

The City Record

Official Publication of the Council of the City of Cleveland



August the Thirty-First, Two Thousand and Sixteen

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 Kerry McCormack
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Jeffrey D. Johnson
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Brian Kazy
- 17 Martin J. Keane

The City Record is available online at
www.clevelandcitycouncil.org

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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	Kerry McCormack	1429 West 38th Street	44113
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

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

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

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,
 Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Victor R. Perez, Chief Assistant Prosecutor, Room 106; Robin Wood, Law Librarian,
 Room 100

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

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

DEPT. OF PUBLIC UTILITIES – Robert L. Davis, Director, 1201 Lakeside Avenue

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

DEPT. OF PORT CONTROL – Fred Szabo, Interim Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

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

DEPT. OF PUBLIC HEALTH – _____, Director, 75 Erieview Plaza

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

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

DIVISIONS:
 Animal Control Services – Edward Jamison, Chief Animal Control Officer, 2690 West 7th Street
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

DEPT. OF HUMAN RESOURCES – Nycole West, Interim 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, 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 – Julie Trott, Chair; Giancarlo Calicchia, Vice Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Council Member Terrell H. Pruitt, Robert Strickland, Donald Petit, Secretary.

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 15C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Michael R. Sliwinski – Courtroom 12A
 Judge Janet Rath Colaluca – Courtroom 12B
 Judge Suzan Marie Sweeney – Courtroom 12C
 Judge Ed Wade – Courtroom 13C
 Judge Joseph J. Zone – Courtroom 14D
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Robert J. Furda – Chief Bailiff; Dean Jenkins – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

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WEDNESDAY, AUGUST 31, 2016

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CITY COUNCIL

MONDAY, AUGUST 29, 2016

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

9:30 A.M. — **Municipal Services and Properties Committee:** K. Johnson (CHAIR), Dow (VICE-CHAIR), Brancatelli, Cummins, J. Johnson, Kazy, Reed.

MONDAY

2:00 P.M. — **Finance Committee:** Kelley (CHAIR), Cleveland (VICE-CHAIR), Brady, Brancatelli, Conwell, Keane, Mitchell, Pruitt, Zone.

TUESDAY

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), Cummins, Dow, McCormack, Pruitt, Zone.

TUESDAY — Alternating

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

1:30 P.M. — **Workforce and Community Benefits Committee:** Cleveland (CHAIR), Zone (VICE-CHAIR), J. Johnson, Kazy, Polensek, Pruitt, Reed.

WEDNESDAY — Alternating

10:00 A.M. — **Safety Committee:** Zone (CHAIR), Conwell (VICE-CHAIR), Kazy, Keane, McCormack, Mitchell, Polensek.

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

The following Committees meet at the Call of the Chair:

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

August 24, 2016

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, August 24, 2016 at 10:35 a.m. with Acting Director Singletary presiding.

Present: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Nichols, Fumich, and Acting Director Riccardi.

Absent: Mayor Jackson.
Others: Tiffany White Johnson, Commissioner, Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

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

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

Resolution No. 380-16.

By Director Davis.
Whereas, under the authority of Ordinance No. 1340-13, passed by the Council of the City of Cleveland on November 11, 2013, and Resolutions Nos. 017-15, 079-15 and 323-15, respectively adopted by this Board of Control on January 21, 2015, March 18, 2015 and August 26, 2015, the City,

through its Director of Public Utilities, entered into City Contract No. RC2015*23 with Energy Mechanical Corp. for labor and materials to provide maintenance, repair, enhancement and/or replacement of heating, ventilation and air conditioning systems, bid items 1.01-1.06, 1.08 and 1.09, for a period of two years, with two one-year options to renew, for the various divisions of the Department of Public Utilities; and

Whereas, by its August 5, 2016 letter, Energy Mechanical Corp. requested the City's consent for two additional subcontractors; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the employment of the following additional subcontractors by Energy Mechanical Corp. under RC2015*23 for the above-mentioned requirements is approved:

Subcontractors	Work Percentage
Superior Industrial Insulation (CSB)	\$10,512.00 0.912%
Dot Diamond Core Drilling, Inc. (non-certified)	\$ 6,000.00 0.000%

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Fumich, and Acting Director Riccardi.

Nays: None.
Absent: Mayor Jackson and Director Nichols.

Resolution No. 381-16.

