet are proposed. (Filed September 16, 2014)

REINSTATED FROM JULY 28, 2014

Calendar No. 14-045: 4384 Lee Road (Ward 1)

Johnny Abounader, owner, appeals to establish use as motor vehicle repair and used auto sales in a C1 Local Retail Business District and contrary to Section 343.01 (b) of the Cleveland Codified Ordinances a motor vehicle repair garage is not permitted in a Local Retail Business District but first permitted in a Semi-Industry District per Section 345.03(c)(2); and used auto sales is not permitted in a Local Retail Business District but first permitted in a General Retail Business District per Section 343.11(b)(2)(H)(4); and pursuant to Section 349.04 a detailed parking plan showing location of striped, accessory off-street parking spaces is required to determine compliance with parking count requirements and no plan was submitted, said detailed plan should have also shown areas used for accessory off-street parking being paved and drained per Section 349.07 and no detail is given; and subject to Section 352.08-12 a six foot wide frontage strip providing 50% year round opacity is required where parking abuts the street and none is shown; and subject to Section 341.02(a) exterior alterations of site in a designated Design Review District requires the review and approval of the City Planning Commission. (Filed March 24, 2014)

Reinstatement was approved due to miscommunication with appellant and City Planning Commission Staff.

POSTPONED FROM SEPTEMBER 15, 2014

Calendar No. 14-144: 511 East 140th Street (Ward 8)

Gillota Fuel Products, owner, proposes to expand existing motor vehicle service station by adding a 209

square foot addition on an irregular shaped parcel located in a D2 Local Retail Business District. The owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

- 1. Section 343.01 which states that a motor vehicle service station is not permitted in a Local Retail Business District.
2. Section 343.11(b)(2)(I)(1) which states that a service station is first permitted in a General Retail Business District.
3. Section 343.14(a)(1) requires a 6' high wall or fence where the use abuts a residential district and no fence is proposed.
4. Section 359.01 states that an expansion of a nonconforming use requires Board of Zoning Appeals approval.

Appeal Administrative Decision
Calendar No. 14-161: 511 East 140th Street (Ward 8)

Gillota Fuel Product, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances in dispute of the decision rendered by the City of Building and Housing Department in issuing Notice of Nonconformance S14021603; B14021603, issued July 29, 2014 for the property located at 511 East 140th Street regarding failure to comply with Sections 343.01, 343.11(b)(2)(1)(I), 343.14(a)(1) and 359.01 in the Cleveland Codified Ordinances.

First postponement made at the request of the appellant in order for the appellant to meet with the City Planning Commission.

POSTPONED FROM SEPTEMBER 29, 2014

Calendar No. 14-142: 3675 East 65th Street (Ward 12)

Bethel Church, owner, proposes to change use from Funeral Home to Art Gallery in an A1 One Family Residential District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

- 1. Section 337.02 which states that an art gallery is not a permitted use in the One Family Residential District; Section 334.01 states that an art gallery is first permitted in a Local Retail Business District.
2. Section 349.04(e) requires a minimum of 41 parking spaces and 2 are provided.
3. Section 359.01(a) states that substitution of a nonconforming use requires Board of Zoning Appeals approval.

First postponement made at the request of the development corp. to allow for a public meeting to be held.

POSTPONED FROM SEPTEMBER 22, 2014

Calendar No. 14-163: 10400 Clifton Boulevard (Ward 15)

Smith Ford Realestate, owner, and Christina Anderson tenant proposes

to expand the existing beauty supply store and salon to include tattoo in the premise located in an A1 One-Family Residential District. The owner appeals from the strict application of the following sections of the Cleveland Codified Ordinances:

- 1. Section 337.02 which states that in a One-Family Residential District tattoo, beauty supply store and salon are not permitted. Per Section 343.01 a beauty supply store and salon are first permitted in Local Retail Business.
2. Section 349.04(g) which states that 2 additional off-street parking spaces are required; none are proposed.
3. Section 359.01(a) states that an expansion of a nonconforming use requires the Board of Zoning Appeals approval.

First postponement made at the request of the appellant.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 6, 2014

At the meeting of the Board of Zoning Appeals on Monday, October 6, 2014, the following appeals were scheduled for hearing before the Board.

The following appeals were APPROVED:

Calendar No. 14-171: 19302 Kilson Avenue
Daniel K. Findley, owner, appealed to install a 6 foot high fence in the side yard of a 55' x 120' parcel located in an A1 One Family Residential District.

Calendar No. 14-174: 2039 West 19th Street
Gia Hoosien, owner, appealed to erect a two story 3,779 square foot single family residence with an in-law suite above located on a 6,000 square foot lot located in a B1 Two-Family Residential District.

Calendar No. 14-175: 14614 Lakeshore Boulevard
Mike Chappel, owner, appealed to erect a 6 foot tall iron fence in the front yard of a parcel located in a C2 Multi-Family Residential District.

Calendar No. 14-176: 14620 Lakeshore Boulevard
Jaeger Development, owner, appealed to erect a 6 foot tall iron fence in the front yard of a parcel located in a C2 Multi-Family Residential District.

The following appeals were DENIED:

None.

The following appeal was WITHDRAWN:

Calendar No. 14-77: 16625 Euclid Avenue
SNS Properties, LLC., owner, appealed to establish use as a motor vehicle service garage on a parcel located in a D2 Local Retail Business District.

