

The City Record

Official Publication of the Council of the City of Cleveland



November the Twenty-Sixth, 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 Tasky, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 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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WEDNESDAY, NOVEMBER 26, 2014

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CITY COUNCIL

MONDAY, NOVEMBER 24, 2014

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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, November 24, 2014

The meeting of the Council was called to order at 7:08 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, T.J. Dow, Jeffrey D. Johnson, Kevin J. Kelley, Kenneth L. Johnson, Martin J. Keane, Mamie J. Mitchell, Michael D. Polensek, Terrell H. Pruitt, Zack Reed, and Matthew Zone.

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Silliman, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Chief of Public Affairs Natoya Walker-Minor, and Directors Langhenry, Smith, Spronz, McGrath, Cox, Rush, Southerington, Nichols, Griffin, Collier, Fumich, and Burrows.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Rabbi Emeritus Alan Lettofsky, Beth Israel-West Temple, Cleveland, Ohio (Ward 17). Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1550-14.
From Kevin J. Kelley, Council President, Cleveland City Council. Designating Allan Dreyer as Clerk

Pro Tempore November 18-23, 2014. Received.

File No. 1560-14.

From Kevin J. Kelley, Council President, Cleveland City Council. Making appointments to the City of Cleveland Consumers Council Advisory Board. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 1561-14.

RE: #7642564. Transfer of Ownership Application, D2 D2X D3 D3A D6. S & P East 4 Woolworth, LLC, 2040 East 4th Street (Ward 3). Received.

File No. 1562-14.

RE: #1116014. Transfer of License Application, D5 D6. Burlap, Inc., 2710 Lorain Avenue (Ward 3). Received.

File No. 1563-14.

RE: #24554180001. Transfer of Location Application, D5. 18 Euc Lastchance, Inc., 1220 Huron Road E. (Ward 3). Received.

File No. 1564-14.

RE: #3820520. Transfer of Ownership Application, C1 C2 D6. Hibba Riffatqadeer, Inc., 4161 West 150th Street (Ward 16). Received.

File No. 1565-14.

RE: #2600068. Transfer of Ownership Application, C2 C2X. FJN 3596, Inc., 3590 Bosworth Road (Ward 11). Received.

File No. 1566-14.

RE: #00037080001. Transfer of Location Application, C2. AJD Gas, LLC, 2701 Chester Avenue (Ward 7). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1578-14—Virginia Elizabeth Krumholz.

Res. No. 1586-14—Edward K. (Steponavicius) Stephens.

Res. No. 1587-14—Michael J. Birt.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 1579-14—Friendship Baptist Church — 96th Anniversary.

Res. No. 1580-14—Lillian Davis.

Res. No. 1581-14—Rick A. Kemm.

Res. No. 1582-14—Denny Bucar.

RECOGNITION RESOLUTION

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

Res. No. 1583-14 Dr. Kingman P. Strohl.

APPRECIATION RESOLUTION

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

Res. No. 1584-14—Joseph S. Baskovic.

WELCOME RESOLUTION

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

Res. No. 1585-14—Reverend Kenneth D. Thomas.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 1551-14.****By Council Member Cleveland.**

An emergency ordinance to waive the setting fees at Woodland Cemetery for a monument honoring veterans of the War of 1812.

Whereas, there are veterans of the War of 1812 buried in Woodland Cemetery; and

Whereas, the Woodland Cemetery Foundation is erecting a memorial to these veterans and has requested a waiver of the setting fees; and

Whereas, such waiver must be granted by legislation; 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, any and all codified ordinances to the contrary notwithstanding, this council hereby directs the Director of Public Works or his designee to waive the setting fees at Woodland Cemetery for a monument honoring veterans of the War of 1812.

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

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

Ord. No. 1552-14.

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

An emergency ordinance to amend the title and Section 17 of Ordinance No. 1325-12, passed December 3, 2012, relating to improving the East 79th Street bridge; and to supplement the ordinance by adding new Section 16a to cause payment to the State for the City's share of the improvement.

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 17 of Ordinance No. 1325-12, passed December 3, 2012, are amended to read as follows:

An Emergency Ordinance authorizing the Director of Capital Projects to employ one or more professional consultants to design the improvement to the East 79th Street Bridge; authorizing the Commissioner of Purchases and Supplies to acquire and record for right-of-way purposes such real property as is necessary to make the public improvement; authorizing the Director to enter into any agreements relative thereto; authorizing the Director to apply for and accept gifts and grants from any public or non-profit entity for the improvement; authorizing the Director to accept cash contributions from the Greater Cleveland Regional Transit Authority, Northeast Ohio Regional Sewer District, and private utility companies for costs associated with the improvement and to enter into agreements; giving consent of the City of Cleveland to the State of Ohio for the improvement to the East 79th Street Bridge; and to cause payment to the State for the City's share of the improvement.

Section 17. That the cost of the contracts, property acquisition, and other expenditure authorized in this ordinance shall be paid from Fund Nos. 20 SF 380, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, **20 SF 554, 20 SF 563, 20 SF 657, 52 SF 001, 54 SF 001, and 58 SF 001, and any and all funds approved by the Director of Finance, including future bond funds if issued for this purpose, RQS 0103, RL 2012-117 and RQS 0103, RL 2014-145.**

Section 2. That the existing title and Section 17 of Ordinance No. 1325-12, passed December 3, 2012, are repealed.

Section 3. That Ordinance No. 1325-12, passed December 3, 2012, is supplemented by adding new Section 16a to read as follows:

Section 16a. That the City authorizes payment to the State of Ohio for the City's share of the improvement.

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 Capital Projects, Finance, Law; Committees on Municipal Services and Properties, Finance.

Ord. No. 1553-14.

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a grant from the Northeast Ohio Regional Sewer District to partially finance a portion of the sewer and stormwater infrastructure improvements in association with the Flats East Bank Phase II Development; and authorizing one or more contracts with Flats East Development, LLC, or its designee, to implement the project.

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

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

Section 1. That the Director of Economic Development is authorized to apply for and accept a grant in an amount up to \$518,420, from the Northeast Ohio Regional Sewer District to partially finance a portion of the sewer and stormwater infrastructure improvements in association with the Flats East Bank Phase II Development as described in the executive summary below; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 1553-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Economic Development is authorized to enter into one or more contracts with Flats East Development, LLC, or its designee, to implement the project.

Section 4. That the contract or contracts authorized by this ordinance shall be prepared by the Director of Law.

Section 5. That the cost of the contract or contracts authorized will be paid from the fund or subfunds that are credited the proceeds of the grant accepted under this ordinance.

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

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

Ord. No. 1554-14.

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

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Institute for Intergovernmental Research for the FY 14 Nationwide Crime Analysis Capability Building Project; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

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 Safety is authorized to apply for and accept a grant in the approximate amount of \$300,000, and any other funds that may become available during the grant term from the Institute for Intergovernmental Research to conduct the FY 14 Nationwide Crime Analysis Capability Building Project; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes

described in the budget and proposal for the grant contained in the file described below.

Section 2. That the budget and proposal for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1554-14-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety is authorized to extend the term of the grant during the grant term.

Section 4. That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter,

purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 5. That the Director of Public Safety is authorized to enter into one or more contracts with various agencies, entities, or individuals, including but not limited to, Cuyahoga County, the Northeast Ohio Regional Fusion Center, Kent State University, Elsie Day, and David Licate to implement the grant as described in the file.

Section 6. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under 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.

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

Ord. No. 1555-14.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Teamsters, Local 507; and to amend Section 9 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 Teamsters, Local 507, under the terms contained in File No. 1555-14-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 9 of Ordinance No. 385-14, passed March 31, 2014, is amended to read as follows:

Section 9. Teamsters Local 507. That salaries in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

		Minimum	Maximum
1	Correctional Officer.....	\$16.95	\$18.98
2	Guard.....	16.95	17.91

Section 3. That existing Section 9 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.

Ord. No. 1556-14.

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

An emergency ordinance authorizing the Director of Capital Projects to accept a donation of land from the Ohio Department of Transportation located at West 11th Street and West 12th Street and I-490; to enter into an agreement with ODOT for the donation; and to enter into a property adoption agreement with Tremont West Development Corporation to maintain the land and pathway.

Whereas, the Ohio Department of Transportation ("ODOT") owns property located at West 11th Street and West 12th Street and I-490; and

Whereas, Tremont West Development Corporation ("Tremont West") has obtained permission from ODOT to construct a foot path on the property near I-490 that connects West 11th Street and West 12th Street and which leads to the West 11th Street pedestrian bridge crossing I-490 and into the heart of Tremont; and

Whereas, ODOT wishes to donate the land upon which the path is located to the City of Cleveland after which Tremont West will maintain the land and the pathway; 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 Capital Projects is authorized to accept, on behalf of the City of Cleveland, a donation of land from ODOT located at West 11th Street and West 12th Street and I-490, more fully described as follows:

LEGAL DESCRIPTION FOR
STATE OF OHIO PROPERTY
(Part of P.P.N.
008-04-061, -062, -063, -101 and -102)
WEST 11TH STREET AND
WEST 12TH STREET
CREATING
PARCEL "A"
Situated in the City of Cleveland,
County of Cuyahoga and State of Ohio

and known as being part of Sublot Nos. 20, 21 and 22 in the F. Branch Re-Subdivision of part of the Original Brooklyn Township Lot No. 71, as shown by the plat recorded in Volume 8, Page 4 of Cuyahoga County Map Records and bounded and described as follows:

Beginning at a drill hole in a stone found at the intersection of the centerline of West 11th Street (formerly Merchant Avenue) (50 feet wide) and the centerline of Castle Avenue S.W. (66 feet wide);

Thence North 01° 09' 38" West along the centerline of West 11th Street, 840.90 feet to a point;

Thence South 88° 49' 12" West, 25.00 feet to a 5/8"x30" iron pin set at the northeasterly corner of land conveyed to West 11th Street Properties LLC (P.P.N. 008-04-064 and P.P.N. 008-04-142) by deed dated July 30, 2007 and recorded in Auditor's File Number 200707300721 of Cuyahoga County Deed Records on the westerly right of way of West 11th Street and being 314.83 feet right of the centerline of

Interstate 490, Station 953 +.84.87 at the **Principal Place of Beginning** of the premises herein described;

Thence South 88° 49' 12" West along the northerly line of land so conveyed to West 11th Street Properties LLC, 176.71 feet to a 5/8"x30" iron pin set on the easterly right of way of West 12th Street (formerly Noyes Street) (50 feet wide);

Thence North 01° 09' 38" West along the easterly right of way of West 12th Street, 14.92 feet to a 5/8"x30" iron pin set on the southerly Limited Access of Interstate 490;

Thence North 64° 30' 27" East along the southerly Limited Access of Interstate 490, 109.67 feet to a 5/8"x30" iron pin set at an angle point and being 234.71 feet right of the centerline of Interstate 490, Station 953 + 29.36;

Thence North 39° 19' 14" East continuing along the southerly Limited Access of Interstate 490, 118.27 feet to a 5/8"x30" iron pin set on the westerly right of way of said West 11th Street and being 171.58 feet right of the centerline of Interstate 490, Station 954 + 29.37;

Thence South 01° 09' 38" East along the westerly right of way of West 11th Street, 150.00 feet to the **Principal Place of Beginning**, containing 0.2712 acres of land (11,812 Sq. Ft.) as surveyed and described by Edward B. Dudley, PS No. 6747, of the Riverstone Company in July 2014, and subject to all legal highways, restrictions, reservations and easements.

Note: All 5/8"x30" iron pins set and capped "Riverstone Company-Dudley PS6747"

Basis of Bearings: The centerline of Interstate 490 as North 71° 34' 56" East on the Centerline Plat as shown on the plat recorded in Volume 191, Page 28 of Cuyahoga County Map Records.

Legal Description approved by Greg Esber, Chief Surveyor, September 24, 2014

Section 2. That the Director of Capital Projects is authorized to enter into an Agreement with ODOT, for the donation, and to execute all documents on behalf of the City of Cleveland necessary to effectuate this ordinance.

Section 3. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 and Section 131.23 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Capital Projects is authorized to enter into a property adoption agreement with Tremont West to maintain the land and the pathway.

Section 4. That this property adoption shall not be construed as a conveyance of any right, title, or interest in public property, but is the grant of a privilege revocable at the will of Council.

Section 5. That the property adoption agreement shall be prepared by the Director of Law.

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

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance.

Ord. No. 1557-14.
By Council Member Conwell (by departmental request).

An emergency ordinance designating East 112th Street between Primrose Avenue and Superior Avenue with a secondary and honorary designation of "Steve Harvey Way".

Whereas, the citizens of Cleveland want to recognize Steve Harvey with a street sign designation of "Steve Harvey Way"; 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 East 112th Street between Primrose Avenue and Superior Avenue is designated with a secondary and honorary designation of "Steve Harvey Way".

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 adoption 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 Law; Committee on Finance.

Ord. No. 1558-14.
By Council Members Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with Exelis for the purchase of not to exceed seventy-five vehicle squitter units, including installation and maintenance, for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period of one year with three one-year options to renew, the second of which requires 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 this Council determines that the within commodities are non-competitive and cannot be secured from any source other than Exelis. Therefore the Director of Port Control is authorized to make one or more written contracts with Exelis on the basis of its proposal dated November 7, 2014, for the purchase of not to exceed seventy-five vehicle squitter units, including installation, and for maintenance of the units for a period of one year with three one-year options to renew, to be purchased by the Commissioner of Purchases and Supplies, for the Division of Cleveland Hopkins International Airport, Department of Port Control. 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 additional 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.

Section 2. That The contract or contracts authorized shall be paid from Fund Nos. 60 SF 141 and 60 SF 317, RQS 3001, RL 2014-141.

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. 1559-14.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to enter into a Lease by Way of Concession with the Cleveland Browns Stadium Co., LLC for operation of a parking lot, owned by the City of Cleveland, for members of the media during Cleveland Browns games, for a period of five years with one five-year option to renew.

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 any provision of the Codified Ordinances of Cleveland, Ohio, 1976 to the contrary, the Director of Public Works is authorized to enter into a Lease By Way of Concession with the Cleveland Browns Stadium Co., LLC for the use and occupancy of approximately 32 parking spaces, owned by the City of Cleveland, to provide parking for members of the media during Cleveland Browns games and more fully described as follows:

Legal Description for Lease to Browns for Media Parking Lot
Part of PPN 101-02-018

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lots Numbers 12, 13, and 14, and also a part of land now or formerly owned by the City of Cleveland, as Cuyahoga County Auditor's Parcel No. 101-02-018, being more definitely described as follows:

Commencing at the intersection of the centerlines of Lakeside Avenue (99.00 feet wide) and West 3rd Street (99.00 feet wide), said point witnessed by an iron pin found 0.37 feet South of said intersection;

Thence North 33°57' 39" West along the centerline of West 3rd Street, 842.92 feet to a point therein;

Thence North 56°02' 09" East, 49.50 feet to a point in the Easterly line of said West 3rd Street;

Thence continuing North 56°02' 09" East, 533.35 feet to a point and the principal place of beginning;

Thence continuing North 56°02' 09" East, 371.20 feet to a point;

Thence South 63°58' 30" East, 99.84 feet to a point set on the Northerly line of land conveyed to Amtrak by deed recorded in Volume 14865, Page 193 of Cuyahoga County Records;

Thence South 59°23' 11" West, along said Northerly line 429.06 feet to a point therein;

Thence North 27°16'52" West, 61.80 feet to the place of beginning and containing within said boundaries an area of 0.6722 acres of land, be the same more or less, but subject to an easement for ingress and egress over the entire parcel described above, and appurtenant to an adjacent parcel of land leased to the Regional Transit Authority, and all legal highways, and restrictions of records.

Section 2. That the annual rent shall be \$14,000 for ten (10) games and \$600.00 per day for use during any other event at the Cleveland Browns Stadium, subject to approval of appropriate City officials. The term shall commence on the date of execution of the Agreement and, unless sooner terminated, shall expire five years thereafter, with one option to renew for a five-period, exercisable by the Director of Public Works. If the option to renew is exercised, the annual rent for the option term shall be \$15,000 for ten (10) games and \$600.00 per day for use during any other event at the Cleveland Browns Stadium, subject to approval of appropriate City officials.

Section 3. That the Lease by Way of Concession authorized shall be prepared by the Director of Law.

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

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

Ord. No. 1568-14.

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

An emergency ordinance authorizing the Director of Economic Development to file any documents necessary, including but not limited to, a Petition for Zone Certification, to the Ohio Director of Development Services Agency to obtain approval to change the maximum term of tax abatements from ten to fifteen years, as now allowed under Ohio law.

Whereas, under Ordinance No. 948-95, passed June 19, 1995, this Council designated the City of Cleveland as an Urban Jobs and Enterprise Zone under Section 5809.61-62 of the Revised Code; and

Whereas, Ordinance No. 948-95 authorized the Director of Economic Development to file any documents necessary to obtain the certification by the Ohio Director of Development of the proposed Urban Jobs and Enterprise Zone pursuant to Section 5709.61-62 of the Revised Code and this Council requested that the Ohio Director of Development grant the certification, which it did; and

Whereas, the City desires to increase the term of its tax abatements from 10 years to 15 years, as now allowed under Ohio law, and needs to obtain the approval of the Director of Development to grant the change to the City of Cleveland's certification which was obtained under the authority of Ordinance No. 948-85; and

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

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

Section 1. That the Director of Economic Development is authorized to file any documents necessary, including but not limited to, a Petition for Zone Certification, to the Ohio Director of Development Services Agency to obtain approval to change the maximum term of tax abatements from ten to fifteen years, as now allowed under Ohio law.

Section 2. That a copy of the legislative summary, a copy of the Petition for Zone Certification, and a copy of the letter dated November 6, 2014 addressed to the Chief Legal Counsel of the Cleveland Board of Education are placed in File No. 1568-14-A.

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

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

Ord. No. 1569-14.

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell a portion of City-owned property no longer needed for public use located at 9845 Darrow Road in Twinsburg, Ohio, to the City of Twinsburg; and authorizing the Director of Public Utilities to execute a deed of easement granting certain temporary ingress, egress, and construction rights in property no longer needed for public use and located at 9845 Darrow Road which are necessary for the City of Twinsburg's SR 91 widening/Glenwood Drive Roundabout Project.

Whereas, the Director of Public Utilities has requested the sale of a portion of the City-owned property located at 9845 Darrow Road in Twinsburg, Ohio, to the City of Twinsburg necessary for the City of Twinsburg's SR 91 widening/Glenwood Drive Roundabout Project; and

Whereas, the City of Twinsburg has requested the Director of Public Utilities to convey certain temporary easement rights in City-owned property located at 9845 Darrow Road to the City of Twinsburg; and

Whereas, the City of Twinsburg requires a temporary easement needed for ingress, egress, and construction purposes; and

Whereas, both the requested portion of the City-owned property located at 9845 Darrow Road and the temporary easement area are not needed for the City's public use and are not useful in the City's operation of the Water Division ("CWD"); and

Whereas, the aggregate book value of the requested portion of the City-owned property located at 9845 Darrow Road is less than one percent (1%) of the book value of CWD's total assets as of year-end 2013; and

Whereas, the sale proceeds for the portion of the City-owned property

located at 9845 Darrow Road shall be deposited in Fund No. 52 SF 300 and shall be applied to the City-owned property or facilities at 9845 Darrow Road and shall otherwise be applied to any lawful purpose of CWD; 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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the portion of property located at 9845 Darrow Road and further identified as a portion of Summit County Permanent Parcel No. 64-01410 is no longer needed for the City's public use and described as follows:

Parcel 4-WD

Situated in the City of Twinsburg, County of Summit, State of Ohio and being a part of Original Twinsburg Township Lot 10, Tract 2 as conveyed to City of Cleveland (hereinafter known as the "Grantor") by O.R. 439, Page 972 of said county records:

Being a parcel of land lying on the right and right side of the centerline of right of way of S.R. 91 as part of the SUM-91-21.11 Centerline Plat recorded in Reception No. _____ of the records of Summit County and being bounded and described as follows:

Beginning at the intersection of the centerline of right of way of S.R. 91 (variable width) with the centerline of right of way of Post Rd (60 feet wide), said intersection point being witnessed by a 1 inch iron pin in a monument box found bearing North 90 Degrees 00 Minutes 00 Seconds West, a distance of 0.22 feet; thence North 10 Degrees 54 Minutes 08 Seconds East, along the centerline of right of way of said S.R. 91, a distance of 36.17 feet to a point; thence South 79 Degrees 05 Minutes 52 Seconds East, perpendicular to said centerline, a distance of 30.00 feet to the intersection point of the east right of way line of said S.R. 91 with the north right of way line of said Post Rd, said intersection point being the southwest corner of the Grantor's parcel and being 30.00 feet right of Sta. 633 + 12.52 of the centerline of right of way of S.R. 91, said corner also being the TRUE PLACE OF BEGINNING for the parcel hereinafter described, thence in a clockwise direction along the following ten (10) courses and distances;

1. Thence North 10 Degrees 54 Minutes 08 Seconds East, along the Grantor's west line and the east right of way line of said S.R. 91, a distance of 56.71 feet to a point;

2. Thence northerly along said line and a tangential curve to the right having a radius of 2834.79 feet, a central angle of 04 Degrees 32 Minutes 25 Seconds, a chord bearing North 13 Degrees 10 Minutes 20 Seconds East, a chord distance of 224.58 feet, an arc length of 224.64 feet to a point;

3. Thence North 15 Degrees 26 Minutes 33 Seconds East, along said line, a distance of 90.94 feet to the Grantor's northwest corner and the southwest corner of a parcel conveyed to The City of Twinsburg (Reception #54306275);

4. Thence North 87 Degrees 51 Minutes 43 Seconds East, along the Grantor's north line and the south line of said City of Twinsburg parcel, a

distance of 9.44 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set;

5. Thence South 15 Degrees 26 Minutes 33 Seconds West, a distance of 93.79 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set;

6. Thence southerly along a tangential curve to the left having a radius of 2825.79 feet, a central angle of 04 Degrees 32 Minutes 25 Seconds, a chord bearing South 13 Degrees 10 Minutes 20 Seconds West, a chord distance of 223.86 feet, an arc length of 223.92 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set;

7. Thence South 10 Degrees 54 Minutes 08 Seconds West, a distance of 0.45 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set;

8. Thence southeasterly along a tangential curve to the left having a radius of 44.00 feet, a central angle of 68 Degrees 03 Minutes 54 Seconds, a chord bearing South 23 Degrees 07 Minutes 49 Seconds East, a chord distance of 49.25 feet, an arc length of 52.27 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set;

9. Thence South 57 Degrees 09 Minutes 46 Seconds East, a distance of 15.65 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set on the Grantor's south line and the north right of way line of said Post Rd.;

10. Thence North 89 Degrees 44 Minutes 53 Seconds West, along said line, a distance of 51.97 feet to the TRUE PLACE OF BEGINNING.

The above described tract contains 0.0926 acres, more or less, and subject to all easements, restrictions and covenants of record.

The above described area is contained within Summit County Parcel Number 64-01410.

The Basis of Bearing is Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(CORS96).

Section 2. That the conveyance to sell a portion of Summit County Permanent Parcel No. 64-01410, authorized in Section 1, shall be made by warranty deed prepared by the Director of Law and executed by the Director of Public Utilities on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require.