By Director Davis.
Whereas, under the authority of Ordinance No. 1628-10, passed by the Council of the City of Cleveland on January 24, 2011 and Board of Control Resolution No. 474-12, adopted September 19, 2012, as amended by Resolution No. 568-12, adopted November 7, 2012, and Resolution No. 132-14, adopted March 26, 2014, the City, through its Director of Public Utilities, entered into City Contract No. PS2012*289 with Efacec ACS, Inc. (n.k.a. Advanced Control Systems, Inc. ("Consultant")) to provide professional services necessary to acquire licenses for and provide a backup SCADA control center at the East Side Service Center including installing, implementing, integrating, interfacing, testing, and training for the maintenance, technical support, and other related issues in the amount of \$548,973.30, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, the City has determined it needs additional professional services to restart and complete implementation of the backup SCADA control system; and

Whereas, Consultant has proposed by its Change Order Summary dated August 19, 2016 to perform the additional services necessary for an amount of \$70,770.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is authorized to enter into a first modification to City Contract No. PS2012*289 between the City of Cleveland and Advanced Control Systems, Inc. for the additional professional services necessary to restart and complete implementation of a backup SCADA control center at the East Side Service Center for an amount of \$70,770.00, thereby increasing the amount payable for all services under the contract from \$548,973.30 to \$619,743.30.

Be it further resolved that the amount attributed to the following sub-consultant approved in Board of Control Resolution No. 474-12, adopted September 19, 2012, is amended to the following:

<u>Subcontractor</u>	<u>Work Percentage</u>
Apple AGC Consultants, LLC (CSB)	\$86,994.00 14.04%

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 382-16.

By Interim Director Szabo.

Resolved, by the Board of Control of the City of Cleveland that all bids received for the public improvement of North Airfield Improvements at Cleveland Hopkins International Airport, Department of Port Control, received on July 27, 2016, under the authority of Ordinance No. 653-15, passed on June 8, 2015, are rejected.

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 383-16.

By Director McGrath.

Whereas, under the authority of Ordinance No. 880-14, passed by the Council of the City of Cleveland on July 16, 2014, and Resolution No. 126-16, adopted by this Board on March 23, 2016, the City, through its Director of Public Safety, entered into Contract No. PS2016*150 with Donald Martens & Sons Ambulance Service, Inc. to supplement the regularly employed staff of the several departments of the City of Cleveland in order to provide professional advanced life support ambulance service to the City of Cleveland for

a period of six months, for the Division of Emergency Medical Service, Department of Public Safety; and

Whereas, the City required additional professional advanced life support service at the RNC; and

Whereas, the City requested additional hours of service from the contractor to perform the above-described additional services for a fee of \$7,650.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that the Director of Public Safety is authorized to enter into a first amendment to Contract No. PS 2016*150 with Donald Martens & Sons Ambulance Service, Inc., on the basis of the City's request for additional professional advanced life support service, and increasing the contract amount by \$7,650.00 to \$162,000.00. The first amendment shall be prepared by the Director of Law and shall include additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson and Director Nichols.

Resolution No. 384-16.

By Director McGrath.

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 Nos. 118-05-047 and 118-05-091 located at East 66th and Dunham Avenue; and

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

Whereas, Angella Ellis has proposed to the City to purchase and develop the parcels for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 parcels is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Angella Ellis for the sale and development of Permanent Parcel Nos. 118-05-047 and 118-05-091 located at East 66th and Dunham

Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcels shall be \$400.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Nichols, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 385-16.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 106-08-083 located at 6805 Lawnview Avenue; and

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

Whereas, Cuyahoga County Land Reutilization Corporation has proposed to the City to acquire the parcel to correct an error in property transfer; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 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 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 Cuyahoga County Land Reutilization Corporation for the transfer of Permanent Parcel No. 106-08-083 located at 6805 Lawnview Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Nichols, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 386-16.

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. 118-24-149 located 2271 East 71st 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, Rhonda Riley 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 5 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 Rhonda Riley for the sale and development of Permanent Parcel No. 118-24-149 located 2271 East 71st Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Nichols, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 387-16.

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. 112-02-047 located at 759 East 133rd 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, Macenia Dawson and David P. Dawson have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has 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 parcels 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 Macenia Dawson and David P. Dawson for the sale and development of Permanent Parcel No. 112-02-047 located at 759 East 133rd 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: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Nichols, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 388-16.

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. 016-19-010 located at 5425 Storer Avenue; and

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

Whereas, Gordon Martin has proposed to the City to lease and develop the parcel for a community garden; and

Whereas, the following conditions exist:

1. The member of Council from Ward 14 has either approved the proposed lease or has not disapproved or requested a hold of the proposed lease within 45 days of notification of it;

2. The proposed lessee 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 a lease for a term of three (3) years, for and on behalf of the City of Cleveland, with Gordon Martin for the lease and development of Permanent Parcel No. 016-19-010 located at 5425 Storer Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the lease of the parcel shall be a one-time fee of \$3.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Nichols, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 389-16.

By Director West.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 192-15 passed by Cleveland City Council on March 2, 2015, The Center for Families and Children is selected by the Director of Human Resources as the firm to be employed by contract to supplement the regularly employed staff of the Department of Human Resources to provide professional services necessary to administer the City of Cleveland's employee assistance program for a period of one year with two one-year options to renew, the second of which requires additional legislation.