The following appeals were DISMISSED:

None.

The following appeals were POSTPONED:

Calendar No. 14-172: Denise Moore-Toth
3478 West 44th Street. Postponed to October 20, 2014.

Calendar No. 14-173: M & H Investment Co.
15201 Chatfield Avenue. Postponed to November 3, 2014.

The following appeals were heard by the Board on September 29, 2014 and the decisions were adopted and approved on October 6, 2014:

The following appeals were APPROVED:

Calendar No. 14-134: 12516 Buckeye Road
Michael Feigenbaum, owner, appealed to change use to barber shop in a C2 Residence Office District.

Calendar No. 14-167: 3204 Carroll Avenue
R2N, LLC, owner, appealed to expand existing non-conforming parking lot by adding 7 spaces and landscaping on a corner lot in a B1 Two Family Residential District.

Calendar No. 14-168: 2037 West 45th Street
Al & Beth Mancuso appealed to install an enclosure to keep 3 goats on a 7,990 square foot parcel in a B1 Two-Family Residential District.

Calendar No. 14-169: 1755 East 33rd Street
B.R. Knez, owner, appealed to construct a new single family dwelling with a detached garage on a 30' x 130' parcel in a B1 Two-Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Tuesday, October 21, 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 Tuesday, October 21, 2014, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 1423-12.

By Council Members Brancatelli and Cleveland.

An ordinance changing the Use District of land on both sides of E. 55th Street from McBride Avenue to Hamlet Avenue to Multi-Family Residential (Map Change Number 2410).

Ord. No. 1468-12.

By Council Members Cleveland and Mitchell.

An ordinance changing the Use District of lands located on the north side of Morgan at E. 68th Street to E. 76th Street to Semi-Industry (Map Change Number 2419).

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

October 8, 2014 and October 15, 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 minor-

ity 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, OCTOBER 22, 2014

File No. 113-14 — Necessary Labor for the Maintenance and Repair of Low/Medium Voltage Electrical Equipment for Various Divisions of Port Control, for the Division of Cleveland Hopkins Airport, 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, OCTOBER 10, 2014 AT 10:00 A.M. FEDERAL SERVICES BUILDING CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5301 WEST HANGER ROAD, CLEVELAND, OHIO 44135.

October 1, 2014 and October 8, 2014

THURSDAY, OCTOBER 23, 2014

File No. 114-14 — Purchase of Wood Poles, Crossarms and Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, OCTOBER 9, 2014 AT 11:30 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

October 1, 2014 and October 8, 2014

FRIDAY, OCTOBER 24, 2014

File No. 111-14 — Men's Locker Room & Window Improvement Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1554-13, passed by the Council of the City of Cleveland, February 10, 2014.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, OCTOBER 10, 2014 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

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

File No. 115-14 — Purchase of Labor and Materials to Refurbish and Repair of Electric Motors, Controls, Motor Transformers, Circuit Breakers, Switchgears and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 803-14, passed by the Council of the City of Cleveland, July 16, 2014.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, OCTOBER 9, 2014 AT 11:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, 2ND FLOOR CONFERENCE ROOM, CLEVELAND, OHIO 44114.

October 1, 2014 and October 8, 2014

FRIDAY, OCTOBER 31, 2014

File No. 112-14 — Highland Road 54" Steel Transmission Main Cathodic Protection System, for the Division of Water, Department of Public Utilities, as authorized by Ordinance Nos. 444-10, 1052-12, 609-14, passed by the Council of the City of Cleveland, June 7, 2010, October 8, 2012, June 9, 2014.

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

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, OCTOBER 9, 2014 AT 10:00 A.M. THE DIVISION OF WATER, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44108.

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

October 1, 2014 and October 8, 2014

THURSDAY, OCTOBER 23, 2014

File No. 117-14 — Police Impound Lot 2 Roof Replacement, for the Division of Architecture and Site Development, Department of Public Works and the Mayor's Office of Capital Projects, as authorized by Section 185.01 of the Codified Ordinances of Cleveland, Ohio, 1976.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, OCTOBER 17, 2014 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 119-14 — 2015 Ready Mix-Concrete, for the various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1193-14, passed by the Council of the City of Cleveland, September 22, 2014.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, OCTOBER 16, 2014 AT 1:30 P.M. CLEVELAND CITY HALL, THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

October 8, 2014 and October 15, 2014

WEDNESDAY, OCTOBER 29, 2014

File No. 116-14 — Highland Park Mausoleum Hazardous Conditions Abatement, for the Division of Architecture and Site Development, Department of Public Works and the Mayor's Office of Capital Projects, as authorized by Ordinance No. 537-12, passed by the Council of the City of Cleveland, May 14, 2012.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, OCTOBER 16, 2014 AT 1:00 P.M. CLEVELAND CITY

HALL, CONFERENCE ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 118-14 — 2014 Cellular Wireless (Re-bid), for the Division of Information Technology and Services, Department of Finance, as authorized by Ordinance No. 305-14, passed by the Council of the City of Cleveland, March 17, 2014.

THERE WILL BE A **MANDATORY** PRE-BID MEETING MONDAY, OCTOBER 20, 2014 AT 10:00 A.M. 205 ST. CLAIR, ROOM 307, CLEVELAND, OHIO 44113.