Section 3. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that a temporary interest in the following described property is not needed for the City's public use:

Parcel 4-TV

Situated in the City of Twinsburg, County of Summit, State of Ohio and being a part of Original Twinsburg Township Lot 10, Tract 2 as conveyed to City of Cleveland (hereinafter known as the "Grantor") by O.R. 439, Page 972 of said county records:

Being a parcel of land lying on the right side of the centerline of right of way of S.R. 91 as part of the SUM-91-21.11 Centerline Plat recorded in Reception No. _____ of the records of Summit County and being bounded and described as follows:

Beginning at the intersection of the centerline of right of way of S.R. 91 (variable width) with the centerline of right of way of Post Rd (60 feet wide), said intersection point being

witnessed by a 1 inch iron pin in a monument box found bearing North 90 Degrees 00 Minutes 00 Seconds West (due west), a distance of 0.22 feet; thence North 10 Degrees 54 Minutes 08 Seconds East, along the centerline of right of way of said S.R. 91, a distance of 36.17 feet to a point; thence South 79 Degrees 05 Minutes 52 Seconds East, perpendicular to said centerline, a distance of 30.00 feet to the intersection point of the east right of way line of said S.R. 91 with the north right of way line of said Post Rd, said intersection point being the southwest corner of the Grantor's parcel; thence South 89 Degrees 44 Minutes 53 Seconds East, along the Grantor's south line and the north right of way line of said Post Rd., a distance of 51.97 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set; thence North 57 Degrees 09 Minutes 46 Seconds West, a distance of 15.65 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set; thence northwesterly along a tangential curve to the right having a radius of 44.00 feet, a central angle of 07 Degrees 08 Minutes 39 Seconds, a chord bearing North 53 Degrees 35 Minutes 27 Seconds West, a chord distance of 5.48 feet, an arc length of 5.49 feet to a point, said point being 61.62 feet right of Sta. 633 + 30.33 of the centerline of right of way of S.R. 91 and also being the TRUE PLACE OF BEGINNING for the parcel hereinafter described, thence in a clockwise direction along the following nine (9) courses and distances:

1. Thence northwest along a non-tangential curve to the right having a radius of 44.00 feet, a central angle of 60 Degrees 55 Minutes 15 Seconds, a chord bearing North 19 Degrees 33 Minutes 30 Seconds West, a distance of 44.61 feet, an arc length of 46.78 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set;

2. Thence North 10 Degrees 54 Minutes 08 Seconds East, a distance of 0.45 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set;

3. Thence north along a tangential curve to the right having a radius of 2825.79 feet, a central angle of 04 Degrees 32 Minutes 25 Seconds, a chord bearing North 13 Degrees 10 Minutes 20 Seconds East, a distance of 223.86 feet, an arc length of 223.92 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set;

4. Thence North 15 Degrees 26 Minutes 33 Seconds East, a distance of 93.79 feet to a 5/8 inch by 30 inch rebar with cap "GPD" set on the Grantor's north line and the south line of a parcel conveyed to The City of Twinsburg (Reception #54306275);

5. Thence North 87 Degrees 51 Minutes 43 Seconds East along said line, a distance of 7.34 feet to a point;

6. Thence South 15 Degrees 26 Minutes 33 Seconds West, a distance of 96.01 feet to a point;

7. Thence south along a tangential curve to the left having a radius of 2818.79 feet, a central angle of 04 Degrees 32 Minutes 25 Seconds, a chord bearing South 13 Degrees 10 Minutes 20 Seconds West, a distance of 223.31 feet, an arc length of 223.37 feet to a point;

8. Thence South 10 Degrees 54 Minutes 08 Seconds West, a distance of 0.45 feet to a point;

9. Thence South 11 Degrees 11 Minutes 56 Seconds East, a distance of 41.50 feet to the TRUE PLACE OF BEGINNING.

The above described tract contains 0.0586 acres, more or less, and subject to all easements, restrictions and covenants of record.

The above described area is contained within Summit County Parcel Number 64-01410.

The Basis of Bearing is Grid North of the Ohio State Plane Coordinate System, North Zone, NAD83(CORS96).

Section 4. That the easement shall be exclusive but access to the City's facility shall be maintained at all times and the purpose of the easement for ingress, egress, and construction purposes necessary for the City of Twinsburg's SR 91 widening/Glenwood Drive Roundabout Project.

Section 5. That the duration of the temporary easement shall be until construction of Twinsburg's SR 91 widening/Glenwood Drive Roundabout Project is complete; that the temporary easement shall not be assignable without the consent of the Director of Public Utilities; that the temporary easement shall require that the City of Twinsburg provide reasonable insurance; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

Section 6. That the conveyance of the temporary easement referenced above shall be made by deed of easement prepared by the Director of Law and executed by the Director of Public Utilities on behalf of the City of Cleveland. The Directors of Public Utilities and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect the improvement.

Section 7. That the Commissioner of Purchases and Supplies is authorized to convey the above-described property and temporary easement interest to the City of Twinsburg subject to any conditions stated in this ordinance, at an appraisal price of \$9,345, which includes compensation for the disturbed landscaping and concrete that will be removed to accommodate the City of Twinsburg's SR 91 widening/Glenwood Drive Roundabout Project, which price is determined to be fair market value.

Section 8. That the proceeds from the sale of the portion of City-owned property located at 9845 Darrow Road shall be deposited in Fund No. 52 SF 300 and shall be applied to the City-owned property or facilities at 9845 Darrow Road and shall otherwise be applied to any lawful purpose of CWD.

Section 9. That the Director of Public Utilities is authorized to enter into one or more agreements necessary to effectuate the real estate transactions authorized in this ordinance.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Public Utilities, City Planning Commission, Finance, Law; Committees on Utilities, Municipal Services and Properties, Finance.

Ord. No. 1570-14.

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 Gateway Huron, LLC, or its designee, to provide funding for the NuCLEus redevelopment project; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

Whereas, under Section 5709.41 of the Revised Code, improvements to real property may be declared to be a public purpose where fee title to the real property was, at one time, held by the City of Cleveland and the real property is then leased or conveyed by the City; and

Whereas, under the authority of Ordinance No. 1410-14, passed November 17, 2014, and prior to the adoption of this ordinance, the City approved and completed both the acquisition and conveyance of fee title to certain real property, which is more particularly described in the documents set forth this ordinance (the "Real Property"); and

Whereas, the Real Property is to be developed in accordance with the Cleveland 2020 Citywide Plan, which proposes the redevelopment of surface parking lots and vacant buildings to multi-story, mixed-use developments, a copy of which is placed in the file for this ordinance; and

Whereas, under Section 5709.41 of the Revised Code, the improvements declared to be a public purpose may be exempt from real property taxation; and

Whereas, under Section 5709.41 of the Revised Code, the owners of the improvements may be required to make annual service payments in lieu of taxes that would have been paid had the improvement not been exempt; and

Whereas, under Section 5709.41 of the Revised Code, the exemption may exceed 75% of the improvements for up to 30 years when a portion of the service payments so collected are distributed to the Cleveland City School District ("District") in an amount equal to the amount the District would have received had the improvement not been exempt; and

Whereas, the District has been notified of the intent to enter into the agreement authorized by this ordinance in compliance with Sections 5709.41(C)(4) and 5709.83 of the Revised Code; 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 improvements to be constructed by Gateway Huron, LLC, or its designee, ("Redeveloper"), as more fully described in File No. 1570-14-A ("Improvements") on the Real Property, are declared to be a public purpose for purposes of Section 5709.41 of the Revised Code.

Section 2. That one hundred percent (100%) of the Improvements are declared exempt from real property taxation for a period of 30 years; and that in no event shall the exemption period extend beyond 2045.

Section 3. That, under Section 5709.41 of the Revised Code, Redeveloper (or the owners of the

Improvements) shall make service payments for a period of 30 years in lieu of the exempt taxes to the Cuyahoga County Treasurer; the payments shall be charged and collected in the same manner, and shall be in an amount not less than the taxes that would have been paid had the Improvements not been exempt from taxation.

Section 4. That a portion of the service payments collected under Section 3 of this ordinance shall be distributed by the Cuyahoga County Treasurer to the Treasurer of the District in the amount of the taxes that would have been payable to the District had the Improvement not been exempt from taxation.

Section 5. That the Director of Economic Development is authorized to enter into an agreement or agreements with Redeveloper to provide for the exemption and service payments described in this ordinance, including agreements securing the payments described in this ordinance, which agreement or agreements shall contain those terms contained in the executive summary which has been placed in the file mentioned above.

Section 6. That under Section 5709.43 of the Revised Code, there is established an Urban Redevelopment Tax Increment Equivalent Fund into which shall be deposited service Payments in Lieu of Taxes ("PILOTS") which shall be used for the purpose of funding project debt or for other economic development purposes as determined by the Director of Economic Development.

Section 7. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in open meetings of this Council, and any of its committees that resulted in formal action were in meetings open to the public in compliance with the law.

Section 8. 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. 1571-14.

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

An emergency ordinance authorizing the Director of Economic Development to enter into contracts with Gateway Huron, LLC, or its designee, to provide economic development assistance to partially finance the development of Project NuCLEus Building A and Building B and other associated costs necessary to redevelop the property.

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

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

Section 1. That, the Director of Economic Development is authorized to enter into a loan agreement under the Vacant Property Initiative with Gateway Huron, LLC, or its designee, to

provide economic development assistance to partially finance the development of Project NuCLEus Building A and other associated costs necessary to redevelop the property.

Section 2. That, the Director of Economic Development is authorized to enter into a loan agreement under the Vacant Property Initiative with Gateway Huron, LLC, or its designee, to provide economic development assistance to partially finance the development of Project NuCLEus Building B and other associated costs necessary to redevelop the property.

Section 3. That the terms of the loans shall be according to the terms set forth in the Summary contained in File No. 1571-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be changed without additional legislative authority.

Section 4. That the contracts authorized in Sections 1 and 2 of this ordinance shall not exceed \$180,000 for Building A and \$180,000 for Building B, and shall be paid from Fund No. 17 SF 008, Request No. RQS 9501, RL 2014-146.

Section 5. That the Director of Economic Development is authorized to accept such collateral as set forth in the files referenced above in order to secure repayment of the loans. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

Section 6. That the Director of Economic Development is authorized to accept monies in repayment of the loans and to deposit the monies in Fund Nos. 17 SF 006.

Section 7. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loans. The fees shall be deposited to and expended from Fund No. 17 SF 305, Loan Fees Fund.

Section 8. That the contracts and other appropriate documents needed to complete the transactions authorized by this legislation shall be prepared by the Director of Law.

Section 9. That the contracts authorized in this legislation will require the recipient of financial assistance to work with, and/or cause their Tenants to work with, The Workforce Investment Board for Workforce Area No. 3 to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

Section 10. 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. 1572-14.
By Council Members Zone and Kelley (by departmental request).**

An emergency ordinance to amend Sections 135.16, 135.17, 135.18, 135.180, 603.02, 603.03, 603.031, 603.04, 603.072, 603.09, 603A.04, 603A.05, 603A.06, 603A.07, 603A.10, 603A.13, 603A.16, 604.06 and 604.99, of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to animals, animal control and animal safety; to supplement the Codified Ordinances by enacting new Section 603.032 relating to seizure and impoundment of animals; and to change the name of the Division of Animal Control Services to the Division of Animal Care and Control.

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 sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 135.16, 135.17, 135.18, 135.180, and 603.02 as amended by Ordinance No. 305-10, passed May 17, 2010,

Section 603.03, as amended by Ordinance No. 245-12, passed May 21, 2012,

Section 603.031, as amended by Ordinance No. 2393-02, passed February 3, 2003,

Section 603.04, as amended by Ordinance No. 712-11 passed June 6, 2011,

Sections 603.072 and 603.09, as amended by Ordinance No. 214-01, passed December 10, 2001,

Section 603A.04, as amended by Ordinance No. 305-10, passed May 17, 2010,

Section 603A.05, 603A.06, 603A.07, 603A.10, 603A.13, and 603A.16, as amended by Ordinance No. 536-01, passed June 3, 2002,

Sections 604.06 and 604.99, as amended by Ordinance No. 712-11, passed June 6, 2011 are amended to read as follows:

Section 135.16 Division of Animal Care and Control; Animal Control Officer; Spay and Neuter Clinic; Fee

(a) There is established in the Department of Public Safety, a Division of **Animal Care and Control**, which shall consist of one (1) **Chief Animal Control Officer** and at least one (1) **animal control officer** permanently assigned to each of the five (5) police districts on a full-time basis, and other **animal control officers** as the Director of Public Safety deems necessary. All of these employees shall be uniformed employees under the control and management of the Director, who shall designate the kind of uniform to be worn and direct the operation of the Chief and other **animal control officers**.

(b) The **Chief Animal Control Officer** and all other **animal control officers** are authorized to give notice and issue citations, in compliance with **Rule 4.1 of the Ohio Rules of Criminal Procedure**, to anyone found to be in violation of Section **603.01** **603.02** or Section **603.04**. The **Chief Animal Control Officer** and all other **animal control officers** are hereby established as "dog wardens" for purposes of enforcing applicable statutes pertaining to animals under the Ohio Revised Code. The **Chief Animal Control Officer** and all other **animal control officers** are authorized with the power and duty to enforce and prosecute the provisions of Chapters **603** and **604**.

(c) There is established in the Department of Public Safety, Division of **Animal Care and Control**, a Spay and Neuter Clinic, to be administered and controlled by a Veterinarian in Charge, subject to the direction of the Director of Public Safety. City residents may neuter or spay dogs or cats for the following fees:

Cat neuter	\$25.00
Cat spay	\$30.00
Dog neuter	\$35.00
Dog spay	\$40.00

All fees shall be paid to the City of Cleveland at the time the neuter or spay operation is performed.

Section 135.17 Acceptance of Gifts and Services for the Division of Animal Care and Control

The Director of Public Safety is authorized to accept, with the grateful appreciation of the City, the funds, other personal properties, and services, unconditionally given or limited by conditions as the donor may impose, or unlimited as to specific use, as may from time to time be donated for the use and benefit of the Division of **Animal Care and Control**.

Section 135.18 Special Revenue Fund Established for the Division of Animal Care and Control

All moneys accepted under Section 135.17 shall be placed to the credit of the Division of **Animal Care and Control** in a special revenue fund. The moneys deposited in the special revenue fund shall be expended for the benefit of the Division of **Animal Care and Control** at the discretion of the Director of Public Safety, or in the manner and for the specific purpose named in the gift.

Section 135.180 Expenditure of Donated Funds for the Division of Animal Care and Control

Expenditures from accounts shall be made on vouchers signed by the Director of Public Safety, or his or her designee, when the amount is less than ten thousand dollars (\$10,000.00); otherwise such expenditure shall first be authorized by ordinance of Council in the manner provided in Charter Section 108. No part of any funds credited to the accounts shall be paid to or for the benefit of any officer or employee, either as additional compensation or as reimbursement for expenses incurred, or paid for purposes other than those directly benefiting the Division of **Animal Care and Control** or in any manner other than that applicable to the expenditure of other public funds, unless the payment is specifically provided for in the terms of the gift or authorized by resolution or ordinance of Council.

Section 603.02 Unmuzzled Dogs at Large; Duty to Report

(a) No person shall permit an unmuzzled dog at any time to be on a public street, highway, park, building or other public place except when held securely in leash by the owner or another responsible person except when the dog is legally engaged in training for the purpose of hunting, herding, ability or dog competition events, accompanied by the owner, keeper, harborer, or a handler.

(b) Every City employee, while in the performance of his or her official

duties, who has in his or her possession or under this or her control any radio transmitter and receiver, telephone or other device ordinarily used for two (2) way communication, shall immediately report to police officers or dog wardens of the City the sighting of any unmuzzled dogs found to be in a public place. A violation of this section. The employee shall report the time, place, date and description of the dog, together with the employee's name.

(c) If a violation of division (a) of this section involves a dog as defined in Section 604.01, the dog shall be impounded under **Chapter 603**. Impoundment of dog because it was found to be in violation of this section shall not exempt the owner of the dog from being prosecuted under Section 604.99.

(d) **Whoever violates this section guilty of a minor misdemeanor on the first offense, a misdemeanor on the fourth degree on the second offense, and a misdemeanor of the third degree on the third and any subsequent offense**, which fine shall be mandatory, and shall not be suspended or remitted.

(e) An amount equal to the amount of fines and penalties imposed under this section shall annually be contributed to and used for the benefit of the Division of **Animal Care and Control**.

Section 603.03 Impounding Dogs, Cats, and Domestic Animals

(a) When any unmuzzled dog, cat, or domestic animal is found at large in violation of Section 603.02, or abandoned in violation of Section 603.06, or when any dog's owner or the person in charge of control of any dog, or owner or person in charge of the premises upon which a dog is located, has violated the provisions of Section 603.04 more than three (3) times within a four (4) month period, a police officer or **animal control officer** shall take up and impound the dog, cat, or domestic animal in a City pound. No dog, cat, or domestic animal shall be returned from the pound until a fee of forty dollars (\$40.00) is paid to the City, and the dog has both a valid County registration tag as prescribed by Section 603.05 and a microchip embedded for identification purposes. If a dog did not already have an embedded microchip at the time that it was impounded, then the animal control officer shall cause a microchip to be embedded in the dog before its return, and shall assess the person claiming the dog an additional fee of ten dollars (\$10.00) for that cost.

(b) If a police officer or **animal control officer** impounds a **domestic animal, cat, or dog** which is wearing a **valid County license registration tag**, the police officer or **animal control officer** shall immediately give the owner notice that the dog, cat or domestic animal has been impounded and that unless the dog, cat, or domestic animal is redeemed within fourteen (14) days of the date of the notice it may thereafter be euthanized, transferred, sold, or adopted according to law.

(c) If a police officer or **animal control officer** impounds a dog that is not wearing a **valid County license registration tag** or cat or other domestic animal, and the owner is unknown, the animal control officer shall list the animal in a record management

system for purpose of assistance in identification of the dog, cat, or domestic animal by a person that can prove ownership. Any impounded domestic animal, cat, or dog that is not wearing a valid registration tag and is unredeemed after three (3) days from the later of date of impoundment or the date on which notice was given may be euthanized, transferred, made available for fostering or adoption, on order of the Director of Public Safety or the Chief Animal Control Officer.

(d) The owner, upon redeeming a dog, cat, or other domestic animal being held at the kennel and cared for under this Section shall pay a fee of **twenty dollars (\$20.00)** per day for each day the animal was boarded at the kennel. This charge shall be in addition to any other repayments that may be owed under this chapter.

(e) Payment of charges for redeeming a dog, cat or domestic animal, which was impounded because it was found in violation of Section 603.02, 603.04 or 603.06 shall not exempt the owner of the dog, cat, or domestic animal from prosecution under any of those sections.

(f) Any fee established under this section may be waived by the Director of Public Safety or the Chief Animal Control Officer if the owner of the impounded animal is determined by the Director or Chief Animal Control Officer to be indigent using the federal poverty guidelines, and the owner has never before received the waiver.

Section 603.031 Adoption of Dogs and Cats from the City Kennel

(a) Every dog or cat over six (6) months of age adopted from the City Kennel shall be spayed or neutered at the Spay and Neuter Clinic before release. The cost of the operation shall be borne by the person adopting the animal and is in addition to any adoption fee imposed by the Chief Animal Control Officer.

(b) A person wishing to adopt a dog or cat under the age of six (6) months shall sign an agreement stating the dog or cat shall be spayed or neutered at the Spay and Neuter Clinic or at an appropriate outside animal hospital within seven (7) days of a date specified on the agreement, when the animal reaches between six (6) and nine (9) months of age. In addition to any adoption fee imposed by the Chief Animal Control Officer, a thirty dollar (\$30.00) fee shall be paid at the time of the adoption, to be held until the animal is brought back to be spayed or neutered, or until proof of the operation is established with the Chief Animal Control Officer. The thirty dollar (\$30.00) fee shall either: (1) be used to cover the cost of the operation when the animal is brought back to the Spay and Neuter Clinic for the operation; or (2) be returned to the pet owner upon production of proof of the operation at an outside facility. If the animal is not spayed or neutered within the set time period, or within the date specified in the agreement, the owner of the animal shall forfeit the thirty dollar (\$30.00) fee.

(c) Any fee established under this section may be waived by the Director of Public Safety if the person adopting the animal is determined by the Director to be indigent in accordance with federal poverty guidelines, the person adopting has never before received the waiver, and, including the adopted animal, there is only one

(1) animal in the adopting person's household.

Section 603.04 Dog Nuisances

(a) No owner or person in charge or control of a dog, or owner or person in charge of a premises on which a dog is located, shall permit a dog nuisance to occur or continue within the City.

(b) For the purposes of this section, each of the following constitutes a dog nuisance:

(1) Permitting any dog unreasonably to cause annoyance, alarm or noise disturbance to any person or neighborhood by barking, whining, screeching, howling, or other like sounds which may be heard beyond the boundary of the owner, keeper or harborer's property under conditions where the animal sounds are shown to have occurred either as an episode of continuous noise lasting for a minimum period of fifteen (15) minutes, or repeated episodes of intermittent noise lasting for a minimum period of thirty (30) minutes. It shall be an affirmative defense under this division that the animal was intentionally provoked by a party other than the owner to make such noise;

(2) A dog which scratches or digs in, or defecates upon any lawn, tree, shrub, plant, or any other public or private property other than the property of the dog's owner or the property of a person in charge or control of the dog;

(3) A dog which damages or causes damage to any public or private property other than the property of a person in charge or control of the dog;

(4) A dog, without provocation, that jumps on the fence of the dog's owner or person in charge or control of the dog, in a way that scares and intimidates any person;

(5) Permitting a dog, without provocation, to bite or otherwise inflict serious injury to a person or companion animal.

(c) On complaint of any person to the police that a dog nuisance has occurred or is continuing, a police officer or animal control officer shall issue notice of the complaint to the owner or person in charge or control of the dog which constitutes the nuisance complained of, or to the owner or person in charge of the premises on which the dog nuisance complained of occurs.

(d) Any person who fails to abate a dog nuisance after having received a notice under division (c) of this section shall be guilty of creating a dog nuisance. Each day upon which the dog nuisance occurs or continues shall constitute a separate offense, and the offender shall be subject to the following penalties:

(1) For a first offense, a fine of fifty dollars (\$50.00);

(2) For a second offense occurring within four (4) months of the first offense, a fine of seventy-five dollars (\$75.00);

(3) For a third offense occurring within four (4) months of the first offense, a fine of one hundred dollars (\$100.00);

(4) For a fourth and any later offense occurring within four (4) months of the first offense, the dog which constitutes the nuisance shall be impounded under Section 603.03.

(5) Whoever violates division (b)(5) of this section is guilty of a misdemeanor of the first degree, and such owner's dog will be considered a level two (2) threat under Section 604.01.

(e) In addition to any other method of enforcement provided in this section, the offense created in this section may be enforced upon a first, second, or third offense by the issuance of a citation in compliance with Rule 4.1 of the Ohio Rules of Criminal Procedure.

Section 603.072 Illegal Fights between Animals

(a) No person shall cause, allow or permit any animal, to fight another animal for gambling, entertainment or any other purpose, for profit or otherwise. The term "animal," as used in this section shall include, but not be limited to, fowl. This section does not regulate fighting between dogs as prohibited under the State Code, R.C. Chapter 959.

(b) No person shall:

(1) own, train, use, possess, buy, sell, offer to buy or sell, transport, receive or deliver any animal intended for use in fighting, seizing, detaining, or mistreating an animal.

(2) own, use, possess, buy, sell, offer to buy or sell, transport, receive or deliver any equipment, including, but not limited to, gaffs, spurs, sparring equipment, performance-enhancing substances or syringes, intended for use in training, fighting, seizing, detaining or mistreating another animal.

(3) knowingly permit any place under his or her control or possession to be kept, or used, for any of the purposes described in this section.

(c) Whoever violates this section is guilty of illegally causing, allowing, or permitting fighting between animals, a misdemeanor of the first degree.

(d) Any person who knowingly purchases a ticket of admission to an animal fighting venue, or is present at an animal fighting venue to witness an animal fight or for any of the purposes described in this section or to aid and abet the animal fight, is an aider and abettor, and shall be prosecuted and punished as if he were a principal offender.