THE CITY OF CLEVELAND WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.

October 8, 2014 and October 15, 2014

THURSDAY, OCTOBER 30, 2014

File No. 120-14 — 2014-2015 City Wide Unarmed, Uniformed Security Guards Services, for the various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1130-14, passed by the Council of the City of Cleveland, September 22, 2014.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, OCTOBER 23, 2014 AT 3:00 P.M. CLEVELAND CITY HALL, ROOM 514, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

October 8, 2014 and October 15, 2014

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 837-14. By Council Members Zone, K. Johnson and Brancatelli (by departmental request).

An emergency resolution declaring the intent to vacate a portion of Father Caruso Drive N.W., West 73rd Street and West 74th Street.

Whereas, this Council is satisfied that there is good cause to vacate a portion of, Father Caruso Drive N.W., West 73rd Street and West 74th Street as described; and

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

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

Section 1. That this Council declares its intent to vacate a portion of the following described real property:

LEGAL DESCRIPTION OF A PART OF FATHER CARUSO DRIVE, WEST 73RD STREET AND WEST 74TH STREET

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot Number 30 and 31 and further bounded and described as follows:

Beginning at an iron pin monument marking the centerline intersection of Father Frascati Avenue (variable width) and West 73rd Street (50 feet wide);

Thence N 00°33'18" E, along said centerline of West 73rd Street, a distance of 76.71 feet to a point;

Thence N 89°26'42" W, a distance of 25.00 feet to a point on the westerly line of said West 73rd Street and the principal point of beginning of the premises herein intended to be described;

Course No. 1: Thence N 00°33'18" E, along said westerly line of West 73rd Street, a distance of 313.46 feet to its intersection with the southerly line of Father Caruso Drive (52 feet wide);

Course No. 2: Thence S 63°31'18" W, along said southerly line of Father Caruso Drive, a distance of 191.24 feet to its intersection with the easterly line of West 74th Street (60 feet wide);

Course No. 3: Thence S 00°01'18" E, along said easterly line of West 74th Street, a distance of 275.20 feet to its intersection with the northerly line of said Father Frascati Avenue;

Course No. 4: Thence S 89°58'42" W, along said northerly line of Father Frascati Avenue, a distance of 60.00 feet to a point on the westerly line of said West 74th Street;

Course No. 5: Thence N 00°01'18" W, a distance of 303.42 feet to its intersection with the northerly line of said Father Caruso Drive;

Course No. 6: Thence N 63°31'18" E, along said northerly line of Father Caruso Drive, a distance of 637.13 feet to its intersection with the northerly prolongation of the westerly line of West 70th Street (60 feet wide);

Course No. 7: Thence S 00°11'33" W, along said northerly prolongation of the westerly line of West 70th Street, a distance of 67.15 feet to its intersection with the southerly line of said Father Caruso Drive;

Course No. 8: Thence N 79°45'40" W, along said southerly line of Father Caruso Drive, a distance of 16.73 feet to an angle point therein;

Course No. 9: Thence S 63°31'18" W, continuing along said southerly line of Father Caruso Drive, a distance of 240.06 feet to a point of curved turnout between said Father Caruso Drive and West 73rd Street;

Course No. 10: Thence along the arc of said curved turnout, deflecting to the left, 114.82 feet, said curve having a radius of 104.48 feet, delta angle of 62°58'00", and a chord which bears S 32°02'18" W, a distance of 109.13 feet to a point of tangency;

Course No. 11: Thence S 00°33'18" W, along the easterly line of said West 73rd Street, a distance of 277.22 feet to a point;

Course No. 12: Thence N 89°26'42" W, a distance of 50.00 feet to the principal point of beginning and containing 1.4964 acres of land as described by John E. Jansky, Registered Surveyor Number 6640 of The C.W. Courtney Company, in May 2014, be the same or less, but subjected to all legal highways.

Bearings used herein are based on assumed meridian and are used to indicate angles only.

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

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

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

Adopted September 29, 2014.
Effective October 1, 2014.

Res. No. 1220-14.

By Council Member Kelley (by departmental request).

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

Whereas, this Council, under the provisions of law, has adopted a Tax Budget for the fiscal year commencing January 1, 2015; and

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

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

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

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

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

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

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

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

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

Adopted September 29, 2014.
Effective September 29, 2014.

Res. No. 1221-14.

By Council Member Kelley (by departmental request).

An emergency resolution requesting the County Fiscal Officer to make advances during the year 2015, pursuant to Section 321.34, Ohio Revised Code.

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

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

Section 1. That under Section 321.34 of the Revised Code, the County Fiscal Officer is hereby requested to draw, and the County Treasurer to

pay on draft or drafts made payable to the Treasury of the City of Cleveland, any money that may be in the County Treasury from time to time during the year 2015 and credited to the account of the City of Cleveland and lawfully applicable to the purpose of the 2015 fiscal year, during which year such request will be made. The payments to be made from time to time in accordance with the schedule set by Cuyahoga County.

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

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the

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

Adopted September 29, 2014.
Effective September 29, 2014.

Res. No. 1259-14.