Section 603.09 Cruelty to Animals

(a) No person shall:

(1) Torture an animal, deprive one of necessary sustenance, unnecessarily or cruelly beat, needlessly mutilate or kill, or impound or confine an animal without supplying it during confinement with a sufficient quantity of good wholesome food and water;

(2) Impound or confine an animal without affording it, during such confinement, access to shelter from heat, cold, wind, rain, snow or excessive direct sunlight if it can reasonably be expected that the animal would otherwise become sick or in some other way suffer. This division (a)(2) does not apply to animals impounded or confined prior to slaughter. For the purpose of this section, "shelter" means a man-made enclosure, wind-break, sunshade, or natural earth's contour, tree development or vegetation and must provide for the safety and health of the animal in accordance with good animal husbandry standards for each specific animal;

(3) Carry or convey an animal in a cruel or inhumane manner;

(4) Keep animals without wholesome exercise and change of air, nor feed cows on food that produces impure or unwholesome milk;

(5) Detain livestock in railroad cars or compartments longer than

twenty-eight (28) hours after they are so placed without supplying them with necessary food, water, and attention, nor permit such stock to be so crowded as to overlie, crush, wound, or kill each other.

(b) All fines collected for violations of this section shall be paid to the society or association for the prevention of cruelty to animals, if there is one in the county, township, or municipal corporation where the violation occurred.

(c) Whoever violates this section is guilty of a misdemeanor of the first degree. In addition, the court may order the offender to forfeit the animal or livestock and may provide for its disposition including, but not limited to, the sale of the animal or livestock. If an animal or livestock is forfeited and sold under this division, the proceeds from the sale first shall be applied to pay the expenses incurred with regard to the care of the animal from the time it was taken from the custody of the former owner. The balance of the proceeds from the sale, if any, shall be paid to the former owner of the animal.

Section 603A.04 Exemptions

Except for Sections 603A.14, 603A.15, 603A.16 and 603A.17, the provisions of which shall apply to all persons, this chapter shall not apply to any of the following:

(a) A person who keeps an exotic animal under a permit issued by the United States or the State of Ohio;

(b) A person whose duties include the keeping or handling of exotic animals, while the person is engaged in that duty, and who is employed by any of the following:

(1) The Division of **Animal Care and Control**, Department of Public Safety, City of Cleveland;

(2) The County kennels;

(3) The Cleveland Metroparks Zoo;

(4) The Animal Protective League;

(5) A licensed veterinary hospital or clinic;

(6) A licensed or accredited research or medical institution;

(7) A facility licensed as an exhibitor or breeder by the United States Department of Agriculture under the Animal Welfare Act;

(8) A licensed or accredited educational institution, including museums.

(c) A person licensed as a wildlife rehabilitator under OAC 1501:31-25-03;

(d) A person temporarily transporting an exotic animal through the City if the transit time is not more than twenty-four (24) hours and the animal is at all times maintained within a confinement sufficient to prevent the exotic animal from escaping.

(e) A person who holds a license under RC 1533.08 and corresponding regulations.

Section 603A.05 Personal Possession Permit; Fee

(a) A person may possess an exotic animal only if all the following are met:

(1) The person is the legal owner of the exotic animal and was in legal possession of the animal prior to the effective date of this chapter.

(2) The person applies for and is granted a personal possession permit from the Commissioner of Assessments and Licenses for each exotic animal in the person's possession within sixty (60) days of the effective date of this chapter.

(b) Any person who meets the requirements in division (a) of this section shall annually obtain a personal possession permit. The initial term of all Personal Possession Permits shall be for a duration of one (1) year, commencing on June 1 of each year. From and after the effective date of this chapter, no new exotic animals shall be brought into the City under the authority of a personal possession permit.

(c) An applicant must file an application with the Commissioner of Assessments and Licenses on forms provided by the Commissioner. The application must include the following:

(1) An annual permit fee of ten dollars (\$10.00) per animal;

(2) A written statement which sets forth the following information:

A. The name, address, and telephone number of the applicant;

B. A description of the exotic animal, including the scientific name, name, sex, age, color, weight, and any distinguishing marks or coloration that would aid in the identification of the animal;

C. A photograph of the exotic animal;

D. The exact location where each animal is to be kept;

E. The names, addresses, and telephone number of the person from whom the applicant obtained the exotic animal, if known;

F. The living environment in which the exotic animal will spend its time. Specifically, the type and size of cage, the physical and psychological enrichment the animal will receive daily (if applicable), type of exercise the animal will receive (if applicable), diet, and veterinary care the exotic animal will receive;

G. The identification number of the exotic animal, excluding exotic animals excepted under **division (c) of Section 603A.07**;

H. The name, address, and phone number of the veterinarian who is expected to provide veterinary care to the exotic animal.

(d) A permit shall not be granted unless the Commissioner finds that all of the following apply:

(1) All of the requirements set forth in divisions (a)(1) and (a)(2) of **this section** are met;

(2) The applicant is eighteen (18) years of age or older;

(3) The applicant has not been convicted of violating a local or state law prohibiting cruelty, neglect, or mistreatment of an animal or has not within the past ten (10) years been convicted of or found responsible for possession, sale, or use of illegal narcotics;

(4) The facility and the conditions in which each exotic animal will be kept are in compliance with this chapter;

(5) The applicant has obtained the requisite insurance liability coverage or surety bond for each exotic animal under the applicant's control as set forth in Section 603A.09;

(6) The applicant has regularly provided veterinary care to the exotic animal(s) when needed and intends to provide such care in the future.

(e) The personal possession permit shall set forth all of the following information:

(1) The name, address, and phone number of the permit holder;

(2) The address if different than above, where the exotic animal or animals will be kept;

(3) The name, number, species, age of the exotic animal, and any distinguishing marks or coloration that would aid in the identification of the animal;

(4) The identification number of each exotic animal as required under Section 603A.07, if applicable;

(5) The name, address, and phone number of the veterinarian who is expected to provide veterinary care to the exotic animal named on the permit;

(6) Any other relevant information the city may deem necessary.

(f) The Commissioner of Assessments and Licenses shall keep records of who is carrying a valid permit, and provide a copy of the same to the **Chief Animal Control Officer**. The **Chief Animal Control Officer** shall, in turn, notify the appropriate personnel in the Division of Police, as determined by the Director of **Public Safety**.

(g) No person who holds a personal possession permit under this chapter shall fail to notify the Commissioner of Assessments and Licenses of any changes in the information stated on the permit, which must include the death of the exotic animal.

Section 603A.06 Referral of Application

On receipt of a completed application for a personal possession permit, the Commissioner of Assessments and Licenses shall refer the application to the Division of Police to determine whether the applicant has committed any of the offenses identified in **division (d)(3) of Section 603A.05**. The Division of Police shall report its findings back to the Commissioner.

In addition, if the applicant is seeking a permit for five (5) or more exotic animals, the application shall be referred to the **Chief Animal Control Officer**, who shall inspect the premises at which the exotic animals are proposed to be kept. The **Chief Animal Control Officer** shall report back to the Commissioner as to whether or not the premises comport to the requirements of this chapter.

Section 603A.07 Identification Number

(a) No person who owns an exotic animal shall fail to have an identification number placed in the exotic animal via subcutaneous microchip at the expense of the person, by or under the supervision of a veterinarian.

(b) The **Chief Animal Control Officer** shall specify the exact type of subcutaneous chip to be placed in exotic animals, which shall be the same type as used for vicious dogs under **division (d) of Section 604.03** of these Codified Ordinances.

(c) It shall be an affirmative defense to division (a) of this section that the person has had the animal examined by a veterinarian for the purpose of complying with division (a) and the veterinarian has determined that the placement of a microchip would be harmful to the animal.

Section 603A.10 Inspections

(a) Any facility where the exotic animal is housed may be inspected by the **Chief Animal Control Officer**, a sanitarian of the Health Department, a police officer, or any other person designated by the Director of **Public Safety** for that purpose, at all reasonable times to ensure compliance with this chapter.

(b) Any facility housing five (5) or more exotic animals shall be inspected annually by the **Chief Animal Control Officer** to certify that the exotic animals are properly confined and cared for in compliance with this chapter.

Section 603A.13 Violation Notices; Seizure of Exotic Animals Kept In Violation of this Chapter

(a) *Violation Notices.* The Director of Public Safety shall investigate any alleged violation of this chapter on his or her own initiative or upon the complaint of any person. If, after investigation, there is probable cause to believe that there is a violation of this chapter, then the Director of Public Safety may send a violation notice to the offender, as described in division (b). Enforcement of this chapter by means of violation notice is in addition to and not in lieu of any other means of enforcement provided for in these Codified Ordinances including, without limitation, Section 603A.99.

(b) *Form of Notice.* Any violation notice sent under division (a) shall be in writing, and shall specify the action that is required of the violator, and the time frame for compliance. The Director shall limit the time for compliance to five (5) days unless he or she determines that there is good cause to specify a longer period. The notice shall require the offender to come into compliance with all provisions of this chapter, to dispose of the animal **under** Section 603A.16, or to safely remove the exotic animal from the City.

(c) *Seizing and Impounding.* If the owner, keeper or possessor of an exotic animal fails to comply with a violation notice sent **under** division (b) of this section, the Director of Public Safety shall cause the exotic animal to be seized and impounded. In addition, without the necessity of advance notice, the Director shall cause the seizure and impoundment of any exotic animal that has previously caused serious physical harm to any person, as set forth in Section 601.01, or in any instance in which the exotic animal has escaped or is at large.

If an animal is being seized or impounded under this section poses a risk of serious physical harm or death to any person, the **Chief Animal Control Officer** or other person authorized by the Director of Public Safety may render the exotic animal immobile by means of tranquilizers or other safe drugs, or if that is not possible, the animal may be euthanized.

(d) *Costs.* All reasonable costs incurred by the Director of Public Safety in seizing, impounding or confining any exotic animal **under** division (c) of this section shall be charged against the owner, keeper or possessor of the animal.

Section 603A.16 Disposition of Exotic Animals

(a) If a person who holds a personal possession permit can no longer care for an exotic animal, the person may contact the Animal Protective League, the **Chief Animal Control Officer**, the Cleveland MetroParks Zoo, or the Cleveland Museum of Natural History for possible placement of the animal.

(b) No person shall dispose of an exotic animal down a toilet, or in a sewer, waterway, or in any public place.

(c) No person shall set an exotic animal free in any place in the City.

Section 604.06 Hearing and Appeals Process and Declassification of Dog as Threat to Public Safety; Fee

(a) If an owner, keeper, or harbinger of a dog is convicted in Cleveland Municipal Court of any offense which qualifies the dog as a level-one (1) or level-two (2) threat, the conviction shall evidence the fact that said dog is a level-one (1) or level-two (2) threat. **On** such conviction, the owner, keeper or harbinger shall be on notice that the dog is a level-one (1) or level-two (2) threat and must comply with all restrictions specified in Sections 604.03 and 604.04.

(b) Regardless of whether the owner, keeper, or harbinger of a dog has been convicted of any offense which qualifies the dog as a level-one (1) or level-two (2) threat, the Animal Control Officer, Director of Public Health or Chief of Police may designate a dog as a level-one (1) or level-two (2) threat. The owner, keeper, or harbinger shall receive written notice that the dog has been designated a level-one (1) or level-two (2) threat by one (1) of the aforementioned designating authorities. The written notice shall specify the appeal rights of the owner, keeper, or harbinger of the designated dog.

(1) If a dog is designated a level-one (1) or level-two (2) threat, the owner, keeper, or harbinger of the dog shall have the right to a hearing to appeal the designation.

(2) Appeals shall be heard by the Director of Public Safety or his or her designee. An owner, keeper, or harbinger of a dog designated a level-one (1) or level-two (2) threat has **ten (10)** days from the date listed on the written notice of such designation to inform the Director in writing that a hearing date is requested. The Director will schedule the hearing and notify the party requesting the hearing in writing of the time, date, and location of the hearing.

(3) The designating authority must show, by a preponderance of the evidence, that the designated dog is a level-one (1) or level-two (2) threat.

(4) Following the hearing, if the Director finds the dog a level-one (1) or level-two (2) threat dog, the owner, keeper, or harbinger shall be on notice that the dog must be kept **under** the restrictions specified in this chapter. If the Director finds the dog is not a level-one (1) or level-two (2) threat dog, the Director shall grant the appeal.

(5) Any person subject to an adverse decision of the Director may appeal that decision to the Board of Zoning Appeals. The notice of appeal shall be in writing and shall be filed with the Board of Zoning Appeals within ten (10) days of the decision of the Director. The Board shall approve, modify or annul the finding from which the appeal is taken.

(c) The following conditions for declassification must be met:

(1) Level-one (1) threat dogs have been classified for two (2) years without further incident, Level-two (2) threat dogs for five (5) years without incident; and

(2) There have been no violations of the specified regulations; and

(3) Any other condition ordered by the Animal Control Officer, Director of Public Health and/or Chief of Police at the time of classification have been met; and,

(4) The owner, keeper or harbinger provides the Animal Control Officer,

Director of Public Health and/or Chief of Police with written certification of satisfactory completion of obedience training for the dog classified, with the owner, keeper or harbinger; and,

(5) The dog owner, keeper or harbinger shall provide written verification that the classified dog has been spayed or neutered.

(d) When the owner, keeper or harbinger of a dog meets all of the conditions in this division, the restrictions for dogs classified as a level-one (1) threat to public safety shall be removed; restrictions on dogs classified as a level-two (2) threat to public safety may be removed, with the exception of the secure enclosure and insurance requirement.

(e) A declassification fee in an amount to be set by Council will be assessed when the classification period begins.

Section 604.99 Penalties

(a) If a violation of division (a), (b) or (c) of Section 604.03 involved a level-one (1) threat, whoever violates that Section is guilty of a misdemeanor of the second degree on a first offense and of a misdemeanor of the first degree on each subsequent offense and shall be fined one thousand dollars (\$1,000.00) which fine shall be mandatory, and shall not be suspended or remitted. Additionally, the Court may order the offender: (i) to personally supervise the level-one (1) threat that he or she owns, keeps or harbors, (ii) to cause that dog to complete dog obedience training, (iii) to attend a class on responsible pet ownership and dog behavior, or (iv) to do all three (3). The Court, in the alternative, may order the level-one (1) threat dog to be humanely destroyed by a licensed veterinarian, the **Chief Animal Control Officer**, the County Dog Warden, or the County Humane Society. For repeat offenders of animal control laws under Sections 603.01, 603.02 and 603.04, the Court may require the owner to attend a class on responsible pet ownership and dog behavior.

(b) If a violation of division (a), (b), or (c) of Section 604.03 involved a level-two (2) threat dog, whoever violates that section may be found guilty of a misdemeanor of the first degree on a first offense. When any person is found guilty of a misdemeanor of the first degree such person shall be fined one thousand dollars (\$1,000.00) which fine shall be mandatory, and shall not be suspended or remitted. The Court may order the dog to be spayed or neutered at the owner's, keeper's or harbinger's expense. Additionally, the Court may order the level-two (2) threat dog to be humanely destroyed by a licensed veterinarian **Chief Animal Control Officer**, the County Dog Warden, or the County Humane Society.

(c) Any owner who does not obtain the liability insurance coverage required under divisions (a) or (b) of Section 604.04 shall be found guilty of a misdemeanor of the first degree.

(d) Any owner that is found to be in violation of division (d) of Section 604.03 shall be found guilty of a misdemeanor of the first degree.

(e) Any owner who is found guilty of violating divisions (c) or (d) of Section 604.04 shall be found guilty of a misdemeanor of the first degree and shall be fined one hundred dollars (\$100.00) on each **later** offense which

fine shall be mandatory and shall not be suspended or remitted.

(f) Any owner found guilty of violating this chapter shall pay all expenses, including shelter, food, veterinary expenses for identification or certification of the breed of the animal or boarding and veterinary expenses necessitated by the seizure of the level-one (1) or level two (2) dog for the protection of the public, and other expenses as may be required for the **euthanization, transfer, sale or adoption** of any such dog.

(g) An amount equal to the amount of fines and penalties imposed under this section shall annually be contributed to and used for the benefit of the Division of **Animal Care and Control**.

(h) This Section shall not apply whenever the conduct proscribed in this chapter constitutes a felony under RC 955.99.

Section 2. That the following sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Sections 135.16, 135.17, 135.18, 135.180, and 603.02 as amended by Ordinance No. 305-10, passed May 17, 2010,

Section 603.03, as amended by Ordinance No. 245-12, passed May 21, 2012,

Section 603.031, as amended by Ordinance No. 2393-02, passed February 3, 2003,

Section 603.04, as amended by Ordinance No. 712-11 passed June 6, 2011,

Sections 603.072 and 603.09, as amended by Ordinance No. 214-01, passed December 10, 2001,

Section 603A.04, as amended by Ordinance No. 305-10, passed May 17, 2010,

Section 603A.05, 603A.06, 603A.07, 603A.10, 603A.13, and 603A.16, as amended by Ordinance No. 536-01, passed June 3, 2002,

Sections 604.06 and 604.99, as amended by Ordinance No. 712-11, passed June 6, 2011 are repealed.

Section 3. That the Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 603.032 to read as follows:

Section 603.032 Seizure and Impoundment of Animals for Fights, Poisoning, Cruelty, Neglect or Tethering; Hearing

(a) As used in this section:

(1) "Impounding Agency" means the City of Cleveland Division of Animal Care and Control or County Humane Society organized under 1717.05 of the Revised Code.

(2) "Offense" means a violation of any of the following Sections: 603.072 "Illegal Fights between Animals;" 603.08 "Poisoning Animals;" 603.09 "Cruelty to Animals;" 603.091 "Neglect of Animals;" or "603.092 "Tethering Animals."

(3) "Officer" means any law enforcement, County humane agent, or Animal Control Officer in the City of Cleveland.

(b) An officer may immediately seize and cause to be impounded at an impounding agency an animal that the officer has probable cause to believe is the subject of an offense.

(c) The officer shall give written notice of the seizure and impoundment to the owner, keeper, or harborer of the animal that was seized and impounded within 3 days of seizure if they can be found. If the officer is unable to give the notice to the owner, keeper, or harborer of the animal, the

officer shall post the notice on the door of the residence or in another conspicuous place on the premises at which the animal was seized.

(1) If the seizure is for a violation of Sections 603.072, 603.08, 603.091, or 603.092 the notice shall include a statement that, upon written request by the owner, keeper, or harborer of the animal to the impounding agency, which is received by the impounding agency within five calendar days of the notice of seizure and impoundment, a hearing will be held at the next available court date, or no later than three days from the date the notice of a request for a hearing was received, whichever is earlier. If a hearing is not timely requested, the animal is deemed forfeited without hearing and the impounding agency may determine the disposition of the animal.

(2) If the seizure is for a violation of Sections 603.09 the notice shall include a statement that, upon written request by the owner, keeper, or harborer of the animal to the impounding agency, which is received by the impounding agency within ten calendar days of the notice of seizure and impoundment, a hearing will be held at the next available court date, or no later than three days from the date the notice of a request for a hearing was received, whichever is earlier. If a hearing is not timely requested, the animal is deemed forfeited without hearing and the impounding agency may determine the disposition of the animal.

(3) In either case, the notice shall also state that the hearing will be held to determine whether the officer had probable cause to seize the animal and, if applicable, to determine the amount of a bond or cash deposit that is needed to provide for the animal's care and keeping for not less than thirty days beginning on the date on which the animal was seized and impounded.

(d) An animal that is seized under this section may be humanely destroyed immediately or at any time during impoundment or otherwise provided with veterinary care if a licensed veterinarian determines it to be necessary because the animal is suffering.

(e) (1) If the owner, keeper, or harborer of the animal has requested a hearing in writing, the court shall hold a hearing to determine whether the officer impounding an animal had probable cause to seize the animal. If the court determines that probable cause exists, the court shall determine the amount of a bond or cash deposit that is needed to provide for the animal's care and keeping for not less than thirty days beginning on the date on which the animal was impounded. If a hearing is not timely requested, the animal is deemed forfeited without hearing and the impounding agency may determine the disposition of the animal.

(2) If the court determines that probable cause does not exist, the court immediately shall order the impounding agency to return the animal to its owner if possible.

(3) If the court determines that probable cause exists and determines the amount of a bond or cash deposit, the case shall continue and the owner shall post a bond or cash deposit to provide for the animal's care and keeping for not less than thirty days beginning on the date on which the

animal was impounded. The owner may renew a bond or cash deposit by posting, not later than ten days following the expiration of the period for which a previous bond or cash deposit was posted, a new bond or cash deposit in an amount that the court, in consultation with the impounding agency, determines is sufficient to provide for the animal's care and keeping for not less than thirty days beginning on the date on which the previous period expired. If no bond or cash deposit is posted or if a bond or cash deposit expires and is not renewed, the impounding agency may determine the disposition of the animal unless the court issues an order that specifies otherwise. The notice provided in this section shall include notice that if no bond or cash deposit is posted or if the bond or cash deposit expires and is not renewed and the owner or person in control of the animal fails to appear for the hearing, the impounding agency may determine the disposition of the animal.

(f) If a person is convicted of committing an offense, the court may impose the following additional penalties against the person:

(1) A requirement that the person pay for the costs incurred by the impounding agency in caring for an animal involved in the applicable offense, provided that the costs were incurred during the animal's seizure or impoundment. A bond or cash deposit posted under this section may be applied to the costs.

(2) An order permanently terminating the person's right to possession, title, custody, or care of the animal that was involved in the offense. If the court issues such an order, the court shall order the disposition of the animal.

(g) If a person is found not guilty of committing an offense, the court immediately shall order the impounding agency to return the animal to its owner if possible and to return the entire amount of any bond or cash deposit posted under division (e) of this section. If the animal cannot be returned because it has been adopted or euthanized the impounding agency shall pay the fair market value of the animal at the time that it was impounded plus statutory interest as defined in Section 1343.03 of the Revised Code from the date of the impoundment or an amount determined by the court to be equal to the cost of treatment of the injury to the animal, as applicable. The requirements established in this division regarding the return of a bond or cash deposit and the payment of the reasonable market value of the companion animal shall not apply in the case of a dog that was not registered, in accordance with applicable registration laws, at the time it was seized and impounded.

(h) If charges are filed for an offense described in this Section against the custodian or caretaker of an animal, but the animal that is the subject of the charges is not impounded, the court in which the charges are pending may order the owner or person having custody of the animal to provide to the animal the necessities described in division (C)(5), (D)(2), and (E)(5) of Section 959.131 of the Revised Code until the final disposition of the charges. If the court issues an order of that nature, the court also may authorize an officer or another

person to visit the place where the animal is being kept, at the times and under the conditions that the court may set, to determine whether the animal is receiving those necessities and to remove and impound the animal if the animal is not receiving those necessities.

(i) Nothing in this Section shall be interpreted to apply to an animal impounded under Section 603.03.

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

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

Ord. No. 1573-14.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a tri-party agreement with the County of Cuyahoga and The Superlative Group, an Ohio corporation, regarding naming rights and a corporate sponsorship marketing program for the Medical Mart and Convention Center and for Malls B and C, for a period of two years, with

one option to renew for three years, exercisable by the Director of Economic Development.

Whereas, Ordinance No. 1061-14, passed September 15, 2014, required that additional legislative authority was necessary regarding naming rights of Malls B and C; and

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

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

Section 1. That the Director of Economic Development is authorized to enter into a tri-party agreement with the County of Cuyahoga ("County") and The Superlative Group, an Ohio corporation ("Superlative"), regarding naming rights and a corporate sponsorship marketing program for the Medical Mart and Convention Center, or portions thereof ("County Assets") and for Malls B and C, or portions thereof ("City Assets").

Section 2. That, among other things, the agreement shall provide that Superlative shall assess, research and provide media valuation for the County Assets and City Assets and shall develop, recommend, and implement policies and strategies to maximize revenues realized from naming rights and corporate sponsorship marketing programs for County Assets and City Assets and will provide sales services and other related services.

Section 3. That the term of the tri-party agreement shall be for a period of two years, with one option to renew for three years, exercisable by the Director of Economic Development.

Section 4. That the Director of Economic Development is authorized to deposit proceeds received under this ordinance into a fund to be approved by the Director of Finance to be used to provide maintenance, operating costs, and for improvements to Malls B and C.

Section 5. That the Director of Economic Development, or other appropriate City official, is authorized to enter into any relative agreement necessary to implement this ordinance.

Section 6. That the cost of any agreements or payments authorized in this ordinance shall be fixed by the Board of Control and shall be paid from any and all funds approved by the Director of Finance.

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.

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

Ord. No. 1577-14.
By Council Member Kelley (by departmental request)

An emergency ordinance approving in its entirety the Fact-Finder's report, findings and recommendations in the matter of the City of Cleveland and Municipal Foremen & Laborers Local 1099, including Non-Supervisory and Supervisory; and to amend Sections 26, 27, and 49 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, having duly considered the Fact-Finder's report, findings and recommendations in the matter of the City of Cleveland and the City and Municipal Foremen & Laborers Local 1099, including Non-Supervisory and Supervisory, which were e-mailed to the City on November 18, 2014, this Council accepts the Fact-Finder's report, findings, and recommendations in their entirety, including the agreements reached between the City and the union, as set forth in the executive summary placed in File No. 1577-14-A, which provide, among other things, for an increase in the salary 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 Sections 26, 27, and 49 of Ordinance No. 385-14, passed March 31, 2014, are amended to read as follows:

Section 26. Municipal Foremen and Laborer's Union (Chartered: Municipal, County & State Employees' Union Local 1099, AFL-CIO)(Non-Supervisory). That 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. Accident and Safety Inspector.....	\$21.03	\$23.03
2. Arborist I.....	18.40	20.40
3. Cemeteries Maintenance Man I.....	16.49	18.49
4. Cemeteries Maintenance Man II.....	25.47	27.47
5. Cold Patch and Crack Sealing Worker.....	18.07	20.07
6. Engineering and Construction Inspector.....	19.69	21.69
7. Gardener.....	18.40	20.40
8. Ground Maintenance Man.....	16.49	18.49
9. Laborer I.....	16.49	18.49
10. Mechanical Handyman.....	17.19	19.19
11. Municipal Service Laborer.....	16.49	18.49
12. Practical Nurse.....	18.58	20.58
13. Radio Operator.....	18.86	20.86

14.	Real Estate Maintenance Man	17.43	19.43
15.	Sidewalk Inspector.....	18.02	20.02
16.	Street Permit Supervisor.....	16.45	18.45
17.	Street Sweeper - Waste Collection.....	16.05	18.05
18.	Transfer Station Attendant.....	22.02	24.02
19.	Waste Collector	16.49	18.49

Section 27. Municipal Foremen and Laborer's Union (Chartered: Municipal, County & State Employees' Union Local 1099, AFL-CIO) (Supervisory). That 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 Field Foreman	\$20.86	\$22.86
2. Arborist II.....	21.22	23.22
3. Assistant Manager of Parks and Urban Forestry.....	25.75	27.75
4. Assistant Superintendent of Waste Collection.....	26.38	28.38
5. Cemetery Foreman	20.87	22.87
6. Cemetery Supervisor.....	23.90	25.90
7. Chief Engineering and Construction Inspector	26.21	28.21
8. Cold Patch and Crack Sealing Foreman.....	24.02	26.02
9. Custodial Worker Supervisor	19.35	21.35
10. General Construction Foreman.....	32.72	34.72
11. General Shop Foreman	26.40	28.40
12. Greenskeeper	21.66	23.66
13. Ground Maintenance Crew Foreman.....	17.78	19.78
14. Ground Maintenance Foreman.....	20.87	22.87
15. Horticulturist	29.91	31.91
16. Horticulturist Maintenance Foreman	23.37	25.37
17. Labor Foreman	20.86	22.86
18. Maintenance Foreman.....	19.99	21.99
19. Parking Coordinator.....	22.02	24.02
20. Set-Up Foreman.....	17.46	19.46
21. Street Maintenance Foreman.....	20.86	22.86
22. Street Maintenance General Foreman.....	26.40	28.40
23. Waste Collection Foreman.....	20.86	22.86
24. Waste Collection Foreman I.....	22.86	24.97

Section 49. Hourly Rate - 1099 Crafts.

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

	Effective Date	Minimum	Maximum
1. Asphalt Construction Unit Leader.....	3/31/2014	\$25.85	\$38.78
2. Asphalt Tamper.....	3/31/2014	24.79	37.17
3. Bricklayer Helper.....	3/31/2014	25.45	38.18
4. Jackhammer Operator	3/31/2014	24.79	37.17
5. Paver.....	3/31/2014	25.13	37.71
6. Paving Unit Leader.....	3/31/2014	25.85	38.78
7. Superintendent of Construction Equipment.....	3/31/2014	25.85	38.78

Section 3. That Sections 26, 27, and 49 of Ordinance No. 385-14, passed March 31, 2014, are 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 EMERGENCY
ORDINANCE READ IN FULL
AND PASSED**

Ord. No. 1567-14.

By Council Member Conwell.

An emergency ordinance authorizing the Director of the Department of Public Works to enter into an agreement with Ohio Elite Football, Inc. for the Youth Sports Football Recreation Program through the use of Ward 9 Casino Revenue 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 Public Works be authorized to enter into an agreement with Ohio Elite Football, Inc., for the Youth Sports Football Recreation Program for the public purpose of providing organized recreational sports activities to city of Cleveland youth through the use of Ward 9 Casino Revenue Funds.

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

Section 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.

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

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

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

Res. No. 1574-14.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of location of a D5 and D6 Liquor Permit to 2710 Lorain Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D5 and D6 Liquor Permit from 13101 Shaker, LLC, DBA Grotto Wine Bar, 13101 Shaker Square, Cleveland, Ohio 44120, Permanent Number 6548707 to Burlap, Inc., DBA The Supperclub, 2710 Lorain Avenue, Cleveland, Ohio 44113, Permanent Number 1116014; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a D5 and D6 Liquor Permit from 13101 Shaker, LLC, DBA Grotto Wine Bar, 13101 Shaker Square, Cleveland, Ohio 44120, Permanent Number 6548707 to Burlap, Inc., DBA The Supperclub, 2710 Lorain Avenue, Cleveland, Ohio 44113, Permanent Number 1116014; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1575-14.

By Council Member Cimperman.

An emergency resolution objecting to the transfer of liquor license of a D5 Liquor Permit to 1220 Huron Road, East.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of liquor license of a D5 Liquor Permit from 18 Euc Lastchance, Inc., 1800 Euclid Avenue, 1st floor, Unit 4, Cleveland, Ohio 44113, Permanent Number 2455418 to 18 Euc Lastchance, Inc., 1220 Huron Road, East, Cleveland, Ohio 44115, Permanent Number 24554180001; 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 liquor license of a D5 Liquor Permit from 18 Euc Lastchance, Inc., 1800 Euclid Avenue, 1st floor, Unit 4, Cleveland, Ohio 44113, Permanent Number 2455418 to 18 Euc Lastchance, Inc., 1220 Huron Road, East, Cleveland,

Ohio 44115, Permanent Number 24554180001; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

Res. No. 1576-14.

By Council Member Conwell.

An emergency resolution designating East 118th Street in between Wade Park Avenue and Euclid Avenue in University Circle a residential permit parking area.

Whereas, the Director of Public Safety has received verified petitions by residents living in eighty percent (80%) of the living units in the area of East 118th Street between Wade Park Avenue and Euclid Avenue; and

Whereas, the Director of Public Safety has completed a survey of the above mentioned street and the surrounding areas, has held a public hearing, and has determined that said residential street is overcrowded with commuter vehicles resulting in a lack of curbside parking available to residents near their residences; and

Whereas, the Director of Public Safety has therefore determined East 118th Street between Wade Park Avenue and Euclid Avenue eligible for residential permit parking and has recommended to Council that it designate said street as a residential permit parking area; and

Whereas, Council Member Conwell concurs in the Director's recommendation; and

Whereas, East 118th Street between Wade Park Avenue and Euclid Avenue has otherwise met the objective criteria set forth in Chapter 461 of the Codified Ordinances of Cleveland, Ohio, 1976; 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 hereby designates East 118th Street between Wade Park Avenue and Euclid Avenue a residential permit parking area, twenty-four (24) hours per day, seven (7) days per week.

Section 2. That this resolution is hereby declared to be an emergency measure and, provided it received the affirmative vote of two-thirds of all the members elected to Council, it

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1030-14.

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

An emergency ordinance to amend Section 543.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1271-07, passed August 8, 2007, relating to sewerage service rates within Cleveland.

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

1. In Section 2, at amended Section 543.02(c), at the end of the table, insert the following new rates for 2015, 2016, 2017, 2018, and 2019 to read as follows:

"Homestead \$7.20 \$7.20 \$9.00 \$9.00 \$10.80".

Amendments agreed to.

The rules were suspended. Yeas 13. Nays 3. Read second time. Read third time in full. Passed. Yeas 13. Nays 3.

Those voting yea: Council Members Brancatelli, Cimperman, Cleveland, Conwell, Cummins, Dow, K. Johnson, Keane, Kelley, Mitchell, Pruitt, Reed and Zone.

Those voting nay: Council Members Brady, J. Johnson and Polensek.

Absent: Council Member Sweeney.

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. 1454-14.

By Councilmembers Keane and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. PS 2013-032 with LHD & Associates, Inc. for federal government lobbying services necessary to assist with airport-related issues.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

Ord. No. 1455-14.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. PS 2013-025 with Peregrine Advisors, LLC to provide financial consulting services for the various divisions of the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

Ord. No. 1456-14.

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

An emergency ordinance authorizing the Director of Port Control to exercise the second option to renew Contract No. PS 2013-031 with Seabury Airline Planning Group, LLC to provide airline and cargo consultant services for the Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

Ord. No. 1458-14.

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

An emergency ordinance authorizing the Director of Port Control to enter into one or more contracts without competitive bidding with Ameribridge, LLC, for the purchase of one or more new or refurbished passenger boarding bridges, including but not limited to associated labor, equipment, materials, or services, and for training, maintenance, and inspection for a period not to exceed two years, for the Division of Cleveland Hopkins International Airport, Department of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

Ord. No. 1462-14.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Constant Aviation, LLC for the lease of hangar space known as Bay 3 of the Primary Hangar and the adjacent ramp area at Cleveland Hopkins International Airport, for the operation of an aircraft maintenance facility, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first and second of which are exercisable by the Director of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

Ord. No. 1463-14.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease Agreement with Constant Aviation, LLC for the lease of hangar space in Building 211 and the adjacent ramp area at Cleveland Hopkins International Airport, for the operation of an aircraft maintenance facility, for the Department of Port Control, for a period of two years, with three one-year options to renew, the first and second of which

are exercisable by the Director of Port Control.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance.

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

Ord. No. 1508-14.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into an amendment to Contract No. CT 1505-PS 2011-054 with Clark Schaefer Hackett for professional services necessary to perform an assessment and to express the opinion of the City regarding the 2014 financial statements and to complete two statements of Auditing Standards for the Divisions of Water and Taxation.

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

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

Ord. No. 1524-14.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to employ one or more professional consultants to assess and implement various city-wide safety programs and other related services; and to enter into various written standard purchase and requirement contracts needed in connection with the programs, for the various divisions of City government, for a period of two years, with two one-year options to renew, the first of which requires additional legislative authority.

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

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

MOTION

On the motion of Council Member Brady, the absence of Council Member Martin J. Sweeney is hereby authorized. Seconded by Council Member Conwell.

The Council Meeting adjourned at 8:16 p.m. to meet on Monday, December 1, 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

November 19, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, November 19, 2014 at 10:32 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Others: Melissa Burrows, Director, Office of Equal Opportunity.

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

Tiffany White, Commissioner, Division of Purchases & Supplies.

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

Resolution No. 528-14.

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Tenable Protective Services, Inc. for an estimated quantity of unarmed uniformed security services, all items, for the various divisions of City government, Department of Finance, for a period of two years starting with the execution of a contract or the day following the expiration of the currently effective contract for the services and/or goods, with one option to renew for one year, received on November 6, 2014, under the authority of Ordinance No. 1130-14 passed by Cleveland City Council on September 15, 2014, which on the basis of the estimated quantity would amount to \$2,364,886.00, is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for the labor and materials necessary for the specified items.

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

Be it further resolved by the Board of Control, that the employment of the following subcontractors by Tenable Protective Services, Inc. for the above-mentioned requirement contract is approved:

SUBCONTRACTORS: WORK PERCENTAGE

Security Management dba Royce (CSB/MBE/FBE) \$736,631.52 31.149%

Safe Choice, LLC (CSB/MBE/FBE) \$ 83,400.00 3.527%

Yeas: Directors Langhenry, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 529-14.

By Director Dumas.

Whereas, under the authority of Ordinance No. 810-08, passed by the Council of the City of Cleveland on June 9, 2008, and Resolution No. 196-13, adopted by this Board of Control on May 1, 2013, the City, through its Director of Public Utilities, entered into City Contract No. CT-2002-PI201 3*044 with D & M Painting Corporation for the public improvement of Rehabilitating Secondary Sites - Cycle F, including Water Towers, Tanks and Appurtenances, in the amount \$4,433,000.00, for the Division of Water, Department of Public Utilities; and

Whereas, by its October 22, 2014 letter, D & M Painting Corporation requested the City's consent to employ additional sub-contractors and to decrease the participation amount of a previously approved sub-contractor; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 196-13, adopted on May 1, 2013 under the authority of Ordinance No. 810-08, passed June 9, 2008, approving D & M Painting Corporation for the public improvement of Rehabilitating Secondary Sites - Cycle F, including Water Towers, Tanks and Appurtenances, for the Division of Water, Department of Public Utilities, is amended by decreasing the participation of Nerone & Sons, Inc. (CSB) from \$817,000.00 (18.430%) to \$496,300.00 (11.196%).

Be it further resolved that the employment of the following additional sub-contractors by D & M Painting Corporation under Contract No. CT-2002-PI2013*044 for the above-mentioned public improvement is approved:

SUBCONTRACTORS WORK PERCENTAGE

Alternalite Electric, Inc. (CSB/FBE/MBE) \$315,900.00 7.126%

Electric Power Systems \$ 4,800.00 0.108%

Yeas: Directors Langhenry, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 530-14.

By Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on October 23, 2014 for the purchase of an estimated quantity of wood poles, crossarms and accessories, all items for the Division of Cleveland Public Power, Department of Public Utilities, under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Langhenry, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 531-14.

By Directors Cox and Dumas.

Whereas, Ordinance No. 721-14, passed August 20, 2014 by the Council of the City of Cleveland authorizes the Commissioner of Purchases and Supplies, by and at the direction of the Board of Control, to convey certain non-exclusive easement interests, found and determined to be not needed for public use and more fully described in the ordinance, in portions of certain City-owned property located on Henninger Road and on Wildlife Way to the Northeast Ohio Regional Sewer District for its Combined Sewer Overflow (CSO) Project 049/050, at a price not less than fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 721-14, passed August 20, 2014 by the Cleveland City Council, the Commissioner of Purchases and Supplies is directed to convey an easement interest in City-owned property under charge of the Department of Public Works and located on Wildlife Way, as more fully described in the ordinance, to the Northeast Ohio Regional Sewer District for the price of \$300.00 which amount is determined to be fair market value.

Be it further resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 721-14, passed August 20, 2014 by the Cleveland City Council, the Commissioner of Purchases and Supplies is directed to convey an easement interest in City-owned property under charge of the Department of Public Utilities and located on Henninger Road, as more fully described in the ordinance, to the Northeast Ohio Regional Sewer District, for the price of \$2,540.00 which amount is determined to be fair market value.

Be it further resolved that the Directors of Public Works and Public Utilities are requested to execute and deliver the official deeds of the City of Cleveland conveying the easements, which documents shall contain such additional terms and provisions as the Director of Law shall determine to be necessary to protect the City's interests.

Yeas: Directors Langhenry, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 532-14.

By Director Cox.

Whereas, under the authority of Ordinance No. 844-14, passed August 20, 2014 by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized to convey, by and at the direction of Board of Control of the City of Cleveland, certain permanent and temporary easement interests found and determined to be not needed for public use and more fully described in the ordinance, in certain City-owned property located along the East 49th Street bridge, to Cuyahoga County, for the rehabilitation of East 49th Street bridge at Morgana Run Trail, at a price of \$1,364.00 which was determined to be fair market value; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 844-14, passed August 20, 2014 by the Cleveland City Council, the Commissioner of Purchases and Supplies is directed to convey to Cuyahoga County, Ohio permanent and temporary non-exclusive easement interests in City-owned property not needed for public use and located on East 49th Street along the East 49th Street bridge, as more fully described in the ordinance, for the price of \$1,364.00.

Be it further resolved that the Director of Public Works is requested to execute and deliver the official deeds of easement of the City of Cleveland conveying the easements, which documents shall contain such additional terms and provisions as required to protect the City's interests.

Yeas: Directors Langhenry, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 533-14.

By Director Spronz.

Whereas, under the authority of Ordinance No. 990-14, passed October 27, 2014 by the Council of the City of Cleveland, the Director of Capital Projects is authorized to lease to the John G. Johnson Construction Company, or its designee, for a term not exceeding five years, with one option to renew for an additional five years exercisable by the Director of Capital Projects, certain property known as Arch No. 6 of the Superior Viaduct, which is not needed for the City's public use, as more fully described in the ordinance, for an amount determined as fair market value by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Ordinance No. 990-14, passed October 27, 2014 by the Cleveland City Council, the amount of \$860.00 per year for lease of the above-mentioned City-owned Arch No. 6 of the Superior Viaduct not needed for the City's public use and more fully described in the ordinance, to the John G. Johnson Construction Company, or its designee, is determined to be fair market value, exclusive of utilities.

Be it further resolved that the Director of Capital Projects is requested to execute and deliver the official lease of the City of Cleveland leasing the above-described property, which document shall, contain such additional terms and provisions as the Director of Law shall determine to be necessary to protect the City's interests.

Yeas: Directors Langhenry, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 534-14.

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. 142-03-028 located 4099 East 146th 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, Ernestine Daniel and Isaac Daniel 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 1 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 Ernestine Daniel and Isaac Daniel for the sale and development of Permanent Parcel No. 142-03-028 located 4099 East 146th 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, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 535-14.

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. 140-19-058 located at 3915 Lee Hts. Blvd.; 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, Nathan Rubin has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 1 has 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 Nathan Rubin for the sale and development of Permanent Parcel No. 140-19-058 located at 3915 Lee Hts. Blvd., 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, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 536-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 129-16-112 located at 2781 East 125th 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, Deborah A. Hemphill 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 6 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 Deborah A. Hemphill for the sale and development of Permanent Parcel No. 129-

16-112 located at 2781 East 125th 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, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

Resolution No. 537-14.

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. 016-17-059 located at 3584 West 54th 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, Daryl Anderson 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 14 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 Daryl Anderson for the sale and development of Permanent Parcel No. 016-17-059 located at 3584 West 54th 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, Cox, Acting Director Baker, Directors McGrath, Rush, Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Director Dumas, Interim Director Dumas and Director Smith.

JEFFREY B. MARKS, Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date slated in the examination announcement.

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

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

ROBERT BENNETT, President

CIVIL SERVICE NOTICE

**ANNOUNCEMENTS — 2014
Filing Beginning 11/21/2014**

Annou-Exam No.	Classi- Method	fication	Exam Type
157	WR	Patrol Officer City of Cleveland	Open
158	EE	Budget Administrator	N/C
159	EE	Cook	N/C

PROOF OF CITY RESIDENCY
Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories include, but are not limited to, the following:

- Lease - from rental agency.
- Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it us unacceptable.

Utility bills bearing the property address **and** your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration **or** Driver's License **or** Ohio I.D. (**One only**).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of **unacceptable** categories of proof:

- Library cards.
- Voter registration cards.
- Birth certificates.
- Notarized letters or affidavits.
- Social Security card.
- Rental receipts from independent party without cancelled checks or money order receipt.

**APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 157**

**PATROL OFFICER - CITY OF
CLEVELAND (Open)**

Public notice is hereby given, by the Civil Service Commission of Cleveland, Ohio, of an open competitive examination for the above classification.

FILING OF APPLICATION

Application must be made on an official Civil Service application form obtainable at the Cleveland Public Auditorium, 500 Lakeside Avenue, Cleveland, OH 44114 on weekdays and at Cleveland City Hall rotunda, 601 Lakeside Avenue, Cleveland, OH 44114 on Saturday.

APPLICATIONS MAY BE OBTAINED AND FILED DURING THE PERIOD OF MONDAY, DECEMBER 1, 2014 THROUGH THURSDAY, DECEMBER 11, 2014. WEEKDAY HOURS ARE 9:00 A.M. UNTIL 4:00 P.M. SATURDAY, DECEMBER 6, 2014 HOURS ARE 9:00 A.M. UNTIL 3:00 P.M.

APPLICATIONS WILL ALSO BE ACCEPTED AT THE FOLLOWING RECREATION CENTERS FROM 5:00 P.M. UNTIL 8:00 P.M. ON THE DATE LISTED:

DATE: Tuesday, December 2, 2014
PLACE: Gunning Recreation Center 16700 Puritas Avenue.

DATE: Thursday, December 4, 2014
PLACE: Zelma George Recreation Center 3155 Martin Luther King Boulevard.

DATE: Tuesday, December 9, 2014
PLACE: Estabrook Recreation Center
 4125 Fulton Road.

DATE: Wednesday, December 10, 2014
PLACE: John F. Kennedy Recreation
 Center 17300 Harvard Avenue.

**APPLICATIONS WILL NOT BE
 ACCEPTED AFTER 4:00 P.M. ON
 THURSDAY, DECEMBER 11, 2014. IT
 IS THE POLICY OF THE CIVIL SER-
 VICE COMMISSION THAT NO LATE
 FILING WILL BE PERMITTED.**

NOTE: Applicants residing in Cuyahoga and its surrounding counties (Geauga, Lake, Lorain, Medina, Portage, and Summit) **MUST** return their applications in person. Others may return their application along with the required documentation and filing fee (which can be cash, a money order, or a certified check made out to the City of Cleveland) via the mail (no third party may file for an applicant unless they have power of attorney or are an immediate family member to a person currently on active duty in the military) to: The Cleveland Civil Service Commission, 601 Lakeside Avenue, Room 119, Cleveland, OH 44114. A completed application must be received by Civil Service by the last day of the filing period. If the application is incomplete or the requisite items are not included, the application will be returned. For all approved applications, an admittance card will be sent to the candidate.

FILING FEE

Applicants are required to pay a non-refundable filing fee of \$10.00 (Cash only for those individuals filing in person. **NO CREDIT CARDS OR PERSONAL CHECKS WILL BE ACCEPTED.**) Those individuals presenting proof of unemployment or public assistance **AT THE TIME OF FILING** will be exempt from the fee. **A copy of such proof must be included with the application.**

169.04 CODIFIED ORDINANCE- CIVIL SERVICE EXAMINATION FEES

(a) The Civil Service Commission is hereby authorized to charge applicants in all civil service examinations for positions in the classified service of the City of Cleveland an examination application fee, which fee shall be established by the Board of Control based upon recommendation by the Civil Service Commission. The fee established for any given examination shall not exceed twenty five dollars (\$25.00) unless authorized by Council. Any fee established pursuant to this section may be waived by the Civil Service Commission if the applicant is determined by the Commission to be indigent.

SALARY

The starting salary while in the Police Training Academy is \$10.50 per hour. Upon successful completion of the Academy, the salary for Patrol Officer is \$45,904.64 per year.

DUTIES

Under supervision of a Sergeant or other superior officer, performs general and special police duty in an

assigned district or unit in the preservation of law and order. Protect life and property. Enforces laws and ordinances. Prevents and detects crime. Work involves an element of personal danger. Acts without direct supervision and exercises independent judgment in meeting complex situations. Performs other job-related duties as required.