By Council Member Cimperman.
An emergency resolution withdrawing objection to a New C1 Liquor Permit at 2033 Ontario Street and repealing Resolution No. 883-14, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit to 2033 Ontario Street by Resolution No. 883-14 adopted by the Council on July 16, 2014; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit to Divya Jivan, Inc., DBA Downtown Convenience, 2033 Ontario Street, Cleveland, Ohio 44115, Permanent Number 2208740, be and the same is hereby withdrawn and Resolution No. 883-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted September 29, 2014.
Effective October 1, 2014.

Res. No. 1260-14.

By Council Member Zone.

An emergency resolution withdrawing objections to a New C1 Liquor Permit at 5110 Clark Avenue & Drive Up Window and repealing Resolution Nos. 683-13 and 948-13, objecting to said permit.

Whereas, this Council objected to a New C1 Liquor Permit to 5110 Clark Avenue & Drive Up Window by Resolution Nos. 683-13 adopted by the Council on May 6, 2013 and by Resolution No. 948-13 adopted by the Council on July 10, 2013; and

Whereas, this Council wishes to withdraw its objections 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 objections to a New C1 Liquor Permit to Tuhin, Inc., 5110 Clark Avenue & Drive Up Window, Cleveland, Ohio 44102, Permanent Numbers 9089530 and 9089530005, be and the same is hereby withdrawn and Resolution Nos. 683-13 and 948-13, containing such objections, 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 September 29, 2014.
Effective October 1, 2014.

Res. No. 1261-14.

By Council Member Zone.

An emergency resolution withdrawing objections to the renewal of a C1 Liquor Permit at 5110 Clark Avenue & Drive Up Window and repealing Resolution Nos. 1050-13 and 1051-13, objecting to said renewal.

Whereas, this Council objected to the renewal of a C1 Liquor Permit to Clark Petroleum, LLC, 5110 Clark Avenue & Drive Up Window, Cleveland, Ohio 44102, Permanent Number 1525519005 by Resolution No. 1050-13 adopted by the Council on August 14, 2013 and to the renewal at Tuhin, Inc., 5110 Clark Avenue & Drive Up Window, Cleveland, Ohio 44102, Permanent Numbers 9089530 and 908953005 by Resolution No. 1051-13, adopted by the Council on August 14, 2013; and

Whereas, this Council wishes to withdraw its objections 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 objections to the renewal of a C1 Liquor Permit to Clark Petroleum, LLC, 5110 Clark Avenue & Drive Up Window, Cleveland, Ohio 44102, Permanent Number 1525519005 and Tuhin, Inc., 5110 Clark Avenue & Drive Up Window, Cleveland, Ohio 44102, Permanent Numbers 9089530 and 9089530005 be, and the same are hereby withdrawn and Resolution Nos. 1050-13 and 1051-13, containing such objections, be and the same are 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 September 29, 2014.
Effective October 1, 2014.

Res. No. 1262-14.

By Council Member Conwell.

An emergency resolution objecting to the transfer of location of a C1 and C2 Liquor Permit to 917 East 105th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a C1 and C2 Liquor Permit from Raja Foods, Inc., DBA

Eddie's Mini Mart, 907 East 105th Street, 1st floor, Cleveland, Ohio 44108, Permanent Number 7178815 to Nadeen Foods, Inc., 917 East 105th Street, Cleveland, Ohio 44108, Permanent Number 6280919; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a C1 and C2 Liquor Permit from Raja Foods, Inc., DBA Eddie's Mini Mart, 907 East 105th Street, 1st floor, Cleveland, Ohio 44108, Permanent Number 7178815 to Nadeen Foods, Inc., 917 East 105th Street, Cleveland, Ohio 44108, Permanent Number 6280919; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted September 29, 2014.
Effective October 1, 2014.

Ord. No. 833-14.**By Council Members K. Johnson and Brancatelli (by departmental request).****An emergency ordinance to amend the title and Section 1 of Ordinance No. 894-12, passed October 29, 2012, relating to an encroachment permit to Crown Castle NG East Inc. to encroach into the public right-of-way with nodes and duct banks at various locations.**

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

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

Section 1. That the title and Section 1 of Ordinance No. 894-12, passed October 29, 2012, are amended to read as follows:

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Crown Castle NG East Inc. to encroach into the public right-of-way with 24 nodes (distributed antenna systems) to be attached to Cleveland Public Power utility poles and City of Cleveland traffic signal poles (by separate permission of the poles' owners) along with 24 ground cabinets and 25 duct banks to connect existing AT&T manholes and ground cabinets for the nodes.

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Crown Castle NG East Inc., 2000 Corporate Drive, Canonburg, PA 15317 ("Permittee") to encroach into the public right-of-way of various streets by installing, using, and maintaining 24 nodes (distributed antenna systems) to be attached to Cleveland Public Power utility poles and City of Cleveland traffic-signal poles (by separate permission of the poles' owners) along with 24 ground cabinets and 25 duct banks to connect existing AT&T manholes and ground cabinets for the nodes, at 36 inches minimum depth, at the locations more fully described as follows:

Address	Pole Type	Owner
1951 Superior Avenue East	Fiberglass Streetlight	CPP
1534 Superior Avenue East	Fiberglass Streetlight	CPP
1218 Superior Avenue East	Steel Traffic Pole	City
602 Superior Avenue East	Steel Traffic Pole	City
2007 SR-14/US-422	Steel Traffic Pole	City
2168 SR-14/US-422	Steel Streetlight	CPP
2329 SR-14/US-422	Steel Streetlight	CPP
1955 East 9th Street	Steel Traffic Pole	City
2212 East 9th Street	Steel Traffic Pole	City
1363 Euclid Avenue	Steel Traffic Pole	City
1745 Euclid Avenue	Steel Traffic Pole	City
1803 Carnegie Avenue	Steel Traffic Pole	City
2104 Prospect Avenue	Steel Traffic Pole	City
2103 Chester Avenue	Steel Traffic Pole	City
2413 Chester Avenue	Wood Streetlight	CPP
2396 Euclid Avenue	Steel Traffic Pole	City
222 St. Clair Avenue NE	Steel Traffic Pole	City
208 W. Lakeside Avenue	Steel Streetlight	CPP
597 E. Lakeside Avenue	Steel Traffic Pole	City
1019 Lakeside Avenue E	Concrete Streetlight	CPP
904 St. Clair Avenue NE	Steel Traffic Pole	City
903 W. Superior Avenue	Steel Traffic Pole	City
1088 East 9th Street	Fiberglass Streetlight	CPP
520 Erieside Avenue	Fiberglass Streetlight	CPP

Duct Bank Locations

Node: VRZCL01A

Address: 1951 Superior Avenue East

Affected Intersections: Superior Avenue East and East 21st Street, and Superior Avenue East and East 19th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 170B located 52 feet northwest of the centerline of Superior Avenue East along East 21st Avenue, thence 17 feet southeast along East 21st Street to a bend, thence 316 feet southwest running 5 feet southeast of and parallel to the northwestern curb line of Superior Avenue East to a bend, thence northwest 7 feet to an existing CPP street light pole and terminus point of the proposed duct line.

Node: VRZCL02A

Address: 1534 Superior Avenue East

Affected Intersections: Superior Avenue East and East 15th Street, Lindazzo Avenue and East 15th Street, and Rockwell Avenue and East 15th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 103D at the intersection of East 15th Street and Rockwell Avenue, thence 20 feet northeast to a bend, thence 395 feet southeast running 2 feet southwest of and parallel to the northeastern curb line of East 15th Street to a bend, thence 49 feet northeast along Superior Avenue East to a bend, thence 4 feet southeast to an existing CPP street light pole and terminus point of the proposed duct line.

Node: VRZCL03A

Address: 1218 Superior Avenue East

Affected Intersection: Superior Avenue East and East 12th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 160B located 55 feet south of Superior Avenue East in East 12th Street, thence 9 feet northwest along East 12th Street to a bend, thence 70 feet northeast across East 12th Street to an existing CPP street light pole and terminus point of the proposed duct line.

Node: VRZCL04A

Address: 602 Superior Avenue

Affected Intersection: Superior Avenue and East 6th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 129H located 37 feet south of Superior Avenue in East 6th Street, thence 3 feet northwest along East 6th Street to a bend, thence 52 feet northeast across East 6th Street to a bend, thence southeast 6 feet to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL05G

Address: 2007 Ontario Street

Affected Intersection: South Roadway and Ontario Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 77F located 150 feet southeast of the centerline of South Roadway in Ontario Street, thence 70 feet northwest running 10 feet north-east of and parallel to the southeastern curb line of Ontario Street to a bend, thence northeast 12 feet to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL06A

Address: 2168 Ontario Street

Affected Intersection: 150'-180' south of the Ontario Street and High Street intersection

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 79D located 154' south of the centerline of High Street in Ontario Street, thence 25 feet northwest across Ontario Street to a bend, thence 65 feet southwest along Ontario Street to an existing CPP street light pole and terminus point of the proposed duct line.

Node: VRZCL07B

Address: 2329 Ontario Street

Affected Intersections: Ontario Street and Bolivar Road, and Ontario Street and Eagle Avenue

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at manhole 321-2 located 43 feet southeast of the centerline of Bolivar Road along the northeastern curb line of Ontario Street, thence 43 feet southeast running 4 feet behind the northeastern curb line of Ontario Street, thence 12 feet northeast to an existing CPP street light pole and terminus point of the proposed duct line.

Node: VRZCL08A

Address: 1955 East 9th Street

Affected Intersection: Euclid Avenue and East 9th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 55C located 38 feet northeast of East 9th Street in Euclid Avenue, thence 17 feet north across Euclid Avenue to a bend, thence northwest 29 feet to a bend, thence west 7 feet to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL09B

Address: 2212 East 9th Street

Affected Intersection: Bolivar Road and East 9th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at AT&T manhole 157J located 40 feet southeast of the centerline of Bolivar Road in East 9th Street, thence 26 feet southwest across East 9th Street to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL10A

Address: 1363 Euclid Avenue

Affected Intersection: Euclid Avenue and East 14th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 57"I" located 31' north-east of the centerline of East 14th Street in Euclid Avenue, thence 19 feet north across Euclid Avenue to a bend, thence west 14 feet to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL11A

Address: 1745 Euclid Avenue

Affected Intersections: Euclid Avenue and East 18th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 57H located 13 feet east of the centerline of East 18th Street in Euclid Avenue, thence 41 feet west along Euclid Avenue to a bend, thence 29 feet north across Euclid Avenue to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL12B

Address: 1803 Carnegie Avenue

Affected Intersection: Carnegie Avenue and East 18th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at AT&T manhole 32B in the island at the southwest corner of the East 18th Street and Carnegie Avenue intersection, thence 96 feet southeast across East 18th Street to a bend on the eastern side of East 18th Street, thence 214' north along East 18th Street to an existing CPP traffic light pole in the northeast corner of said intersection and terminus point of the proposed duct line.