MINIMUM QUALIFICATIONS

AGE: Applicant must be a minimum of 21 years of age and no older than 39 years of age **AT THE TIME OF APPOINTMENT TO THE CITY OF CLEVELAND POLICE TRAINING ACADEMY.**

EDUCATION: Applicants must indicate in their application, and present proof at the time of filing, that they have received a High School Diploma* from an accredited educational institution or have satisfactorily completed the General Education Development Test (GED). **One of the following must be presented at the time of filing:**

- A. High School Diploma.
- B. GED.
- C. Letter on official stationery from High School or Board of Education stating that the applicant did graduate.
- D. DD-214 (Separation from Active Duty) which indicates the individual graduated from High School or passed the General Education Development Test.

*If the applicant graduated from, for example, a Charter School was home schooled, or graduated from a school outside of Ohio applicant **MUST** be able to document that the requirements of the state in which the diploma/GED was issued were met.

APPLICANTS WHO CANNOT PRESENT PROOF OF IDENTITY, AGE, AND EDUCATION WILL NOT BE PERMITTED TO FILE AN APPLICATION. THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO VERIFY THE AFOREMENTIONED DOCUMENTS AND TO WITHHOLD THE ACCEPTANCE OR REJECTION OF APPLICATION UNTIL SUCH VERIFICATION CAN BE OBTAINED.

DRIVER'S LICENSE

Applicant must have a valid State of Ohio Driver's License **PRIOR** to appointment to the Police Academy.

CITIZENSHIP

Applicant must be a citizen of the United States **PRIOR** to appointment to the Police Academy.

WORK HOURS

A Police Cadet and Patrol Officers must be available to work any shift on any day of the week.

AMERICAN'S WITH DISABILITIES ACT

Any individual with a disability who requires reasonable accommodation in order to compete effectively on this examination shall notify the Civil Service Commission of such need on the

appropriate form, available through Civil Service, at the time of filing. The Commission will contact the individual concerning such accommodation prior to the examination. The Commission may refuse to provide such accommodation if it is not reasonable or would constitute an undue hardship. The Commission will require current (within one year) documentation supporting the need for the requested accommodation. Such documentation shall be submitted at the time of filing.

EXAMINATION INFORMATION

DATE: SATURDAY, February 28, 2015.

TIME: 11:00 a.m. (Doors will open at 10:00 a.m.)

PLACE: CLEVELAND PUBLIC AUDITORIUM (Formerly known as Cleveland Convention Center) 500 Lakeside Avenue, Cleveland, OH 44114.

TYPE: WRITTEN EXAMINATION

This examination will consist of a written test. If you receive a passing grade on the examination, you will be placed on the eligibility list for Patrol Officer. Your examination grade will be used in conjunction with any residency credit and/or veterans' preference credit to determine your rank order position on the eligibility list.

ADDITIONAL SELECTION PROCEDURES

Applicants who receive a passing grade on the written examination and rank high enough on the eligible list for Patrol Officer and receive Civil Service Certification will be subject to the following examinations:

Physical Abilities Examination: The test is designed to evaluate physical ability to perform the duties of a Patrol Officer. You will be scored on a pass/fail basis, based on the time required for you to complete the test.

Drug Screening: Each applicant shall undergo an examination for drug usage. This examination may be in the form of urinalysis. Any applicant whose results from the drug screening examination are determined to be positive shall be removed from the eligibility list unless such results can be satisfactorily related to the advice of a recognized medical practitioner. Drug screening may also be conducted after appointment to the academy.

Background Investigation: Background investigation and evaluation may include interviews with present and previous employers. Neighbors and family may be contacted as part of the investigation. In addition, a check of Local and State Police and FBI records, both adult and juvenile, and Bureau of Motor Vehicle records will be made. The background test also includes review of sealed and expunged records. Unsatisfactory findings in one or more of these areas may be cause for removal from the Civil Service eligibility list. Conviction of a felony is absolute grounds for removal from the list. Any applicant convicted of a felony will be removed from the eligible list and

will receive no further consideration. There are also misdemeanor convictions that would result in the removal of an applicant from the eligibility list.

Psychological Evaluation: A psychological evaluation to determine the applicant's emotional suitability to perform all aspects of the job will be conducted. Each applicant may be required to take several written examinations. These, along with the results of the background investigation, will be submitted to one or more psychologist(s)/psychiatrist(s) who will interview the candidates. All records of the psychological and background examinations will be made available to the Civil Service Commission. The Commission will review such records and make the final determination of each applicant's suitability for removal from the eligible list.

Medical Examination: Any appointment to the position of Patrol Officer will be conditioned upon passing a pre-employment medical examination conducted in accordance with the provisions of Title I of the Federal American's with Disabilities Act (ADA). A copy of the ADA may be obtained at the Civil Service Commission Office at a minimal cost or online. The standards for the medical examination are available for review in the Office of the Civil Service Commission and online.

LIFE OF THE ELIGIBILITY LIST

The life of the eligibility list from this examination will not exceed two years from the date the list is established, pursuant to the Charter of the City of Cleveland (Section 130).

RESIDENCY CREDIT

In accordance with the Charter of the City of Cleveland: A person who has had as his/her primary residence in the City of Cleveland for at least one year at the time of filing a Civil Service application, and desires to take an entry-level Civil Service examination, shall, if a passing grade on the written examination is attained, have ten (10) points added to his/her passing score.

In order to receive residency credit, applicants must present the originals OR LEGIBLE COPIES of 4 different proofs of residency from ONE YEAR AGO* and 4 different proofs of residency that are CURRENT** (A total of EIGHT documents) for verification. Such proofs include:

- Driver's License
- Bank Statements
- Utility Bills
- Mortgage or Lease Agreement
- Bills from creditors not listed above.
- Other Postmarked mail such as magazines with name and mailing label attached, organization newsletters, medical/dental bills, voter registration card, or motor vehicle registration.
- Insurance Statement (Home insurance, rental insurance, car insurance or other insurance documents).

* "ONE YEAR AGO" SHALL BE ONE YEAR PREVIOUS TO DATE OF FILING. For example, if you are filing for the examination in December of 2014 you must present 4 different documents dated October or November or December of 2013.

** "CURRENT" SHALL BE WITH IN THE LAST THREE MONTHS. For example, if you are filing for the examination in December of 2014 you must present 4 different documents dated October or November or December of 2014.

NOTE: IF CREDITORS ARE PAID ONLINE, A COPY OF BILL IS TO BE PRINTED SHOWING THE ADDRESS OF THE APPLICANT. THE BILL MUST HAVE THE DATE VISIBLE.

NOTE: PURSUANT TO THE CHARTER OF THE CITY OF CLEVELAND AND RULES OF THE CIVIL SERVICE COMMISSION AND THE OHIO REVISED CODE:

Any applicant that willfully provides any false document, statement, or certification in regard to any test will be terminated from all processing, removed from any eligible list, and may face possible criminal prosecution.

VETERANS' PREFERENCE

Veterans' preference will be awarded, when applicable, to eligible veterans in accordance with Civil Service Rules 4.40E, 4.40F and 4.40G.. Proof of active service or a DD Form 214, must be presented to the Commission at the time of filing application for the examination in which credit is sought in order to qualify for veterans' credit. If the applicant has received an honorable discharge or a general discharge under honorable conditions that applicant shall receive an additional five (5) points added to their raw score on the examination.

NOTE: Only DD Form 214 (long form) or an official armed service document indicating type of discharge or separation and the dates of active service will be accepted as proof of active service.

NOTE: Active duty military personnel must provide their most recent Leave and Earnings Statement (LES) or their current military orders as proof of service.

NOTE: Applicants who desire additional Veterans' Credit (as provided for in Rule 4.40E) will be required to have an affidavit stating the applicant's date of separation from active duty, percentage of service-related disability, and date of discharge; and shall understand that this affidavit will be subject to verification by the Civil Service Commission. Any false information provided on this affidavit will be considered as a falsification of application and result in the applicant being removed from the eligible list upon discovery of the error (in accordance with Civil Service Rule 5.40). THE COMMISSION WILL NOT ENTERTAIN APPEALS FOR RESIDENCY CREDIT OR VETERANS' PREFERENCE CREDIT AFTER THE APPLICANT HAS FILED

HIS/HER APPLICATION. THE DECISION OF THE COMMISSION IS FINAL.

TIE SCORES

In accordance with Civil Service Rule 5.10, in an Open examination, should two or more applicants receive the same grade, the order in which their names shall be placed on the eligible list shall be determined by random selection.

WAIVER OF RULES

The Civil Service Commission hereby waives all applicable rules or portions of its rules which may or may not conflict with the Charter of the City of Cleveland and/or litigation involving this examination. In particular:

1. **Rule 3.30** (The waiver of this Rule shall mean that the examining staff may refuse to allow an applicant to file, if the applicant cannot present proof of identity, age, and education at the time of filing.)

2. **Rule 3.43** (The waiver of this Rule will allow the applicants to present their Driver's Licenses prior to appointment to the Police Training Academy.)

3. **Rule 4.30D** (The waiver of this Rule shall mean that a medical examination will not be administered prior to the establishment of the eligible list.)

4. **Rule 4.30F** (The waiver of this Rule shall mean that applicants who fail the psychological examination will be automatically scheduled for re-examination to gain a second opinion.)

5. **Rule 4.40B** (The waiver of this Rule shall mean that the required passing grade shall be established by the Commission.)

6. **Rule 4.50** (The waiver of this Rule shall mean that there will be no review periods for this examination.)

7. **Rule 6.80** (The waiver of this Rule shall mean that the probationary period for Patrol Officer shall be fixed at six months, upon completion of the Police Academy.)

The aforementioned Civil Service Rules are hereby waived either in their entirety or in part. The Commission retains the right to waive other Rule requirements as appropriate.

Applicants having questions regarding these waivers should contact the Civil Service Office at (216) 664-2467.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 158

BUDGET ADMINISTRATOR (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$30,214.95 - \$107,006.06 per Year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON, FRIDAY, DECEMBER 12, 2014 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 18, 2014.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 18, 2014.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

NOTE: THE ELIGIBLE LIST FOR THIS CLASSIFICATION WILL BE VALID FOR ONLY NINE MONTHS FROM THE DATE OF ITS APPROVAL BY THE CIVIL SERVICE COMMISSION.

DUTIES OF THE POSITION

Under general direction, supervises staff. Directs regular reviews of the operating and capital budgets. Conducts cost analyses and management studies. Reviews budget variances and requests for budget adjustments. Implements and monitors grant review systems. Evaluates the progress of Capital Improvement Programs. Develops, implements, and oversees financial systems to monitor budgetary performance. Performs related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MUST MEET THE MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AT THE TIME OF FILING UNLESS OTHERWISE STATED. SUCH QUALIFICATIONS

AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. A Bachelor's Degree in Accounting, Finance, Business/Public Administration or related field is required, an MBA is preferred. Seven years of progressively responsible professional budgeting experience including two years of supervisory experience, is required. Must have three years of full time paid experience in governmental accounting systems or data processing accounting systems. (Substitution: Two years of experience may substitute for each year of college education lacking.) Must be knowledgeable in Microsoft Office Suite and possess strong analytical and problem solving skills. A CPA is preferred. Knowledge of grant requirements and federal regulations is preferred.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES
ANNOUNCEMENT NO. 159

COOK (NON-COMP)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON COMPETITIVE examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$13.77 - \$16.43 per Hour.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON, FRIDAY, DECEMBER 12, 2014 UNTIL 4:30 P.M. ON THURSDAY, DECEMBER 18, 2014.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, DECEMBER 18, 2014.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: EXPERIENCE EVALUATION: Applicant's eligibility will be

determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

NOTE: THE ELIGIBLE LIST FOR THIS CLASSIFICATION WILL BE VALID FOR ONLY NINE MONTHS FROM THE DATE OF ITS APPROVAL BY THE CIVIL SERVICE COMMISSION.

DUTIES OF THE POSITION

Under immediate supervision, prepares and cooks food in a hospital or institution. Performs related duties as required. TYPICAL TASKS: Supervises the preparation of meals. Prepares and cooks meats, vegetables, and soups. Prepares cereals, desserts, salads, and special diets. Prepares breakfast, dinner, or supper. Serves food at steam tables. Weighs food for diabetic patients. Tags carts. Delivers food to dining room. Clears tables. Cleans utensils, sinks, tables, and other equipment. Handles supplies. Maintains food records. Takes inventory of supplies. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MUST MEET THE MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AT THE TIME OF FILING UNLESS OTHERWISE STATED. SUCH QUALIFICATIONS AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or G.E.D. is required. Three (3) years of full-time paid experience in commercial, institutional, or related volume food preparation including one (1) year preparing meals according to specialized diets.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

ROBERT BENNETT,
President

November 26, 2014

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY, DECEMBER 15, 2014

9:30 A.M.

Calendar No. 14-215: 399 East 131st Street (Ward 10)

Clement Kollin, owner, proposes to store fill dirt on a parcel located in a B3 Semi-Industry District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 345.03 which states that outdoor storage of dusty materials is not permitted in a Semi-Industry District but as stated in Section 345.04(a)(1)(B) is first permitted in a General Industrial District.
2. Section 345.04(a)(1)(C)(3) which states that open yard storage requires a seven foot high, non-transparent fence.
3. Section 349.07(a) which states that all vehicle maneuvering areas shall be paved, and drained within the lot and no paving or drainage is shown. (Filed October 31, 2014)

Calendar No. 14-219: 1446 West 48th Street (Ward 3)

Scott Francis, owner, proposes to erect a 16' - 4" x 23' second floor room addition to the existing single family residence in a B1 Two-Family Residential District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 357.09(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within the Residence District and 7' - 7" are proposed.
2. Section 357.13(c) which states that air conditioning units are not permitted as an interior side yard encroachment. (Filed November 6, 2014)

Calendar No. 14-220: 14407 Alger Road (Ward 17)

Sigrid Nelsen, owner, proposes to construct a one car, 14' x 18' wood detached frame garage on a 40' x 105' parcel located in an A1 One-Family Residential District. The owner appeals for relief from Section 337.23(a)(7)(A) which states that in a Residence District an accessory garage must be located a minimum of 18" from all property lines and the proposed garage is within 6 inches of the property line. (Filed November 6, 2014)

Violation Notice

Calendar No. 14-222: 12710 Miles Avenue (Ward 2)

Badran, LLC, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the Notice of Violation issued on October 9, 2014 by the Cleveland Department of Building and Housing for failure to comply with Section 327.02 regarding establishing use as motor vehicle repair and used auto sales without a Certificate of Occupancy; Section 337.16 regarding conducting motor vehicle repair business in a Residential District; Section 343.01 which states used motor vehicle sales is not permitted in a Residential District; Section 350.04 which states that no outdoor signage should be displayed

without a permit; and Section 327.02(B) which requires a permit to build a fence. (Filed November 10, 2014)

**POSTPONED FROM
NOVEMBER 3, 2014**

Calendar No. 14-192: 2489 East 79th Street (Ward 6)

John Deadwyler, owner, proposes to expand an existing car wash to include Motor Vehicle major repair as defined in Section 325.483 of the Cleveland Codified Ordinances on a parcel located in a C2 General Retail Business District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 343.11 which states that in a General Retail Business District Motor Vehicle major auto repair is not permitted.

2. Section 345.03(c)(2) which states that motor vehicle major repair garage is first permitted in Semi-Industry if located 100 feet away from a Residential District and the proposed site abuts a Multi-Family Residential District.

3. Section 352.09 which states that an 8 foot wide transition strip is required where the lot abuts a Multi-Family Residential District and none is shown. (Filed September 23, 2014 - no testimony)

Postponement made at the request of the Development Corporation for further review.

**POSTPONED FROM
NOVEMBER 10, 2014**

Calendar No. 14-193: 3650 East 143rd Street (Ward 2)

Shelda Brantley, owner, proposes to change use from a two-family dwelling unit to a Senior Home on a parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that by reference in Section 337.02(f)(3)(F) as permitted in a One-Family Residential District a home for the aged is permitted if located 30 feet away from any adjoining premises in a Residence District not used for a similar purpose and subject to Board of Zoning Appeals approval.

2. Section 349.04(d) which states that 5 accessory off-street parking spaces are required and 2 are proposed. (Filed September 30, 2014 - no testimony)

Postponement made at the request of the Councilman to allow for a public meeting.

**POSTPONED FROM
SEPTEMBER 8, 2014**

Calendar No. 14-141: 1839 Fulton Road (Ward 3)

Alex Preedy, owner, proposes to erect a 4' x 14' deck addition on an irregular shaped parcel in a B1 Two Family Residential District. The owner appeals for relief from the strict application of the following Sections of the Cleveland Codified Ordinances:

1. Section 357.08(b)(1) which states that the required rear yards shall not be less than 20 feet but in no case less than the height of the main building and no rear yard is proposed.

2. Section 357.09 (b)(2)(B) which states that in a Two Family District

no interior side yard shall be less than 3 feet in width and zero is proposed.

3. Section 357.10(b)(3) which states that in the case of an irregular, triangular or segment-shaped lot, the required width of a required interior side yard shall be interpreted to mean the average width, provided that no such required interior side yard on any lot shall be less than three (3) feet in width at any point. (Filed July 29, 2014 - no testimony)

Postponed at the request of the appellant due to a work assignment out of town.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, NOVEMBER 24, 2014

At the meeting of the Board of Zoning Appeals on Monday, November 24, 2014, the following appeals were scheduled for hearing before the Board.

The following appeal was **APPROVED:**

Calendar No. 14-206: 11601 Mayfield Road

University Circle Housing Inc., appealed to erect a 190,600 square foot mixed-use retail and 226 dwelling unit residential building, a 278,900 square foot, 800 space parking garage building and a 141,500 square foot retail and office building on a 98,446 square foot lot that is located in a G4 Multi-Family Residential District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

Calendar No. 13-253: MWTP LLC
4600 West 160th Street. Postponed to January 26, 2015.

Calendar No. 14-203: Marge Misak
3018 Clinton Avenue. Postponed to January 12, 2015.

Calendar No. 14-205: Muhammad Riaz
5605 Detroit Avenue. Postponed to January 5, 2015.

Calendar No. 14-207: Carey Holdings Inc.
5801 Ensign Avenue. Postponed to January 5, 2015.

The following appeals were heard by the Board on November 17, 2014 and the decisions were adopted and approved on November 24, 2014:

The following appeals were **APPROVED:**

Calendar No. 14-201: 2633 West 11th Street
Margy and Amo Judd, appealed to erect a 24' x 24' 1 story frame

detached garage with second floor storage on a double lot located in a B1 Two-Family Residential District.

Calendar No. 14-191: 4215 Robert Avenue Iglesia Hispanan Pentecostal, owner, and Lincoln Preparatory School tenant appealed to install a Mobile Classroom structure on a parcel located in a B1 Two-Family Residential District.

The following appeal was heard by the Board on November 4, 2014 and the decisions were adopted and approved on November 24, 2014:

Calendar No. 14-188: 17045-17121 Euclid Avenue John Malone, owner, appealed to install a 54 inch high black aluminum picket fence in the front yard and 6 foot high fence in the side yard of a property located in a D2 Local Retail Business District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of November 19, 2014

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

* * *

Docket A-173-14.

RE: Appeal of NDNMD, Inc., Owner of the Property, located on the premises known as 7260 Neville Avenue (aka 7275 Wentworth Avenue) from a NOTICE OF VIOLATION — FIRE CODE, dated August 5, 2014, the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date. The docket is rescheduled for December 3, 2014.

* * *

Docket A-179-14.

RE: Appeal of Richard A. Hersh-bain (Deceased), Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 2677 East 128th Street from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated August 20, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-179-14 has been WITHDRAWN at the request of the Appellant's representative.

* * *

Docket A-180-14.

RE: Appeal of EV Bishoff, Owner of the Property, located on the premises known as 1277 Hamilton Avenue from a LIMITATION THE PERMITS, dated September 27, 2013

of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Extension of Time on the permits until May 31, 2014. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-181-14.

RE: Appeal of Wanda Maultsby, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 3628 East 54th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated August 24, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued, the Appellant is financially unable to satisfy financial obligations and that the property will not be rehabilitated; the Appellants request for additional time is DENIED; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-182-14.

RE: Appeal of Donald & Cynthia Grimes, Owners of the Residential Property, located on the premises known as 7902 Brinsmade Avenue from a NOTICE OF VIOLATION — HVAC, dated August 29, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that after reviewing the position of the condenser unit and the offset from the property accommodating the position of the unit, a variance is granted to the code requirement and permit the condenser unit to remain where it is presently located, which is on the side of the property at the offset. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-183-14.

RE: Appeal of Hilbert & Patricia Bridges, Owners of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 11701 Hamlen Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 4, 2014 of the Director of the Department of Building and

Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-184-14.

RE: Appeal of Khadija Kelley, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 2639 East 121st Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 4, 2014, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the Appellant's request for additional time and to REMAND the property to the Department of Building and Housing for supervision and any required further action, noting that the Appellant was not present for the hearing; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-185-14.

RE: Appeal of Dana S. Paterson, Owner of the One Dwelling Unit Single-Family Residence One & One/half Story Frame Property, located on the premises known as 2126 West 67th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 28, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until August 31, 2015 in which to complete abatement of all violations, noting that all required permits be obtained, the grounds are to be debris-free and kept clean and groomed; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

Docket A-186-14.

RE: Appeal of Sarah Gardner, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as

11619 Hamlen Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 4, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-186-14 has been POSTPONED; to be rescheduled for December 3, 2014.

* * *

Docket A-188-14.

RE: Appeal of Left Side Developments, LLC, Owner of the Property, located on the premises known as 2220 Superior Viaduct from an ADJUDICATION ORDER, dated September 10, 2014 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variances required and to allow a water wash sprinkler system in conjunction with a standard in-building sprinkler system be used to achieve the rating on the east wall of the building, and to permit additional windows to be installed, noting that should the adjacent property owner wish to build up the wall, the openings on the east wall will be closed per code requirements, and to require that the provisions of this condition to the wall be recorded. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-162-14 — Donald J. Ernst
- A-170-14 — Contained Ecological Solutions, LLC
- A-171-14 — Gery Crews
- A-172-14 — Stanley W. Kebe Jr.
- A-174-14 — Tyree Penman
- A-178-14 — Sebastian Santana

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

* * *

APPROVAL OF MINUTES:

Separate motions were entered by Mr. Maschke and seconded by Mr. Gallagher Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

November 5, 2014

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

WEDNESDAY, DECEMBER 10, 2014

File No. 134-14 — Processing of Recyclable Materials (Re-Bid), for the Division of Waste Collection, Department of Public Works, as authorized by Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, DECEMBER 2, 2014 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 25 CONFERENCE ROOM, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 19, 2014 and November 26, 2014

FRIDAY, DECEMBER 12, 2014

File No. 136-14 — Tire Repair Road Service, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.17 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, DECEMBER 5, 2014 AT 10:00 A.M. CLEVELAND CITY HALL, CONFERENCE ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 137-14 — Cab and Chassis With Digger Derrick Body and Related Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 752-12, passed by the Council of the City of Cleveland, June 4, 2012.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, DECEMBER 5, 2014 AT 10:30 A.M. CLEVELAND CITY HALL, CONFERENCE ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 138-14 — Labor and Materials Necessary to Maintain and Repair Heating, Ventilation and Air Conditioning Systems (Re-Bid), for the various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 1189-14, passed by the Council of the City of Cleveland, October 13, 2014.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, DECEMBER 5, 2014 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OH 44135-3193.

November 26, 2014 and December 3, 2014

THURSDAY, DECEMBER 18, 2014

File No. 135-14 — Pap and HPV Testing Services, for the Division of Health Administration, Department of Public Health, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING WEDNESDAY, DECEMBER 10, 2014 AT 11:00 A.M. LOCATED AT THE MCCAFFERTY HEALTH CENTER, 4242 LORAIN AVENUE, CLEVELAND, OHIO 44114.

File No. 140-14 — Fence Installation, Maintenance and/or Repair, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 567-13, passed by the Council of the City of Cleveland, May 6, 2013.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, DECEMBER 4, 2014 AT 10:00 A.M. THE TOM L. JOHNSON BUILDING, CONFERENCE ROOM A, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 26, 2014 and December 3, 2014

FRIDAY, DECEMBER 19, 2014

File No. 141-14 — Street Lighting Fixtures, Poles and Materials, 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 FRIDAY, DECEMBER 5, 2014 AT 11:00 A.M. THE TOM L. JOHNSON BUILDING, CONFERENCE ROOM A, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 142-14 — Labor and Materials Necessary to Perform Tree Trimming Services for the Various Divisions of the Department of Public Utilities, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 863-13, passed by the Council of the City of Cleveland, August 14, 2013.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, DECEMBER 5, 2014 AT 10:00 A.M. THE TOM L. JOHNSON BUILDING, CONFERENCE ROOM A, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

November 26, 2014 and December 3, 2014

FRIDAY, DECEMBER 19, 2014

File No. 139-14 — Lorain Avenue Reconstruction West 150th Street to West 17th Street CUY-10-10.17 PID 84289, for the Division of Engineering and Construction, Department of The Mayor's Office of Capital Projects, as authorized by Ordinance No. 648-13, passed by the Council of the City of Cleveland, May 20, 2013.

*THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF SEVENTY FIVE DOLLARS (\$75.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR 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, DECEMBER 11, 2014 AT 10:00 A.M. THE CLEVELAND CITY HALL, ROOM 514, 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.**

November 26, 2014, December 3, 2014 and December 10, 2014

ADOPTED RESOLUTIONS AND ORDINANCES**Res. No. 1530-14.**

By Council Member Brancatelli.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 3850 East 65th Street, 1st floor only and repealing Resolution No. 1197-14, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to 3850 East 65th Street, 1st floor only by Resolution No. 1197-14 adopted by the Council on September 15, 2014; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to Reichenberger Group, LLC, DBA Mike's Food Mart, 3850 East 65th Street, 1st floor only, Cleveland, Ohio 44105, Permanent Number 7278587, be and the same is hereby withdrawn and Resolution No. 1197-14, 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 November 17, 2014.

Effective November 19, 2014.

Res. No. 1531-14.

By Council Member Dow.

An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 8812 Hough Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Dana Distributors, Inc., DBA Hough Beverage & Deli, 8812 Hough Avenue, Cleveland, Ohio 44106, Permanent Number 19018130001 to Taleen Corporation, DBA Hough Beverage & Deli, 8812 Hough Avenue, Cleveland, Ohio 44106, Permanent Number 8785118; and

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

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

Whereas, the place for which the permit is sought has not conformed

to the building, safety or health requirements of the governing body of this County or City; and

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Dana Distributors, Inc., DBA Hough Beverage & Deli, 8812 Hough Avenue, Cleveland, Ohio 44106, Permanent Number 19018130001 to Taleen Corporation, DBA Hough Beverage & Deli, 8812 Hough Avenue, Cleveland, Ohio 44106, Permanent Number 8785118; and requests the Superintendent of the Division 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 November 17, 2014.

Effective November 19, 2014.

Res. No. 1532-14.

By Council Member J. Johnson.

An emergency resolution objecting to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to 16417-19 Euclid Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Laisure, Inc., 16417-19 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4972297 to Big Mommas Hill, LLC, 16417-19 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 0717975; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit from Laisure, Inc., 16417-19 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 4972297 to Big Mommas Hill, LLC, 16417-19 Euclid Avenue, Cleveland, Ohio 44112, Permanent Number 0717975; and requests the Superintendent of the Division 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 November 17, 2014.
Effective November 19, 2014.

Res. No. 1533-14.
By Council Member Polensek.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 910 East 185th Street and repealing Resolution No. 1007-14, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to 910 East 185th Street by Resolution No. 1007-14 adopted by the Council on August 20, 2014; and

Whereas, this Council wishes to withdraw its objection to the above permit and consents to said permit based upon a cooperation agreement

between Najah Odetallah, CEO of Petro Energy Northeast, Inc., and Councilman Michael D. Polensek; and

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to Petro Energy Northeast, Inc., 910 East 185th Street, Cleveland, Ohio 44119, Permanent Number 6857042, be and the same is hereby withdrawn and Resolution No. 1007-14, 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 November 17, 2014.
Effective November 19, 2014.

Res. No. 1534-14.
By Council Member Polensek.
An emergency resolution objecting to a New C1 Liquor Permit at 17214 Grovewood Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New C1 Liquor Permit at MD3 Crosstown, LLC, DBA Crosstown Beverage, 17214 Grovewood Avenue, Cleveland, Ohio 44119, Permanent Number 57913740005; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to a New C1 Liquor Permit at MD3 Crosstown, LLC, DBA Crosstown Beverage, 17214 Grovewood Avenue, Cleveland, Ohio 44119, Permanent Number 57913740005; 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 November 17, 2014.
Effective November 19, 2014.

Res. No. 1535-14.
By Council Member Zone.
An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 2044 West 65th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from R & J Market, LLC, DBA R & J Market, 2044 West 65th Street, Cleveland, Ohio 44102, Permanent Number 7149083 to West 65th Street Food & More, LLC, DBA West 65th Market, 2044 West 65th Street, Cleveland, Ohio 44102, Permanent Number 9555106; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit

must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from R & J Market, LLC, DBA R & J Market, 2044 West 65th Street, Cleveland, Ohio 44102, Permanent Number 7149083 to West 65th Street Food & More, LLC, DBA West 65th Market, 2044 West 65th Street, Cleveland, Ohio 44102, Permanent Number 9555106; and requests the Superintendent of the Division 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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 1445-13.

By Council Member Cimperman and Zone.

An emergency ordinance to amend Section 135.40, 187.15, 187.16, 321.17, 623.16, and 665.15 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, to add gender identity and expression to employment nondiscrimination laws for goals and compliance of contractors.

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 sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 135.40, as amended by Ordinance No. 1126-75, passed July 25, 1977, Sections 187.15 and 187.16, as amended by Ordinance No. 77-08, passed February 4, 2008,

Sections 321.17 and 623.16, as amended by Ordinance No. 77-94, passed March 14, 1994, and

Section 665.15, as amended by Ordinance No. 162-A-2000, passed December 4, 2000, are amended to read as follows:

Section 135.40 Using Services of Local Colleges and Universities

In carrying out and implementing the provisions of Section 135.37, the Director of Public Safety shall actively seek out, utilize and establish a working plan and program with any local college or university in establishing an in-service training program and also to further the education of members of the uniform ranks in the Division of Police either by setting up new or utilizing existing programs of education, leading to courses in or a degree in a field of education relating directly or indirectly to police work. For purposes of such con-

tinuing and further education, the Director of Public Safety may rely on recommendations of the Personnel Counselor as to those members of the Division of Police who would reasonably appear to benefit from a program of continuing or further education at local colleges or universities, beyond the level of in-service training programs. Provided, however, that no member of the uniform ranks of the Division of Police shall be discriminated against in selection as a candidate for continuing or further education, beyond the in-service training program, at a local college or university on the basis of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status."

Section 187.15 Employment; Nondiscrimination; Goals of Contractors

(a) No Contractor shall discriminate against any employee or applicant for employment because of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, Disability, ethnic group or Vietnam-era or disabled veteran status. Contractors shall take affirmative action to ensure that applicants are employed and that employees are treated during employment without regard to race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, Disability, ethnic group or Vietnam-era or disabled veteran status. As used in this chapter, "treated" means and includes without limitation the following: recruited whether by advertising or other means; compensated, whether in the form of rates of pay or other forms of compensation; selected for training, including apprenticeship, promoted, upgraded, demoted, transferred, laid off and terminated. Contractors shall post in conspicuous places available to employees and applicants for employment, notices to be provided by the hiring representative of contractors setting forth the provisions of this nondiscrimination clause.

(b) Within sixty (60) days after entering into a Contract, each Contractor shall have filed with the Director a written affirmative action program, approved by the Administrator, containing standards and procedures ensuring that the Contractor, by specified affirmative actions with regard to its employees, facilities and performance of the Contract, affords all qualified employees and applicants for employment equal opportunities in the Contractor's recruitment, selection, and advancement processes.

(c) Each Contractor's affirmative action program shall contain the following components:

(1) A diagnostic component that includes quantitative analyses comparing the composition of the Contractor's workforce to the composition of the Cleveland Contracting Market employment pool according to the most current census data available, grouped by EEO occupations.

(2) Each affirmative action program shall contain placement goals as follows:

A. For each non-construction Contract, placement goals equal to the availability percentage for women or minorities where the percentage of women or minorities employed by the Contractor in a particular job group is less than would reasonably be expected given their percentage availabilities in the corresponding Cleveland

Contracting Market employment pool. Placement goals are objective targets reasonably attainable by applying a good-faith effort to implement all aspects of the affirmative action program; they are not inflexible quotas. Placement goals do not authorize or require a Contractor to grant a preference to any individual or adversely affect an individual's employment status for an unlawful discriminatory reason.

B. For each construction Contract, establish placement goals for minorities and women for each trade involved in the performance of the Contract equal to the goals established by the Director. Placement goals are objective targets reasonably attainable by applying a good-faith effort to implement all aspects of the affirmative action program; they are not inflexible quotas. Placement goals do not authorize or require a Contractor to grant a preference to any individual or adversely affect an individual's employment status for an unlawful Discriminatory reason.

(3) Identification of problem areas through analysis of the Contractor's employment process to determine if it affords or incorporates, or contains impediments to, equal employment opportunities.

(4) Action-oriented programs consisting of practical steps the Contractor will implement to address any identified problem areas or the underutilization of women or minorities in relation to their availability in the relevant labor pool.

(5) Internal auditing and reporting systems that monitor and examine the impact the Contractor's employment decisions and compensation systems have on women and minorities and their progress toward achieving a workforce that would be expected in the absence of discrimination.

(6) Policies, practices, and procedures that the Contractor will implement to ensure that all qualified applicants and employees enjoy equal opportunity in recruitment, selection, advancement, and every other term and privilege associated with employment.

(7) Any additional requirements the Administrator may require through the Regulations or on a case-by-case review of a Contractor's proposed affirmative action program.

Section 187.16 Compliance with Employment Goals

(a) Each Contractor shall be eligible for a certificate of employment compliance required under Section 187.07 when the Administrator, from the required submittals and other information supplied by the Contractor, determines that the Contractor is complying with this Code and the Regulations.

(b) Each Contractor shall submit to the Administrator and implement a written affirmative action program containing the components required under division (c) of Section 187.15. When the Administrator is satisfied that the Contractor has complied with the Code and its regulations, the Administrator shall issue a written "certificate of employment compliance."

(c) Immediately upon a finding that sixty (60) days after entering into a Contract, a Contractor has no affirmative action program, has deviated substantially from an approved affirmative action program, or has Discriminated against any employee or applicant for employment because

of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, Disability, ethnic group or Vietnam-era or disabled veteran status, the Administrator shall proceed according to division (f) of Section 187.17. Anything in the foregoing to the contrary notwithstanding, the Director shall not impose sanctions or remedial action against a Contractor solely because the Contractor fails to achieve the established placement goals.

(d) By notice in writing to the Director and the Clerk of Council, the Mayor may waive compliance with the employment goals established under division (c) of Section 187.15 with respect to a specific Contractor seeking the award of a specific Contract when, in the Mayor's sole judgment, the action is necessary in the best interests of the City and its citizens.

Section 321.17 Contents of Project Agreement

When authorized by the Board of Control as provided in Sections 321.15 and 321.16, the Director of Community Development shall enter into a project agreement for the sale and development or rehabilitation of sites in the community development project for and on behalf of the City, with the proposed purchaser, which agreement shall contain among other things such restrictions and covenants running with the land as set forth in the community development plan adopted and approved in accordance with Chapters 315 and 317, and which will prevent a recurrence of slum, blighted or deteriorating conditions, provided that no such restrictions shall be based upon race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status; shall provide appropriate remedies for any breach of the covenants or conditions; and shall be prepared by the Director of Law and contain such other conditions as may be required by the Board of Control and, in Federally assisted projects, by the United States government.

Section 623.16 Ethnic Intimidation

(a) No person shall violate RC 2903.21, 2903.22, 2909.06, 2909.07 or 2917.21(A)(3) to (5) or Sections 621.06, 621.07, 621.10(a)(3) to (5), 623.02 or 623.03 of the General Offenses Code by reason of the race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group or Vietnam-era or disabled veteran status, of another person or group of persons.

(b) Whoever violates this section is guilty of ethnic intimidation. Ethnic intimidation is an offense of the next higher degree than the offense the commission of which is a necessary element of ethnic intimidation.

Section 665.15 Intimidation or Interference in Housing

No person, whether or not acting under color of law, shall by force or threat of force willfully injure, intimidate or interfere with, or attempt to injure, intimidate or interfere with any of the following:

(a) Any person because of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, or ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry and because that person is or has been selling, purchasing, renting, financing, occupy-

ing, contracting, or negotiating for the sale, purchase, rental, financing, or occupation of any property; or applying for or participating in any service, organization, or facility relating to the business of selling or renting housing accommodations;

(b) Any person because that person is, or has been, or is considering:

(1) Participating, without discrimination on account of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, in any of the activities, services, organizations or facilities described in division (a)(1) of this section;

(2) Affording another person or class of persons opportunity or protection so to participate;

(c) Any person because that person is, or is considering lawfully aiding or encouraging other persons to participate, without discrimination on account of race, religion, color, sex, sexual orientation, gender identity or expression, national origin, age, disability, ethnic group, Vietnam-era or disabled veteran status, familial status, marital status or ancestry, in any of the activities, services, organizations or facilities described in division (a)(1) of this section, or participating lawfully in speech or peaceful assembly opposing any denial of the opportunity to so participate."

Section 2. That the following existing sections of the Codified Ordinances of Cleveland, Ohio, 1976:

Section 135.40, as amended by Ordinance No. 1126-75, passed July 25, 1977,

Sections 187.15 and 187.16, as amended by Ordinance No. 77-08, passed February 4, 2008,

Sections 321.17 and 623.16, as amended by Ordinance No. 77-94, passed March 14, 1994, and

Section 665.15, as amended by Ordinance No. 162-A-2000, passed December 4, 2000, 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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 563-14.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects or Public Works, as applicable to employ one or more professional consultants to provide construction inspections, tree and tree root evaluations, assessments, and other related services under the Citywide Tree Damaged Sidewalk Program; determining the method of making the public improvement of removing and replacing sidewalk panels damaged by tree roots and implementing recommendations of the consultants regarding tree and tree root removal; authorizing the Director to enter into one or more public improvement requirement contracts to implement the program; and authorizing the Director to apply for and accept grants or gifts from various entities for this program.

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

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

Section 1. That the Director of Capital Projects or Public Works, as applicable is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for construction inspection services, and other related services under the Citywide Tree Damaged Sidewalk Program.

Section 2. That the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary for tree and tree root evaluations, assessments, and other related services under the Citywide Tree Damaged Sidewalk Program.

Section 3. The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Capital Projects or Public Works, as applicable from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Capital Projects or Public Works, as applicable for the purpose of compiling a list. The compensation 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 Capital Projects or Public Works, as applicable, and certified by the Director of Finance.

Section 4. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of removing and replacing sidewalk panels damaged by tree roots and implementing recommendations of the consultants regarding tree and tree root removal, for the Department 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 5. That 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 to be determined by the Director of Capital Projects 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 Department 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 6. 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 7. That the Director of Capital Projects is authorized to apply for and accept grants or gifts from various public or private entities to implement this ordinance; the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

Section 7a. 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 Capital Projects 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 8. That the costs of the contract or contracts or other expenditures shall be paid from Fund Nos. 20 SF 394, 20 SF 510, 20 SF 520, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, from the fund or funds from which are credited any grants or gifts received under this ordinance, and from the fund or fund to which are credited the proceeds of bonds authorized by Ordinance No. 497-14, passed April 21, 2014, 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. (RQS 0103, RL 2014-43).

Section 8a. That this ordinance shall be of no force and effect one year after the effective date of this ordinance.

Section 9. 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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 988-14.
By Council Members Pruitt and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Public Utilities to exercise the first option to renew Contract No. 69444 with Dominion Products and Services, Inc. to develop, market, implement, and manage a

Water and Sewer Service Line Residential Service Contract and Protection Plan Program; and to amend the contract to add the Water Heater Repair and Replacement Plan as an additional optional program made available to customers.

Whereas, under the authority of Ordinance No. 500-08, passed June 2, 2008, the Director of Public Utilities entered into Contract No. 69444 with Dominion Products and Services, Inc. ("Dominion") to develop, market, implement, and manage a Water and Sewer Service Line Residential Service Contract and Protection Plan Program (the "Program") for the purpose of offering optional protection plan and service contracts to water and sewer residential customers to cover emergency repairs to their water service lines, sewer service lines, and existing internal plumbing facilities; and

Whereas, Ordinance No. 500-08 requires further legislation before exercising the first option to renew on this contract; and

Whereas, the Department of Public Utilities and Dominion wish to amend Contract No. 69444 to add the Water Heater Repair and Replacement Plan as an additional optional program made available to customers; 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 exercise the first option to renew Contract No. 69444 for a three-year period, with an option to renew for two years, exercisable through additional legislative authority, with Dominion to develop, market, implement, and manage a Water and Sewer Service Line Residential Service Contract and Protection Plan Program (the "Program") for the purpose of offering optional protection plan and service contracts to water and sewer residential customers to cover emergency repairs to their water service lines, sewer service lines, and existing internal plumbing facilities.

Section 2. That the Director of Public Utilities is authorized to enter into an amendment to Contract No. 69444 with Dominion to add the Water Heater Repair and Replacement Plan as an additional optional program made available to customers.

Section 3. That the amendment to Contract No. 69444 will be prepared by the Director of Law.

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

Passed November 17, 2014.
Effective November 19, 2014.

Ord. No. 991-14.
By Council Members Cimperman, Polensek, Conwell, Pruitt, Brancatelli and Kelley (by departmental request).

An emergency ordinance determining the method of making the public improvement of rehabilitating and replacing the Rockwell Avenue area sewer, the Rosecliff Avenue area sewer, and Massie Avenue area sewer, including but not limited to manholes and catch basins, and authorizing the Director of Public Utilities to enter into one or more public improvement contracts for the making of the improvement.

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, it is determined to make the public improvement rehabilitating and replacing the Rockwell Avenue area sewer, the Rosecliff Avenue area sewer, and Massie Avenue area sewer, including but not limited to manholes and catch basins, for the Division of Water Pollution Control, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the improvement, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

Section 3. That the Director of Public Utilities 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 cost of the improvement and other expenditures authorized shall be paid from funds appropriated in 2014 for these purposes.

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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 996-14.

By Council Member Zonc.

An ordinance removing the existing mapped front setbacks on parcels located on the north side of Clifton Boulevard between West 117th Street and West 116th Street and parcels fronting on West 117th Street as well as West 116th Street north of Clifton Boulevard as shown on the attached map (Map Change No. 2497).

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

Section 1. That the 5-foot and 10-foot existing mapped front setbacks on parcels bounded and described as follows:

Beginning in the center of Clifton Boulevard at its intersection with the centerline of West 117th Street;

Thence northerly along said centerline of West 117th Street to its intersection with the northwesterly prolongation of the southerly line of Sublot Number 18 in the Cook and Faerber Re-Subdivision shown on the recorded Plat in Volume 32, Page 18 of Cuyahoga County Map Records hereafter known as the principal place of beginning;

Thence southwesterly along said northwesterly prolongation of said southerly line and along its southeasterly prolongation to its intersection with the southerly prolongation of the easterly line of Sublot Number 20 in the aforementioned Cook and Faerber Re-Subdivision;

Thence northerly along said southerly prolongation and said easterly line and along its northerly prolongation to its intersection with the northerly line of Sublot Number 17 in the aforementioned Cook and Faerber Re-Subdivision;

Thence northwesterly along said northerly line and along its northwesterly prolongation to its intersection with the westerly line of Sublot Number 7 in the aforementioned Cook and Faerber Re-Subdivision;

Thence southerly along said westerly line and along its southerly prolongation to its intersection with the southerly line of Sublot Number 18 in the aforementioned Cook and Faerber Re-Subdivision and the principal place of beginning; and as outlined on the attached map are hereby removed from the Building Zone maps.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2497, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Passed November 17, 2014.
Effective December 17, 2014.

**Ord. No. 1133-14.
By Council Members Cleveland and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of the Office of Equal Opportunity, or the Executive Director of Workforce Development, to apply for and accept funds and resources from various entities for the 2014 Workforce Investment Act and Workforce Development Program grants; to enter into contracts and memoranda of understanding with various entities necessary to implement the grants; and to sublease areas at Employment Connection, located at 1020 Bolivar Road.

Whereas, the Workforce Investment Act of 1998, Public Law 105-220 ("WIA"), the purpose of which is to "... provide workforce investment activities, through statewide and local workforce investment systems, that increase the employment, retention,

and earnings of participants, and increase occupational skill attainment by participants, and, as a result, improve the quality of the workforce, reduce welfare dependency, and enhance the productivity and competitiveness of the nation"; and

Whereas, under WIA, the Governor of the State of Ohio has designated Ohio Workforce Areas for the WIA throughout Ohio and the governor has designated the geographic boundaries of the City of Cleveland ("City") and Cuyahoga County as Ohio Workforce Area ("OWA") No. 3; and

Whereas, in order to achieve greater cooperation, better address the needs of the citizens of the City and the County, maximize the use of available funds, and comply with the request of the Ohio Governor's Workforce Policy Board of the State of Ohio and generally administer funds and programs under the Workforce

Investment Act (WIA), the American Reinvestment Recovery Act (ARRA), and other Workforce Development programs, the City and the County have combined their boards, service areas, and programs and created a consolidated Workforce Investment Area for OWA No. 3 in accordance with an Intergovernmental Agreement entered into by the Mayor and the Cuyahoga County Board of Commissioners on June 4, 2007 ("IGA"); and

Whereas, in accordance with the agreement required by the WIA and approved by the Governor, for the WIA Program Year ("PY") 2014 for the period of July 1, 2014 through June 30, 2015, between the Chairman of the Workforce Investment Board of Cleveland ("WIBC"), Cuyahoga County, and the City, the City has been designated as the WIA grant recipient, administrative entity; 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 the Office of Equal Opportunity, or the Executive Director of Workforce Development (the "Director"), is authorized to apply for and accept grants and resources in the approximate amount of \$3,000,000, from the Ohio Department of Job and Family Services, Cuyahoga County, or other fiscal agents, for the Workforce Development program services to eligible individuals and businesses. The Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants.