Node: VRZCL13A

Address: 2104 Prospect Avenue

Affected Intersection: Prospect Avenue and East 21st Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 96C located 38 feet west of East 21st Street in Prospect Avenue, thence 50 feet east along Prospect Avenue to a bend, thence 46 feet toward the southern curb line of Prospect Avenue to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL14C

Address: 2103 Chester Avenue

Affected Intersections: Chester Avenue and East 21st Street, and Payne Avenue & East 21st Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 85C located 11 feet south of the centerline of Payne Avenue in East 21st Street, thence 760 feet south running 4 feet west of and parallel to the eastern curb line of East 21st Street and crossing Chester Avenue to an existing CPP street light pole and terminus point of the proposed duct line.

Node: VRZCL15A

Address: 2413 Chester Avenue

Affected Intersections: Payne Avenue and East 24th Street, Payne Court and East 24th Street, I-90 Ramps and East 24th Street, and Chester Avenue and East 24th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 86B located 18 feet west of the centerline of East 24th Street in Payne Avenue, thence 25 feet east along Payne Avenue to a bend, thence 860 feet south running 4 feet west of and parallel to the eastern curb line of East 24th Street to a bend around the northeastern corner of East 24th Street and Chester Avenue, thence 85 feet east along Chester Avenue to a bend, thence 4' north to an existing CPP street light pole and terminus point of the proposed duct line.

Node: VRZCL016A

Address: 2396 Euclid Avenue

Affected Intersection: Euclid Avenue and East 24th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 59E located adjacent to the centerline of East 24th Street in Euclid Avenue, thence 13 feet south across Euclid Avenue to a bend, thence 70 feet west along Euclid Avenue to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL17A

Address: 222 St. Clair Avenue

Affected Intersection: St. Clair Avenue and West Mall Drive

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 117A located 116' southwest of the intersection of St. Clair Avenue and West Mall Drive, thence 48 feet northeast along St. Clair Avenue to a bend, thence 45 feet southeast across St. Clair Avenue to an existing CPP street light pole and terminus point of the proposed duct line.

Node: VRZCL18A

Address: 208 Lakeside Avenue W

Affected Intersection: Lakeside Avenue and Ontario Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 76A located 18 feet southwest of the centerline of Ontario Street in Lakeside Avenue, thence 34 feet southwest along Lakeside Avenue to a bend, thence 15 feet northwest across Lakeside Avenue to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL19A

Address: 597 Lakeside Avenue East

Affected Intersection: Lakeside Avenue East and East 6th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 74A located 17 feet southwest of the centerline of East 6th Street in Lakeside Avenue East, thence 37 feet southwest along Lakeside Avenue East to a bend, thence 10 feet northeast across Lakeside Avenue East to an existing CPP traffic light pole and terminus point of the proposed duct line.

Node: VRZCL20A

Address: 1019 Lakeside Avenue East

Affected Intersection: 155'-355' northwest of East 9th Street on Lakeside Avenue East

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 306-1 located 155 feet northeast of the centerline of East 9th Street in Lakeside Avenue East, thence 24 feet northeast along Lakeside Drive East, thence 28 feet on an angle to Lakeside Avenue East to a bend, thence 149 feet northeast running 4 feet southeast of and parallel to the northwestern curb line of Lakeside Avenue East to a bend, thence northwest 6 feet to an existing CEI street light pole and terminus point of the proposed duct line.

Node: VRZCL21A

Address: 904 St. Clair Avenue Northeast

Affected Intersection: St. Clair Avenue Northeast and East 9th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 119D located 136 feet northeast of the centerline of East 9th Street in St. Clair Avenue NE, thence 65 feet southeast across St. Clair Avenue NE to a bend, thence southwest running 4 feet northwest of and parallel to the southeastern curb line of St. Clair Avenue NE to a bend, thence southeast 5 feet to an existing CEI street light pole and terminus point of the proposed duct line.

Node: VRZCL22A

Address: 903 West Superior Avenue

Affected Intersections: West Superior Avenue and Superior Avenue, and West 9th Street and West Huron Road

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 126E located 60' northwest of the centerline of West Superior Avenue in Superior Avenue, thence southeast 110 feet across Superior Avenue to an existing CEI street light pole and terminus point of the proposed duct line.

Node: VRZCL23B

Address: 1088 East 9th Street

Affected Intersection: Erieside Avenue and East 9th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 344-1 located 460' southwest of the East 9th Street centerline on West 9th Street, thence 451 feet north behind the eastern curb line of Erieside Avenue to an existing CEI street light pole and terminus point of the proposed duct line.

Node: VRZCL24B

Address: 520 Erieside Avenue

Affected Intersection: Erieside Avenue and Alfred Lerner Way

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 376-5 located 93 feet northeast of the northwestern leg of Erieside Avenue along the northeastern portion of Erieside Avenue, thence 165 feet northeast along the back of the southeastern curb line of Erieside Avenue to an existing CPP street light pole and terminus point of the proposed duct line.

Node: HUBB Location

Address: 1100 Carnegie Avenue

Affected Intersection: Carnegie Avenue and East 9th Street

Metes & Bounds of Conduit Path in Right-of-Way: Beginning at existing AT&T manhole 26A located 165 feet northeast of the centerline of East 9th Street in Carnegie Avenue, thence 85 feet northeast along Carnegie Avenue to a bend, thence southeast 30 feet across Carnegie Avenue to the HUBB located at 1100 Carnegie Avenue and terminus point of the proposed duct line.

Section 2. That the existing title and Section 1 of Ordinance No. 894-12, passed October 29, 2012, 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 September 29, 2014.

Effective October 1, 2014.

**Ord. No. 835-14.
By Council Members K. Johnson
and Brancatelli (by departmental
request).**

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to K&D Management LLC to encroach into the public right-of-way of East 9th Street, Superior Avenue, and Walnut Avenue by installing, using, and maintaining permanent streetscape improvements.

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 Capital Projects is authorized to issue a permit, revocable at the will of Council, to K&D Management LLC, 4420 Sherwin Road, Willoughby, Ohio 44094 ("Permittee"), to encroach into the public right-of-way of East 9th Street, Superior Avenue, and Walnut Avenue by installing, using, and maintaining permanent streetscape improvements including, but not limited to, curbed tree pits and grates, irrigation lines and appurtenances, fencing for outdoor dining area, lighted planters and electrical ducts, "Column"-style pedestrian lights and electrical ducts, 8" by 36" bollards, ramp and railing, at the following location:

**Encroachment Permit Area
1717 East 9th Street
Cleveland, Ohio**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot No. 167, said premises being more particularly bounded and described as follows:

Beginning at the intersection of the northeasterly line of East 9th Street (formerly Erie Street), 99 feet wide, and the southeasterly line of Superior Avenue N. E., 132 feet wide;

Course No. 1: thence South 33°-59'-50" East along the northeasterly line of East 9th Street, a distance of 132.83 feet to its intersection with the northwesterly line of Walnut Avenue N. E., 66 feet wide;

Course No. 2: thence North 55°-53'-43" East along the northwesterly line of Walnut Avenue N. E., a distance of 137.00 feet to a point;

Course No. 3: thence South 34°-06'-17" East, a distance of 15.00 feet to a point;

Course No. 4: thence South 55°-53'-43" West, a distance of 130.78 feet to a point of curvature;

Course No. 5: thence northwesterly along the arc of a curve deflecting to the right, a distance of 31.38 feet to a point of tangency, said curve having a radius of 20.00 feet, a central angle of 89°-53'-33", a tangent distance of 19.96 feet, and a chord which bears North 79°-03'-04" West, 28.26 feet;

Course No. 6: thence North 33°-59'-50" West, a distance of 128.81 feet to a point of curvature;

Course No. 7: thence northeasterly along the arc of a curve deflecting to the right, a distance of 42.51 feet to a point of tangency, said curve having a radius of 27.00 feet, a central angle of 90°-12'-10", a tangent distance of 27.10 feet, and a chord which bears North 10°-54'-05" East, 38.25 feet;

Course No. 8: thence North 55°-48'-00" East, a distance of 143.65 feet to a point;

Course No. 9: thence South 34°-12'-00" East, a distance of 28.00 feet to a point on the southeasterly line of Superior Avenue N. E.;

Course No. 10: thence South 55°-48'-00" West along the southeasterly line

of said Superior Avenue N. E., a distance of 157.00 feet to the place of beginning, said premises containing 0.198 acre of land more or less, as prepared in June of 2014 by Robert A. Dorner, Registered Professional Land Surveyor No. 6943 on behalf of McSteen & Associates, Inc. under Project No. 14-080 and being subject to all legal highways and easements of record.

The basis of bearings for this survey is North 55°-48'-00" East as the centerline of Superior Avenue N. E., as evidenced by monuments found, and is the same bearing as found in Volume 365 of Maps, Pages 78 and 79 of Cuyahoga County Records.

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

Section 2. That Permittee may assign the permit only with the prior written consent of the Director of Capital Projects. That the encroaching structure(s) permitted by this ordinance shall conform to plans and specifications first approved by the Manager of Engineering and Construction. That Permittee shall obtain all other required permits, including but not limited to Building Permits, before installing the encroachment(s).

Section 3. That the Director of Law shall prepare the permit authorized by this ordinance and shall incorporate such additional provisions as the director determines necessary to protect and benefit the public interest. The permit shall be issued only when, in the opinion of the Director of Law, a prospective Permittee has properly indemnified the City against any loss that may result from the encroachment(s) permitted.

Section 4. That the permit shall reserve to the City reasonable right of entry to the encroachment location(s).

Section 5. That this ordinance is declared to be an emergency measure

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

Passed September 29, 2014.
Effective October 1, 2014.

**Ord. No. 983-14.
By Council Members Pruitt and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Public Utilities to enter into an amendment to Contract No. CT 2002 2010-257 with Itron, Inc. to complete the implementation of the Automatic Meter Reading System Program.