Section 2. That the Director is authorized to enter into one or more contracts with various agencies, entities or organizations to administer and implement the following components of the grant:

Youth Activities

- 10 YOUTH PROGRAM ELEMENTS
 - Tutoring, Study Skills and Instruction
 - Alternative Secondary School Services
 - Summer Employment
 - Paid Work Experience
 - Occupational Skills Training
 - Leadership Development
 - Supportive Services
 - Mentoring
 - Follow-up Services
 - Comprehensive Guidance and Counseling
- PRE-VOCATIONAL ACTIVITIES
- JOB READINESS TRAINING
- JOB DEVELOPMENT/JOB PLACEMENT
- ON THE JOB TRAINING
- JOB FAIRS, FURNITURE AND EQUIPMENT, WIB MEETINGS, YOUTH COUNCIL, PROVIDER MEETINGS
- YOUTH COUNCIL AND WIB INITIATIVES AND SPECIAL PROJECTS

Adult Activities

- OCCUPATIONAL SKILLS TRAINING
- ON-THE-JOB TRAINING
- CUSTOMIZED TRAINING
- INCUMBENT WORKER TRAINING
- SPECIALIZED POPULATION
- SUPPORTIVE SERVICES
- JOB READINESS TRAINING
- FOLLOW-UP SERVICES
- JOB DEVELOPMENT AND EMPLOYER SERVICES
- JOB READINESS TRAINING
- JOB PLACEMENT/CAREER COACHING
- JOB DEVELOPMENT AND EMPLOYER SERVICES
- JOB FAIRS, FURNITURE AND EQUIPMENT, WIB MEETINGS, PROVIDER MEETINGS
- CORE SERVICES
- INTENSIVE SERVICES
- ENTREPRENEURIAL ACTIVITIES
- EMPLOYEE AND EMPLOYER RECOGNITION EVENTS
- PRE-VOCATIONAL ACTIVITIES
- WIB INITIATIVES AND SPECIAL PROJECTS

Dislocated Worker Activities

- OCCUPATIONAL SKILLS TRAINING
- ON-THE-JOB TRAINING
- CUSTOMIZED TRAINING
- INCUMBENT WORKER TRAINING
- SPECIALIZED POPULATION
- SUPPORTIVE SERVICES
- JOB READINESS TRAINING
- PRE-VOCATIONAL ACTIVITIES
- FOLLOW-UP SERVICES
- JOB READINESS TRAINING
- PRE PLACEMENT/CAREER COACHING
- JOB FAIRS, FURNITURE AND EQUIPMENT, WIB MEETINGS, PROVIDER MEETINGS
- JOB DEVELOPMENT AND EMPLOYER SERVICES
- RAPID RESPONSE
- CORE SERVICES
- INTENSIVE SERVICES
- ENTREPRENEURIAL ACTIVITIES
- EMPLOYEE AND EMPLOYER RECOGNITION EVENTS
- WIB INITIATIVES AND SPECIAL PROJECTS

Section 3. That the Director is authorized to enter into one or more agreements with various entities, agencies, or individuals participating in the Employment Connection services, activities and/or programs relating to cost-sharing contributions, for the purposes of implementing the Workforce Development programs as described in this ordinance. The Director is authorized to accept monies under the cost-sharing agreements, and to deposit the cost sharing contributions in a revolving fund to be used for additional services or contracts under this program, and the funds are appropriated for that purpose.

Section 4. That the Director is authorized to enter into one or more agreements with Cuyahoga County to accept monies from the County to implement the Workforce Investment Act and Workforce Development programs as described in this ordinance, and to deposit the funds in a revolving fund to be used for additional services or contracts under this program, and the funds are appropriated for that purpose.

Section 5. That the Director is authorized to enter into one or more contracts with various entities, agencies, or individuals in order for the City of Cleveland to provide services under the Workforce Investment Act, the American Reinvestment Recovery Act, and Workforce Development programs authorized under this ordinance, and to receive payment for the services. The Director is authorized to accept monies under the first and third party billings, and to deposit the payments collected and other program income in a revolving fund to be used for additional services or contracts under this program, and that the funds are appropriated for that purpose.

Section 6. That notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director is authorized to sublease various areas at the Employment Connection, located at 1020 Bolivar Road, to various entities, agencies, or individuals, to provide Workforce Development and Economic

Development services authorized under this ordinance.

Section 7. That the term of the subleases authorized by this ordinance shall not exceed two years, subject to annual appropriation and to the provisions of the City's lease agreement.

Section 8. That the subleases may authorize the various entities, agencies, or individuals to make improvements to the subleased premises subject to the approval of appropriate City agencies and officials, and to authorize the sublessees to contribute a share of operating costs

Section 9. That the subleases shall be prepared by the Director of Law.

Section 10. That the Director of the Office of Equal Opportunity, 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 subleases authorized by this ordinance.

Section 11. That the Director is authorized to accept monies under the subleases authorized above, and to deposit the rent collected, and other program income, in a revolving fund to be used for additional contracts and services under this program, and that the funds are appropriated for that purpose.

Section 12. That the Director is authorized to enter into one or more contracts with various entities, agencies, or individuals to provide business services and/or rental space at 1020 Bolivar Road, Cleveland, OH 44115, and to receive payment for the services. The Director is authorized to accept monies for the services, and to deposit the payments collected in a revolving fund to be used for additional services or contracts under this program, and that the funds are appropriated for that purpose.

Section 13. That the cost of the contract or contracts authorized in this ordinance shall be paid from the fund or funds to which are credited the grant proceeds and the revolving fund identified in this ordinance, which are accepted under this ordinance.

Section 14. That the following amounts are appropriated as follows to provide for administration of the Workforce Development programs and activities:

I. Salaries and payroll related expenses in an amount not to exceed \$1,000,000.

II. Operational and building related costs (Rent, Utilities, Security, Janitorial) at 1020 Bolivar Road, Cleveland, OH, 44115, in an amount not to exceed \$1,200,000.

III. Other Workforce Development grants, Agreements, programs and activities in an amount not to exceed \$300,000

IV. Miscellaneous costs (Indirect costs, chargebacks, supplies) in an amount not to exceed \$500,000.

Section 15. That the Mayor or the Director of the Office of Equal Opportunity or the Executive Director of Workforce Development are authorized to enter into such other agreements as may be necessary to implement the single consolidated Workforce Development program.

Section 16. That the contracts and agreements authorized by this ordinance shall be prepared by the Director of Law.

Section 17. 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 November 17, 2014.
Effective November 19, 2014.

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 improvements to City right-of-ways, including but not limited to 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 improvements to City right-of-ways, including but not limited to 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 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 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.

Passed November 17, 2014.
Effective November 19, 2014.

Ord. No. 1381-14.
By Council Members Cleveland, K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Works to accept a cash donation from Burten, Bell, Carr Development, Inc. to be used towards the improvement of the Dwayne Browder football field.

Whereas, Burten, Bell, Carr Development, Inc. has applied for a grant from the NFL Grassroots Program in the amount of \$200,000; 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, in the event Burten, Bell, Carr Development, Inc. receives the grant from the NFL Grassroots Program, the Director of Public Works is authorized to accept a cash donation in the amount of \$200,000 from Burten, Bell, Carr Development, Inc. to be used towards the improvement of the Dwayne Browder football field. The Director is further authorized to file all papers and execute all documents necessary to receive the funds accepted under this ordinance, and on acceptance of the funds by the Director, they shall be appropriated for the purposes described in this ordinance.

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

Passed November 17, 2014.
Effective November 19, 2014.

Ord. No. 1386-14.
By Council Members K. Johnson and Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more contracts of a fire aerial apparatus, for the Division of Motor Vehicle Maintenance, Department of Public Works.

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

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

Section 1. That the Director of Public Works is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: one (1) fire aerial apparatus, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Motor Vehicle Maintenance, Department of Public Works.

Section 2. That under Section 108(b) of the Charter, the purchase authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works may sign all documents that are necessary to make the purchase, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 20 SF 559, Request No. RQS 7015, RL 2014-117.

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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 1410-14.
By Council Members Brancatelli and Kelley (by departmental request).

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by Gateway Huron, LLC, or its designee, located on Prospect and Huron Avenues for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code; and authorizing an agreement with Gateway Huron, LLC, or its designee.

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 Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized to acquire from and reconvey to Gateway Huron, LLC, or its designee, for a price of one dollar and other valuable considerations determined as fair market value, the following property for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code and more fully described as follows:

(PPN: 101-28-012)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of

Original Two Acre Lot No. 102 and bounded and described as follows:

Beginning in the Southerly line of Prospect Street at a stone planted upon the westerly side of an alley 12 feet in width running from Prospect Street to Huron Street;

Thence Westerly along said Southerly line of Prospect Street 54 feet;

Thence Southerly at right angles to Prospect Street 148 feet;

Thence Southerly at right angles to Huron Street and High Alley or Street, so-called, about 8 feet to the Northerly line of said High Alley;

Thence Easterly along said Northerly line of said High Alley to the Westerly line of said first mentioned alley;

Thence Northerly along said Westerly line of said first mentioned alley, 134 feet 11 inches, more or less to the place of beginning, and being further known as all of Sublot No. 7 in the Subdivision of the Samuel Cowles Estate, comprised of part of Original Two Acre Lots Nos. 101, 102, 103, and 104, as recorded in Volume 30, Page 540 of Cuyahoga County Deed Records; excepting, however, from the above described premises so much from of the Southerly side thereof as has been appropriated by the City of Cleveland for widening High Street by proceedings in the Court of Insolvency of Cuyahoga County, Ohio recorded in Volume 1, Page 324 of the Records of said Court Together with the Northerly half of High Street adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-029)

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being part of Original Two Acre Lot No. 102 and part of Sublot No. 20 in the Subdivision of the Samuel Cowles' Estates, comprised of part of Original Two Acre Lots Nos. 101, 102, 103 and 104, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly line of Huron Road, S.E., as established by City Ordinance No. 41329, passed April 27, 1903, at its point of intersection with the Westerly line of East 6th Street, (formerly Prospect Alley);

Thence Northerly along said Westerly line of East 6 Street, 125-50/100 feet to the Southerly line of High Avenue, S.E., as established by the Appropriation proceedings recorded in Volume 1, Page; 324 of the Appropriation Records of the Insolvency Court of Cuyahoga County;

Thence Westerly along said Southerly line of High Avenue, S.E., 54 feet to the Westerly line of said Sublot No. 20;

Thence Southerly along said Westerly line of Sublot No. 20, 125-50/100 feet to said Northerly line of Huron Road, S.E.;

Thence Easterly along said Northerly line of Huron Road, S.E., 54 feet to the place of beginning, as appears by said plat.

Together with the Southerly half of High Street adjacent to the above described premises as vacated by

Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-030)

Situated in the County of Cuyahoga in the State of Ohio and in the City of Cleveland and bounded and described as follows:

Known as being part of Sub Lots Nos. 21 and 22 in the Subdivision of the Samuel Cowles' Estate, comprised of part of Original Two Acre Lots Nos. 101, 102, 103 and 104, as shown by the recorded plat in Volume 30 of Deeds, Page 540 of Cuyahoga County Records, and also part of Huron Street vacated by City Ordinance No. 41,329, and together forming a parcel of land bounded and described as follows:

Beginning on the Northerly line of Huron Road, S.E. (formerly Huron Street) , as established by City Ordinance No. 41329, passed April 27, 1903, at the Southwesterly corner of land conveyed to Newton S. Calhoun by Deed dated December 3, 1921, and recorded in Volume 2407, Pace 550 of Cuyahoga County Records;

Thence Northerly along the Westerly line of land so conveyed to Newton S. Calhoun and along the Westerly line of land conveyed to Newton S. Calhoun by Deed dated August 26, 1915, and recorded in Volume 1712, Page 5 of Cuyahoga County Records, about 125 50/100 feet to the Southerly line of High Avenue, S.E., (formerly High Street), as established by Appropriation proceedings recorded in Volume 1, Page 324 of the Appropriation Records of the Court of Insolvency of Cuyahoga County;

Thence Westerly along said Southerly line of High Avenue, S. E., (formerly High Street), about 90 feet to the Northwesterly corner of land conveyed to Edward Hessemueller by Deed dated April 15, 1858, and recorded in Volume 97, Pace 31 of Cuyahoga County Records;

Thence Southerly along said Westerly line of land so conveyed to Edward Hessemueller and along the Southerly prolongation thereof, about 125 50/100 feet to the Northerly line of Huron Road, S.E., as established by said City Ordinance No. 41,329;

Thence Easterly along said Northerly line of Huron Road, S.E., about 90 feet to the place of beginning;

Together with the Southerly half of High Street adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-011)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot No. 8 of a Subdivision of the Cowles' Estate of part of Original Two Acre Lot Nos. 101 to 104 inclusive, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Prospect Avenue S.E., at the North-easterly corner of said Sublot No. 8, which beginning point is 54 feet Westerly from the Westerly line of an alley

known as East Sixth Street (formerly Prospect Alley);

Thence Southerly at right angles with Prospect Avenue S.E., 106 feet;

Thence Westerly parallel with Prospect Avenue S.E., and along the Northerly line of land heretofore owned by Joseph Bell, 46 feet;

Thence Northerly parallel with the Easterly line, 13 10/12 feet to the continuation of the Southerly line of an alley;

Thence Westerly parallel with Prospect Avenue S.E., 4 feet to the Westerly line of said Lot 8;

Thence Northerly on the Westerly line of Lot 8, 92 2/12 feet to the Southerly line of Prospect Avenue S.E.;

Thence Easterly along the Southerly line of Prospect Avenue S.E., 50 feet to the place of beginning, as appears by said plat.

(PPN: 101-28-014)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Sublot Nos. 24 and 25 in The Samuel Cowles' Estate Subdivision of part of Original Two Acre Lot Nos. 101, 102, 103 and 104, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning on the Southerly line of an alley (now known as Coleman Court S.E.), between Prospect Avenue S.E. and High Avenue S.E. at the Northwesterly corner of said Sublot No. 25, said point of beginning being also distant Easterly 100 feet from the most Northerly corner of land conveyed by James F. Clarke to John C. Kennedy by Deed dated August 18, 1834, and recorded in Volume O, Page 425 of Cuyahoga County Records;

Thence Easterly along the Southerly line of said Coleman Court S.E., 28 feet 6 inches to the Northeastly corner of said Sublot No. 24, which point is also in the Westerly line of land conveyed by Leonard Case and Wife, to George C. Dodge by Deed dated July 10, 1840, and recorded in Volume 28, Page 416 of Cuyahoga County Records;

Thence Southerly along the Easterly line of said Sublot No. 24 and along the said Westerly line of land so conveyed to George C. Dodge to the most Northerly corner of land conveyed to Thomas N. Davis and Wife, to David P. Hawley and John Langton by Deed dated September 101 1873, and recorded in Volume 222, Page 17 of Cuyahoga County Records;

Thence Southerly along the Westerly line of land so conveyed to David P. Hawley and John Langton to the Northerly line of High Avenue S.E., as established by appropriation proceedings in Cuyahoga County Insolvency Court Case No. 239;

Thence Westerly along the Northerly line of High Avenue S.E., as aforesaid by said proceedings, 7 feet 7 4/5 inches to the Northerly line of High Avenue S.E., as originally established;

Thence Westerly along the Northerly line of High Avenue S.E., as originally established, 21 feet 4 92/100 inches to the Southwesterly corner of Sublot No. 25;

Thence Northerly along the Westerly line of said Sublot No. 25, 82 feet 2 inches to the place of beginning.

Together with the Northerly half of High Street and the Southerly half of

Coleman Court adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-008)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Sublot Nos. 11, 12 and 13 in The Samuel Cowles' Estate Subdivision of part of Original Two Acre Lots Nos. 101, 102, 103 and 104 as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and part of Original Two Acre Lot Nos. 100 and 101, not yet subdivided and together forming a parcel of land bounded and described as follows:

Beginning at the point of intersection of the Southerly line of Prospect Avenue, S.E., 82 1/2 feet wide, with the Easterly line of East Fourth Street (formerly Sheriff Street, 60 feet wide);

Thence Easterly along the Southerly line of Prospect Avenue, S.E., 92 feet 9 inches to the Northeastly corner of said Sublot No. 11;

Thence Southerly along the Easterly line of said Sublot No. 11, 82 feet 2 inches to the Northerly line of Coleman Court, S.E.;

Thence Westerly along said Northerly line of Coleman Court S.E., 92 feet 9 inches to the Easterly line of East Fourth Street;

Thence Northerly along said Easterly line of East Fourth Street, 82 feet 2 inches to the place of beginning, as appears by said plat.

Together with the Northerly half of Coleman Court adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-015)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 26 in the Samuel Cowles' Estate Subdivision of part of Original Two Acre Lot, Nos. 101 to 104 inclusive, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and being 50 feet front on the Northerly side of High Avenue, S.E., and extending back of equal width 82 feet 2 inches to the Southerly line of Coleman Court, S.E., as appears by said plat.

Together with the Northerly half of High Street and the Southerly half of Coleman Court adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-013)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Sublot Nos. 8 and 24 in the Samuel Cowles, Estate Subdivision of part of original Two Acre Lots Nos. 101, 102, 103 and 104, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and

together forming a parcel of land, bounded and described as follows:

Beginning at a point in the Southerly line of an alley now known as Coleman Court, S.E., between Prospect Avenue S.E. and High Avenue S.E., said beginning point being the Southeastly termination of said alley and also the Northeastly corner of land conveyed to Joseph Bell by deed recorded in Volume 30, Page 542 of Cuyahoga County Records;

Thence Southerly on a line at right angles with the Southerly line of Prospect Avenue S.E., to the Northerly line of High Avenue S.E., as established by Appropriation Proceedings in Cuyahoga County Insolvency Court Case 236;

Thence Easterly along the Northerly line of High Avenue S.E., 55 64/00 feet to the Southeastly corner of said Sublot No. 8;

Thence Northerly on a line at right angles with said Northerly line of High Avenue S.E., 3 1/2 feet;

Thence Northerly on a line at right angles with the Southerly line of Prospect Avenue S.E., to a point 106 feet Southerly from said Southerly line of Prospect Avenue S.E.;

Thence Westerly parallel with said Southerly line of Prospect Avenue S.E., 46 feet to a point 4 feet Easterly from the Westerly line of said Sublot No. 8;

Thence Northerly parallel with said Westerly line of Sublot No. 8 to a point in a line drawn Easterly parallel with the Southerly line of Prospect Avenue S.E., from the place of beginning;

Thence Westerly 4 feet to the place of beginning, as appears by said plat.

Together with the Northerly half of High Street adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN's: 101-28-009 and 010)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being Lots 9 and 10 of The Samuel Cowles Estate Subdivision as recorded in Volume 30 of Deeds, Page 541, of the Cuyahoga County Records and more fully described as follows:

Beginning at the intersection of the Southerly right-of-way of Prospect Avenue (82.50') and the Easterly right-of-way of East 4th Street (60.00');

Thence S. 68 degrees 00' 02" E. along the Southerly right-of-way of said Prospect Avenue, 92.71 feet to the true place of beginning;

Thence continuing along said Prospect Avenue 64.97 feet to a point;

Thence S. 21 degrees 59' 58" W. at right angles to said Prospect Avenue, 82.64 feet to a point on the Northerly line of a dedicated alley (10');

Thence N. 68 degrees 00' 02" W., along the Northerly line of said alley, 64.87 feet to a point;

Thence N. 21 degrees 59' 58" E., 82.64 feet to the place of beginning and containing 0.123 acres of land, more or less, as surveyed by Ralph C. Tyler, Registered Surveyor No. 4236, in December, 1994. But subject to all legal roads, highways, and easements of record. The basis of bearing is an assumed meridian and used to denote Angles only.

Together with the Northerly half of Coleman Court adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-031)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original 2 Acre Lot No. 101 and bounded and described as follows:

Beginning on the Northerly line of Huron Road, S.E. (94 feet wide), at a point which is distant 28.50 feet Easterly, measured along said Northerly line, from its intersection with the Westerly line of said Original Lot No. 101, said place of beginning being also the intersection of the Northerly line of Huron Road, S.E., with the Southerly prolongation of the Westerly line of land conveyed to Buckley Stedman and Diana Stedman, by deed dated November 30, 1868 and recorded in Volume 160, Page 270 of Cuyahoga County Records;

Thence Easterly along the Northerly line of Huron Road, S.E., 33.67 feet to its intersection with the Southerly prolongation of the Westerly line of land conveyed to Edward Hessemueller, by deed dated April 15, 1858 and recorded in Volume 97, Page 31 of Cuyahoga County Records;

Thence Northerly along said Southerly prolongation and along the Westerly line of land so conveyed to Edward Hessemueller, to the Southerly line of High Avenue, S.E.;

Thence Westerly along the Southerly line of High Avenue, S.E., 33.55 feet to the Westerly line of land conveyed to Buckley and Diana Stedman, as aforesaid;

Thence Southerly along the Westerly line of land so conveyed to Buckley and Diana Stedman and the Southerly extension thereof, to the place of beginning, be the same more or less, but subject to all legal highways.

Together with the Southerly half of High Street adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-016)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot Nos. 100 and 101, and also a part of Sublot No. 27 in the Subdivision of the Cowles Estate of a part of Original Two Acre Lots Nos. 101 to 104, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the Southeastly corner of said Sublot No. 27 on the Northerly side of High Avenue S.E. (formerly High Street);

Thence Northerly along the Easterly line of said Sublot, 82 2/12 feet to an alley;

Thence westerly along said alley, 30 feet;

Thence Southerly parallel with the Easterly line of said Sublot, 82 2/12 feet to the Northerly line of High Avenue, S.E.;

Thence Easterly along the Northerly line of High Avenue, S.E., to the place of beginning, be the same more or less, but subject to all legal highways.

Together with the Northerly half of High Street and the Southerly half of Coleman Court adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-034)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of original Two Acre Lot Nos. 100 and 101, and also part of Sublot No. 27 of the Cowles Estate Subdivision of part of Original Two Acre Lots Nos. 101 to 104, as shown by the recorded Plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and bounded and described as follows:

Beginning at the intersection of the Northerly line of High Avenue S.E. (formerly High Street) with the Easterly line of East 4th Street Sheriff Street);

Thence Easterly along the Northerly line of High Avenue S.E., 47 feet;

Thence Northerly along the Easterly line of this Tract, and parallel with, said East 4th Street, 30 feet;

Thence Westerly parallel to the Southerly line, 47 feet to East 4th Street;

Thence Southerly along the Easterly line of East 4th Street to the place of beginning, and being the same land conveyed to Theodore Schmitt and Frank M. Osborne by Deed recorded in Volume 397, Page 40 of Cuyahoga County Records, made by Richard and Sarah Stewart, Grantees herein, be the same more or less, but subject to all legal highways.

Together with the Northerly half of High Street adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-035)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original 2 Acre Lot Number 100 and part of Sublot Number 27 in the Samuel Cowles Estate Subdivision of part of original 2 Acre Lot Numbers 101, 102, 103 and 104 as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records and bounded and described as follows:

Beginning at a point in the Easterly line of East 4th Street (60 feet wide) about 30 feet Northerly of the Northerly line of High Avenue S.E. (width varies);

Thence Northerly along said Easterly line of East 4th Street about 53 feet to the Southerly line of Coleman Court S.E. (10 feet wide);

Thence Easterly along said Southerly line of Coleman Court S.E. about 47 feet;

Thence Southerly parallel with the Easterly line of East 4th Street as aforesaid about 53 feet;

Thence Westerly about 47 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Together with the Southerly half of Coleman Court adjacent to the above described premises as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-033)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of the parcel of land in the Original Two Acre Lots Nos. 100 and 101, which was conveyed by The Champion Realty Company to The Cleveland Trust Company by deed recorded in Volume 3273, Page 606 of Cuyahoga County Records and bounded and described as follows:

Beginning on the Easterly line of East 4th Street, 60 feet wide, distant North 00 deg. 00' 30" West, along said Easterly line, 61.45 feet from its intersection with the Northerly line of Huron Road S.E. said Northerly line being parallel with and distant Northerly, 44.50 feet from the center line of Huron Road S.E.;

Thence North 00 deg. 00' 30" West, along said Easterly line of East 4th Street, 85.50 feet to its intersection with the Southerly line of High Avenue S.E. (46.36 feet wide);

Thence South 68 deg. 00' 00" East, along said Southerly line of High Avenue S.E., 68.42 feet to an angle in said Southerly line;

Thence South 89 deg. 59' 10" East, continuing along said Southerly line of High Avenue S.E., 4.84 feet to its intersection with the Easterly line of land conveyed to The Cleveland Trust Company an aforesaid;

Thence South 00 deg. 14' 50" West, along the Easterly line of said The Cleveland Trust Company's land, 59.86 feet to the center of a party wall now existing and situated partially upon the premises hereby conveyed and partly upon the lands still owned by The Champion Realty Company and lying to the South of the premises hereby conveyed;

Thence West along the center of said wall, parallel with said Northerly line of Huron Road S.E., 68.01 feet to the place of beginning, according to the survey prepared for The Cleveland Trust Company by Edward C. O'Rourke dated July, 1949 and revised March, 1953.

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of High Avenue S.E. as vacated by Ordinance No. 1423-95 passed by the Council of the City of Cleveland on September 25, 1995, and as shown by the Vacation Plat recorded in Volume 281 of Maps, Page 19 of Cuyahoga County Records.