Whereas, under Ordinance No. 775-07, passed July 11, 2007, as amended by Ordinance No. 513-10, passed May 10, 2010, this Council authorized Contract No. CT 2002 2010-257 with Itron, Inc. to implement a meter automation, replacement, and water loss control program, known as the Automatic Meter Reading System Program (the "AMR Program"); and

Whereas, additional deployment and minor plumbing services for the remaining residential and commercial accounts are necessary in order to complete the implementation of the AMR Program; and

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

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

Section 1. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. CT 2002 2010-257 with Itron, Inc. to provide additional deployment and minor plumbing services for the remaining residential and commercial accounts that are necessary in order to complete the implementation of the AMR Program.

Section 2. That the contract amendment shall be prepared by the Director of Law.

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 September 29, 2014.
Effective October 1, 2014.

**Ord. No. 986-14.
By Council Members Brancatelli and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Community Development to enter into contracts with Cuyahoga County and various non-profit agencies for the implementation of homeless assistance activities.

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

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

Section 1. That the Director of Community Development is authorized to

enter into one or more contracts with Cuyahoga County and various non-profit agencies for the implementation of homeless assistance activities.

Section 2. The aggregate cost of the contracts authorized shall not exceed \$2,284,617, and shall be paid from Fund Nos. 14 SF 039, 14 SF 040, 19 SF 661, and 19 SF 681, RQS 8006, RL 2014-94.

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 September 29, 2014.
Effective October 1, 2014.

**Ord. No. 1191-14.
By Council Member Kelley (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of office supplies, furniture, and equipment for the various divisions of City government, for a period of two years with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the necessary items of office supplies, furniture, and equipment in the approximate amount as purchased during the preceding term, for the term of two years, with two one-year options to renew, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Finance, without the necessity of obtaining additional authority of this Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RQN 1505, RL 2014-40)

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

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

Passed September 29, 2014.
Effective October 1, 2014.

**Ord. No. 1218-14.
By Council Members K Johnson and Brancatelli (by departmental request).**

An emergency ordinance authorizing the Director of Capital Projects to lease certain property located in the Flats Development Area to Flats East Development LLC, or their designee, for the purpose of constructing and maintaining public access roads into the Flats and for programming, for a period up to ninety-nine years.

Whereas, the City of Cleveland owns certain property located in the Flats Development Area which is not needed for the City's public use; and

Whereas, Flats East Development LLC, or their designee ("Developer"), has proposed to lease the property from the City; and

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

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

Section 1. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Capital Projects is authorized to lease to Developer, certain property located in the Flats Development Area, which is not needed for the City's public use and is more fully depicted in the map placed in File No. 1218-14-B.

Section 2. That the term of the lease authorized by this ordinance shall not exceed ninety-nine years.

Section 3. That the property authorized by this ordinance shall be leased at a rental of \$1.00 per year, and other valuable consideration, which is determined to be fair market value, exclusive of utilities.

Section 4. That the lease may authorize the Lessee to make improvements to the leased premises for the purpose of constructing and maintaining public access roads into the Flats and for programming subject to the approval of appropriate City agencies and officials.

Section 5. That the lease shall be prepared by the Director of Law and shall contain such terms as further described in the file referenced above.

Section 6. That the Director of Capital Projects, the Director of Law, and other appropriate City officials are authorized to execute any other documents and certificates, and take any

other actions which may be necessary or appropriate to effect the lease authorized by this ordinance.

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

Passed September 29, 2014.
Effective October 1, 2014.

**Ord. No. 1222-14.
By Council Member Kelley (by departmental request).**

An emergency ordinance authorizing the purchase by one or more requirement contracts of hand tools and hand-held power tools, for the various divisions of City government, for a period of two years, with an option to renew for one year, exercisable through additional legislative authority.

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for the term of two years, with an option to renew for one year exercisable through additional legislative authority, for the necessary items of hand tools and hand-held power tools in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies upon a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance

shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 1505, RL 2014-43)

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

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

Passed September 29, 2014.
Effective October 1, 2014.

**Ord. No. 1258-14.
By Council Member J. Johnson.**

An emergency ordinance authorizing the Director of the City Planning Commission to enter into an agreement with the St. Clair Superior Development Corporation for the AsiaTown Cultural Center Feasibility Study through the use of Ward 8 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of the City Planning Commission be authorized to enter into an agreement with the St. Clair Superior Development Corporation for the AsiaTown Cultural Center Feasibility Study for the public purpose of creating a new AsiaTown Community and Cultural Center that will serve the Asian-American community and be used to hold events that promote the Asian culture in the city of Cleveland through the use of Ward 8 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000 and shall be paid from Fund No. 10 SF 177.

Section 3. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed September 29, 2014.
Effective October 1, 2014.

COUNCIL COMMITTEE MEETINGS

**Monday, October 6, 2014
9:30 a.m.**

Health and Human Services Committee: Present: Cimperman, Chair; Mitchell, Vice Chair; Brady, Cleveland, Conwell, Cummins, J. Johnson.

2:00 p.m.

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

**Tuesday, October 7, 2014
9:30 a.m.**

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

1:30 p.m.

Utilities Committee: CANCELLED.

**Wednesday, October 8, 2014
9:00 a.m.**

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

10:00 a.m.

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

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O—Ordinance; R—Resolution; F—File

Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;

Bold type in sections indicates amendments

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