(PPN: 101-28-032)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of a parcel of land in Original Two Acre Lots Nos. 100 and 101 and part of Sublot No. 23 in the Subdivision of the Samuel Cowles' Estate and shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the centerlines of East 4th street (60 feet wide) and Huron Road S.E. (94 feet wide);

Thence North 55° 56' 30" East along the centerline of Huron Road S.E., 30.00 feet to a point;

Thence North 34° 01' 10" West, 44.50 feet to a drill hole set at the intersection of the Northerly right-of-way of Huron Road, S.E. and the easterly right-of-way of East 4th Street and being the principal place of beginning of the premises herein described; Course 1. Thence North 34° 01' 10" West along said Easterly line of East 4th Street, 61.45 feet to a drill hole set at the Southwesterly corner of land conveyed to System Property Development Company, Inc. (PPN. 101-28-033) by deed dated January 29, 1999 and recorded in Auditor's File No. 199901291207 Cuyahoga County Records.

Course 2. Thence North 55° 56' 30" East along the Southerly line of land so conveyed, 67.57 feet to a drillhole set on a Westerly line of land conveyed to System Property Development Company, Inc. (PPN 101-28-031) by deed dated January 29, 1999 and recorded in Auditor's File No. 199901291207 of Cuyahoga County Records.

Course 3. Thence South 34° 08' 06" East along the Westerly line of land so conveyed, 61.45 feet to a drill hole set on the northerly right-of-way of Huron Road, S.E.;

Course 4. Thence South 55°56'30" West along said Northerly right-of-way of Huron Road, S.E. 67.69 feet to the principal place of beginning, and containing 0.0954 acres of land as surveyed and described by Edward B. Dudley III, P.S. No. 6747 of the Riverstone Company in April of 2007, be the same more or less, but subject to all legal highways, restrictions and documents of record.

County Engineer's T/M No. 07-018-S-002

(PPN: 101-28-007)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original Two Acre Lot No. 100 and bounded and described as follows:

Beginning on the Southerly line of Prospect Street, now known as Prospect Avenue, S.E., at the point of intersection thereof with the Westerly line of Sheriff Street, now known as East 4th Street, as opened and established by Ordinance of the City Council of the City of Cleveland and by proceedings in the Probate Court of Cuyahoga County in November, 1872;

thence Southerly along the Westerly line of Sheriff Street, as established as aforesaid, eighty-two feet, more or less, to the Northerly line of the ten-foot alley called Coleman Alley, now known as Coleman Court Southeast;

thence Westerly along the Northerly line of Coleman Alley and parallel with Prospect Street, fifty-four feet and eight inches, more or less, to the Westerly line of a parcel of land conveyed by James N. Jones and wife to Anthony Carlin, by Deed dated November 24, 1899, and recorded in Volume 733, Page 497 of Cuyahoga County Records;

thence Northerly along the Westerly line of the premises so conveyed by Jones to Carlin, eighty-two feet, more or less, to the Southerly line of Prospect Street;

thence Easterly along the Southerly line of Prospect Street, fifty-four feet, eight inches, more or less, to the place of beginning, be the same more or less, but subject to all legal highways.

(PPN: 101-29-002)

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio, and known as being Sublot No. 5 and the Westerly part of Sublot 4 in The Samuel Cowles' Estate Subdivision of part of Original Two Acre Lot Nos. 101, 102, 103 and 104 as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, together forming a parcel of land, bounded and described as follows:

Beginning on the Southerly side of Prospect Avenue S. E. at the Northwesterly corner of Sublot 5;

Thence Easterly along the Southerly side of Prospect Avenue S.E., 68.50 feet to the Northwesterly corner of a parcel of land conveyed to The Gaywell Company by deed dated September 25, 1951 and recorded in Volume 7403, Page 735 of Cuyahoga County Records;

Thence Southerly along the Westerly line of said parcel so conveyed 112.535 feet to the Southerly line of Sublot 4;

Thence Westerly along the said Southerly line and along the Southerly line of Sublot 5, 70.26 feet to the Southwesterly corner of Sublot 5;

Thence Northerly along the Westerly line of Sublot 5, 125 feet 5 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

Easement (over PPN: 101-29-045)

Non-exclusive easement for pedestrian and vehicular ingress and egress contained in the Warranty Deed from Dahan, Inc., to The Gaywell Company, filed for record on September 28, 1951 and recorded in Volume 7403, Page 735 of Cuyahoga County Records over a portion of the following described property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 3 and the Easterly part of Sublot No. 4 in Clark and Willey's Subdivision of part of Original Two Acre Lots Nos. 101, 102, 103 and 104, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Southerly line of Prospect Avenue, S.E., 82.50 feet in width, at the Northeast corner of said Sublot No. 3;

Course 1: thence South 12 deg. 00' 00" East along the Easterly line of said Sublot No. 3, and at right angles to said Southerly line of Prospect Avenue, S.E., a distance of 106.36 feet to the Southeast corner thereof;

Course 2: thence South 67 deg. 01' 00" West along the Southerly line of said Sublot No. 3 and along the Southerly line of said Sublot No. 4, a distance of 32.42 feet to the intersection with the Southerly prolongation of the Easterly face of a new Easterly wall (constructed August, 1941) of a two-story brick building lying next Westerly of the following course to be described;

Course 3: thence North 11 deg. 50' 05" West along the aforesaid Southerly prolongation and along the Easterly face of said wall, a distance of 112.535 feet to the Southerly line of Prospect Avenue, S.E.;

Course 4: thence North 78 deg. 00' 00" East along the Southerly line of Prospect Avenue, S.E., a distance of 31.50 feet to the place of beginning,

according to the survey of George M. Garrett and Associates, Registered Professional Surveyors.

(PPN: 101-29-001)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 6 in Cowles Estate Allotment, of part of Original Two Acre Lots Nos. 101, 102, 103 and 104, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Southerly line of Prospect Avenue, S.E., at its intersection with the Easterly line of East 6th Street;

thence Northeasterly along the Southerly line of Prospect Avenue, S.E., 50 feet to the Northeasterly corner of said Sublot No. 6;

thence Southeasterly along the easterly line of said Sublot, 125 feet 5 inches to the Southeasterly corner thereof;

thence Westerly along the Southerly line of said Sublot to the Easterly line of East 6th Street;

thence Northwesterly along the easterly line of East 6th Street, 135 feet 2 inches to the place of beginning, as appears by said plat, be the same more or less, but subject to all legal highways.

(PPN: 101-29-045)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being all of Sublot No. 3 and the Easterly part of Sublot No. 4 in Clark and Willey's Subdivision of part of Original Two Acre Lots Nos. 101, 102, 103 and 104, as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and bounded and described as follows:

Beginning in the Southerly line of Prospect Avenue, S.E., 82.50 feet in width, at the Northeast corner of said Sublot No. 3;

Course 1: thence South 12 deg. 00' 00" East along the Easterly line of said Sublot No. 3, and at right angles to said Southerly line of Prospect Avenue, S.E., a distance of 106.36 feet to the Southeast corner thereof;

Course 2: thence South 67 deg. 01' 00" West along the Southerly line of said Sublot No. 3 and along the Southerly line of said Sublot No. 4, a distance of 32.42 feet to the intersection with the Southerly prolongation of the Easterly face of a new Easterly wall (constructed August, 1941) of a two-story brick building lying next Westerly of the following course to be described;

Course 3: thence North 11 deg. 50' 05" West along the aforesaid Southerly prolongation and along the Easterly face of said wall, a distance of 112.535 feet to the Southerly line of Prospect Avenue, S.E.;

Course 4: thence North 78 deg. 00' 00" East along the Southerly line of Prospect Avenue, S.E., a distance of 31.50 feet to the place of beginning, according to the survey of George M. Garrett and Associates, Registered Professional Surveyors.

(PPN: 101-29-010)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublot No. 17 in the Subdivision of the Cowles Estates of part of Original Two Acre Lots Nos. 101, 102, 103 and 104, as shown by the recorded plat in Volume 30 of Deeds,

Page 541 of Cuyahoga County Records, and bounded and described as follows:

Beginning on the Northerly line of Huron Road, S.E., 86 feet 7 inches Westerly from the Southwesterly corner of a parcel of land conveyed by David Long and wife to Samuel G. Storre by deed recorded in Volume D of Deeds, Page 291 of Cuyahoga County Records;

thence Westerly along said Northerly line of Huron Road, S.E., 50 feet;

thence Northerly at right angles to Huron Road, S.E., 115 feet 9 inches;

thence Easterly on a line midway between Huron Road, S.E. and Prospect Avenue, S.E., 50 feet 11 -1/4 inches;

thence Southerly 106 feet to the place of beginning, as appears by said plat.

TOGETHER WITH that part of Huron Road now vacated by Ordinance No. 41329.

(PPN: 101-29-046)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original Two Acre Lot 103 and known as part of Lot 16 in the subdivision of the Cowles Estates of part of Original Two Acre Lots 101, 102, 103 and 104, as shown by the plat of said Subdivision and recorded in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and described as follows:

Being that part of said Sublot 16 which lies Westerly of the Westerly face of faces of the Westerly exterior building wall of the five story building now situated substantially entirely upon said Sublot 16, including that portion of said Sublot 16 which lies Westerly of a line, parallel to the Westerly line of said Sublot No. 16, drawn from the Northwesterly corner of said building, at grade level, Northerly to the rear or Northerly line of said Sublot 16, the piece of parcel hereby conveyed being further described as being a strip of land approximately 6 inches in width by rectangular measurement off the Westerly side of said Sublot 16, extending from the Northerly line of Huron Road, Northerly to the rear or Northerly of said Sublot 16.

TOGETHER WITH that part of Huron Road now vacated by Ordinance No. 41329,

(PPN's: 101-29-011 and 012)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being Sublots Nos. 18 and 19 and part of Huron Street, now vacated by Ordinance No. 41329 in Cowles Estate Subdivision of part of Original 2 Acre Lots Nos. 101, 102, 103 and 104 as shown by the recorded plat in Volume 30 of Deeds, Page 541 of Cuyahoga County Records, and together forming a parcel of land bounded and described as follows:

Beginning at the intersection of the Northwesterly line of Huron Road S.E., 94 feet wide and the Northeastly line of East 6th Street, 12 feet wide;

thence Northeasterly along the Northwesterly line of Huron Road, S.E., 100 feet to the Southeastly prolongation of the Northeastly line of said Sublot No. 18; thence Northwesterly along said Southeastly prolongation and the Northeastly line of Sublot No. 18, 120 feet 9 inches to the Northeastly corner thereof;

thence Southwesterly along the Northwesterly lines of Sublots Nos. 18 and 19 to the Northwesterly corner of Sublot No. 19 and the Northeasterly line of said East 6th Street;

thence Southeasterly along the Northeasterly line of East 6th Street, 140 feet 2 inches to the place of beginning, be the same more or less, but subject to all legal highways.

TOGETHER WITH that part of Huron Road now vacated by Ordinance No. 41329".

Section 2. That the Director of Economic Development is authorized to execute on behalf of the City of Cleveland all necessary documents to acquire and to convey the properties and to employ and pay all fees for title companies, surveys, escrows, appraisers, environmental audits, and all other costs necessary for the acquisition and sale of the properties.

Section 3. That this Council finds that the conveyances constitute a public purpose.

Section 4. That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland.

Section 5. That the Director of Economic Development is authorized to enter into an agreement with Gateway Huron, LLC, or its designee, which shall include the terms and conditions of the transaction authorized by this ordinance.

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

Passed November 17, 2014.
Effective November 19, 2014.

Ord. No. 1411-14.
By Council Members Zone and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Justice's Bureau of Justice Assistance for the FY 2014 Byrne Justice Assistance Grant (JAG) Local Solicitation; and authorizing one or more contracts with Cuyahoga County and the City of Euclid needed to implement the grant.

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 Safety is authorized to apply for and accept a grant in the approximate amount of \$595,551, and any other funds that may become available during the grant term from the United States Department of Justice's Bureau of Justice Assistance to conduct the FY 2014 Byrne Justice Assistance Grant (JAG) Local Solicitation; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the grant application for the grant contained in the file described below.

Section 2. That the grant application for the grant, File No. 1411-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Safety is authorized to enter into one or more contracts with Cuyahoga County and the City of Euclid needed to implement the grant as described in the file.

Section 5. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 6. That the costs of the contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under 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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 1412-14.
By Council Members Zone and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the FY 2015 Impaired Driving Enforcement Program (IDEP) Grant.

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 Safety is authorized to apply for and accept a grant in the amount of \$38,448.42, from the Ohio Department of Public Safety, to conduct the FY 2015 Impaired Driving Enforcement Program (IDEP) Grant, for the purposes in the application; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the budget overview for the grant.

Section 2. That the budget overview for the grant, File No. 1412-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant during the grant term.

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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 1413-14.
By Council Members Zone and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Office of Criminal Justice Services for the FY 13 Project Safe Neighborhoods Grant (PSN) "Northern Ohio Violent Crime Consortium; and authorizing one or more contracts with the Cleveland Peacemaker's Alliance to implement the grant.

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 Safety is authorized to apply for and accept a grant in the approximate amount of \$35,000, and any other funds that may become available during the grant term from the Ohio Office of Criminal Justice Services to conduct the FY 13 Project Safe Neighborhoods Grant (PSN) "Northern Ohio Violent Crime Consortium; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the detailed budget application for the grant contained in the file described below.

Section 2. That the detailed budget application for the grant, File No. 1413-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant during the grant term.

Section 4. That the Director of Public Safety is authorized to enter into one or more contracts with the Cleveland Peacemaker's Alliance needed to implement the grant as described in the file.

Section 5. That, unless expressly prohibited by the grant agreement, under Section 108(b) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 6. That the costs of the contracts authorized by this ordinance

shall be paid from the fund or funds to which are credited the grant proceeds accepted under 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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 1414-14.
By Council Members Zone and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the Ohio Department of Public Safety for the FY 2015 Selective Traffic Enforcement Program (STEP) Grant.

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 Safety is authorized to apply for and accept a grant in the amount of \$25,632.27, from the Ohio Department of Public Safety, to conduct the FY 2015 Selective Traffic Enforcement Program (STEP) Grant, for the purposes in the application; that the Director of Public Safety is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes in the budget overview for the grant.

Section 2. That the budget overview for the grant, File No. 1414-14-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That the Director of Public Safety shall have the authority to extend the term of the grant during the grant term.

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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 1453-14.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Human Resources to exercise the second option to renew Contract No. CT 0402, PS 2014-94 with ADP, Inc. to provide COBRA Administrative services.

Whereas, under the authority of Ordinance No. 620-13, passed May 13, 2013, the Director of Human Resources entered into Contract No. CT 0402, PS 2014-94 with ADP, Inc. to provide COBRA administrative services; and

Whereas, Ordinance No. 620-13 requires further legislation before exercising the second option to renew on this contract; 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 Human Resources is authorized to exercise the second option to renew Contract No. CT 0402, PS 2014-94 for an additional year at a cost not to exceed \$36,000 with ADP, Inc. to provide COBRA administrative services. This ordinance constitutes the additional legislative authority required by Ordinance No. 620-13 to exercise this option. (RQS 0402, RL 2014-119)

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

and be in force from and after the earliest period allowed by law.

Passed November 17, 2014.
Effective November 19, 2014.

Ord. No. 1459-14.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more contracts of an industrial mail inserter, including software, for the Division of Printing and Reproduction, Department of Finance.

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

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

Section 1. That the Director of Finance is authorized to make one or more written contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for each or all of the following items: an industrial mail inserter, including software, to be purchased by the Commissioner of Purchases and Supplies for a gross price, for the Division of Printing and Reproduction, Department of Finance.

Section 2. 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 3. That the cost of the contract or contracts authorized shall be paid from Fund No. 70 SF 301, Request No. RQS 1508, RL 2014-118.

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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 1460-14.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.

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 pay as Moral Claims the sums opposite the names of the following claimants and charged against the fund:

Claimant	Claim No.	Amount	Division	Fund
Cleveland Municipal Court				
Battiste, Antoinette	12528	\$35.00	Clerk of Courts	01-011601-672000
Suarez, Victoria L.	12531	\$15.00	Clerk of Courts	01-011601-672000
Smith, Sharonda	12548	\$283.27	Clerk of Courts	01-011601-672000
Department of Public Safety				
Melton, Antonn L.	12541	\$328.45	Corrections	01-600700-672000
Lumpkins, Lee	12543	\$348.00	Corrections	01-600700-672000
Benson, Mitchell C.	12551	\$909.98	Corrections	01-600700-672000

McWhorter, Cortessa	12553	\$64.00	Corrections	01-600700-672000
Maxey, Rochelle POA for				
Williams, Willie E.	12556	\$598.38	Corrections	01-600700-672000
Mann, Donald C.	12550	\$500.00	Police	01-600200-672000
Hess, Alvin R. Jr.	12536	\$70.00	Police	01-600200-672000
Cornwall, Melburn	12537	\$70.00	Police	01-600200-672000
Pratts, Anthony	12508	\$500.00	Fire	01-600300-672000
Helm, Ollie	12557	\$500.00	Fire	01-600300-672000

Department of Public Works

Jones, Artis	12496	\$242.44	Vacant Lots	01-701205-672000
Saunders, Emmett	12552	\$625.00	Vacant Lots	01-701205-672000

Department of Water Pollution Control - WPC

Jeries Iowda	6364	\$445.00	WPC	54 SF 001
Joseph M. Keevan	6417	\$389.35	WPC	54 SF 001
Margarita Del Valle Cruz	6471	\$695.00	WPC	54 SF 001
Constance M. Ewazen	6586	\$625.00	WPC	54 SF 001

Section 2. That the authority of the Director of Finance to pay the amounts in this ordinance is conditioned on a City-approved written acceptance by the claimant of the City's offer to pay this claim within six months from the effective date of this ordinance.

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 November 17, 2014.
Effective November 19, 2014.

Ord. No. 1466-14.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Section 48 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 1124-14, passed September 22, 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 Section 48 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 1124-14, passed September 22, 2014, is amended to read as follows:

Section 48. Hourly Rate - Building & Construction Trades Council.

Compensation for all persons employed by the hour in any of the following classifications shall be fixed by the appointing authority within the limits established in the following schedule for each classification:

		Effective Date	Minimum	Maximum
1.	Asbestos Worker (Insulator)	8/1/14	\$45.06	\$56.33
2.	Boiler Maker	1/1/14	48.61	60.76
3.	Bricklayer	5/1/14	37.27	46.59
4.	Bricklayer Foreman.....	5/1/14	38.52	47.54
5.	Carpenter.....	5/1/14	37.00	46.25
6.	Carpenter Foreman.....	5/1/14	38.25	47.40
7.	Cement Finisher.....	5/1/14	37.46	46.82
8.	Cement Finisher Foreman.....	5/1/14	38.71	47.57
9.	Electrical Worker.....	4/30/14	45.20	56.50
10.	Electrical Worker Foreman.....	4/30/14	46.45	58.06
11.	Glazier.....	5/1/14	35.29	44.11
12.	Ironworker.....	5/1/14	41.89	52.36
13.	Ironworker Foreman.....	5/1/14	43.14	54.86
14.	Painter.....	5/1/14	32.48	40.60
15.	Painter Foreman.....	5/1/14	33.73	41.60
16.	Pipefitter (Welder)	5/1/14	45.66	57.07
17.	Pipefitter Foreman.....	5/1/14	46.91	57.57.
18.	Plasterer	5/1/14	36.14	45.18
19.	Plasterer Foreman.....	5/1/14	37.39	46.68
20.	Plumber (Welder).....	5/1/14	44.98	56.23
21.	Plumber Foreman	5/1/14	46.23	57.73
22.	Roofer.....	5/1/14	37.56	46.95
23.	Sheet Metal Worker.....	11/1/14	46.39	57.99
24.	Sheet Metal Worker Foreman.....	11/1/14	47.64	59.04

Section 2. That existing Section 48 of Ordinance No. 385-14, passed March 31, 2014, as amended by Ordinance No. 1124-14, passed September 22, 2014, is 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 November 17, 2014.

Effective November 19, 2014.

Ord. No. 1471-14.

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

An emergency ordinance to add the name Constance D. Harper Way as a secondary and honorary name to Williams Avenue between East 121st Street and East 116th Street.

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 Codified Ordinances of the City of Cleveland, 1976, the name Constance D. Harper Way shall be added as a secondary and honorary name to Williams Avenue between East 121st Street and East 116th Street.

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

Passed November 17, 2014.

Effective November 19, 2014.

Ord. No. 1527-14.

By Council Member Pruitt.

An emergency ordinance authorizing the Director of the City Planning Commission to enter into an agreement with the International Mountain Bicycling Association for the Kerruish Community Bike Park Master Plan Project through the use of Ward 1 Casino Revenue 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 City Planning Commission is hereby authorized to enter into agreement with the International Mountain Bicycling Association for the Kerruish Community Bike Park Master Plan Project for the public purpose of promoting and utilizing park space for recreational use for City of Cleveland residents through the use of Ward 1 Casino Revenue Funds.

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

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 November 17, 2014.

Effective November 19, 2014.

Ord. No. 1528-14.

By Council Members Cimperman and Brancatelli.

An emergency ordinance consenting and approving the issuance of a permit for The Christmas Story House Run on December 6, 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 pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of The Christmas Story House Run on December 6, 2014, start: Huron Road at West 2nd Street— 5K/10K Run — 5K Run; Huron east to Ontario Street; Ontario south to Carnegie Avenue, across Hope Memorial Bridge west to West 20th Street; West 20th south to Abbey Avenue; Abbey east to West 14th Street; West 14th south to Clark Avenue; Clark east to West 11th Street West 11th south to FINISH— Christmas Story House; — 10K Run; West 11th Street south to Rowley Avenue; Rowley west to West 14th Street West 14th north to Abbey Avenue; Abbey west to West 19th Street; West 19th north to Smith Court; Smith east to West 18th Street; West 18th north to Hope Memorial Bridge; Hope Memorial Bridge east to Ontario Street (on north sidewalk); Ontario north to Huron Road; Huron west to West 2nd Street to FINISH— Hard Rock Cafe; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

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

Passed November 17, 2014.

Effective November 19, 2014.

Ord. No. 1529-14.

By Council Member Cimperman.

An emergency ordinance authorizing and directing the Director of Capital Projects to issue a permit to the Warehouse District Community Engagement to stretch banners in the Downtown Warehouse District, for the period from December 6, 2014 to January 5, 2015, inclusive, celebrating the holiday season.

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 the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Capital Projects is hereby authorized and directed to issue a permit to the Warehouse District Community Engagement to stretch banners in the Downtown Warehouse District, for the period from December 6, 2014 to January 5, 2015, inclusive. Said banner shall be approved by the Director of Capital Projects, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a banner will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said banner and said banner shall be removed promptly upon the expiration of said permit.

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

Passed November 17, 2014.

Effective November 19, 2014.

COUNCIL COMMITTEE MEETINGS

**Monday, November 24, 2014
9:30 a.m.**

Municipal Services & Properties Committee: Present: K. Johnson, Chair; Sweeney, Vice Chair; Brancatelli, Cummins, Dow, J. Johnson, Reed.

2:00 p.m.

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

Tuesday, November 25, 2014
9:30 a.m.
Utilities Committee: Present: Pruitt, Chair; Brancatelli, Cummins, Keane, Mitchell, Polensek. *Authorized Absence:* Brady, Vice Chair.

2:00 p.m.
Development, Planning and Sustainability Committee: Present: Brancatelli, Chair; Cleveland, Vice Chair; Cimperman, Pruitt, Zone. *Authorized Absence:* Cummins, Dow. *Pro tempore:* Keane.

Wednesday, November 26, 2014
9:30 a.m.
Safety Committee: Present: Zone, Chair; Conwell, Vice Chair; Cimperman, Dow, K. Johnson, Keane, Polensek.

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