Be it further resolved that the Director of Human Resources is authorized to enter into contract with The Center for Families and Children, based on its proposal dated June 2, 2016, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as described in the proposal for aggregate fees of \$215,320.00 annually and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Nichols, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 390-16.

By Director O'Leary.

Whereas, under the authority of Section 3116.04, Codified Ordinances of Cleveland, Ohio, 1976 and Board of Control Resolution No. 153-14, adopted April 9, 2014 authorized the Director of Building and Housing to enter into Contract No. CT 8501 PS2016-087 with Cuyahoga Soil and

Water Conservation District for technical assistance services related to NPDES-covered construction activities including initial plan review, subsequent plan review, site inspection, and the preparation of all reports, financial and programmatic; and

Whereas, the City requires additional technical assistance services related to NPDES-covered construction activities under Contract No. CT 8501 PS2016-087 in the amount of \$5,000.00; and

Whereas, the Cuyahoga Soil and Water Conservation District has proposed by its October 23, 2015 email to perform the above-mentioned additional technical assistance services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, the City, through its Directors of Building and Housing is authorized to enter into a first modification to Contract No. CT 8501 PS2016-087 with the Cuyahoga Soil and Water Conservation District for additional technical assistance services related to provide NPDES-covered construction activities as necessary, for an additional amount not to exceed \$5,000.00, thereby increasing the total compensation under the contract to \$75,000.00.

Yeas: Acting Director Singletary, Director Dumas, Acting Director Shaw, Interim Director Szabo, Directors Cox, Gordon, Acting Directors Withers, Cosgrove, Directors West, Nichols, Fumich, and Acting Director Riccardi.

Nays: None.

Absent: Mayor Jackson.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, SEPTEMBER 12, 2016

9:30 A.M.

Calendar No. 16-195: 2177 Scranton Road (Ward 3)

2177 Scranton LLC., owner, proposes to include one dwelling unit residence to boutique, warehouse and operations building for women's clothing store in a B3 General Industry District. The owner appeals for relief from the strict application of Section 345.04(c)(1) which states that Human Habitation (residence) is prohibited in a General Industry District. (Filed July 28, 2016)

Calendar No. 16-197: 18200 South Waterloo Road (Ward 8)

George Whalley, owner, and Sunbelt Rentals, Inc., Lessee, propose to use property for equipment and tool rental, sale display, warehousing in a C2 General Retail Zoning District. The existing warehouse use will be expanded to include inside and outside storage of such equipment and tools generally used in construction, in industry, and by consumers/homeowners, which includes trailers and heavy machinery, above ground storage tanks for oil and gasoline and other petroleum products and waste material. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 343.11 which states that outdoor storage is not permitted in General Retail but is first permitted in Semi-Industry District.

2. Section 345.04(a)(3) which states that outdoor storage shall be surrounded by solid masonry wall or slightly solid, non-transparent, well-maintained substantial fence.

3. Section 359.01 which states that expansion of nonconforming use requires BZA approval. (Filed July 29, 2016)

Calendar No. 16-198: 2131 West 10th Street (Ward 3)

Fred Callatello, owner, proposes to erect a 39' - 4" x 54' - 8" two-story frame single family residence with attached garage in a B1 Multi-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(a) which states that the minimum required lot area is 4,800 square feet and the appellant is proposing 3,991 square feet. The maximum gross floor area allowed is 50 percent of lot area or in this case 1,995 square feet and the appellant is proposing 2,079 square feet.

2. Section 357.06(a) which states that the Required front yard setback 5' - 6" where the appellant is proposing 3' - 4" for Dwelling and 1' for 2' - 5" for the roof eaves.

3. Section 357.09(b)(2)(A) which states that the total width of both interior side yard shall not be less than 10' and 6' - 4" are proposed.

4. Section 357.09(b)(2)(A) which states that no building shall be less than 10' from the main building on

adjoining lot where the appellant is proposing 0 feet.

5. Section 357.09(b)(2)(C) which states that the required interior side yard is 8' where the appellant is proposing 3' - 4" and 3' for Dwelling and 1' for 2' - 5" roof eaves.

6. Section 357.13 which states that the air conditioning units are not permitted in Required Interior Side yards. (Filed July 29, 2016)

Calendar No. 16-204: 3900 East 75th Street (Ward 12)

Cleveland Metropolitan School District proposes to construct a new PreK-8 school in a B1 Two-Family zoning district. The owner appeals for relief from the strict application of Section 337.02(f)(3) of the Cleveland Codified Ordinances which states that a school in Two family District is required to be not less than 30' from any adjoining premises in residence district not used for a similar purpose and subject to BZA approval; proposed school is in Two family District and within 30' of Two family District not use for a similar purpose. (Filed August 1, 2016)

Calendar No. 16-205: 18400 Schenely Avenue (Ward 8)

Cleveland Metropolitan School District proposes to construct a new PreK-8 school in a B1 Two-Family zoning district. The owner appeals for relief from the strict application of Section 337.02(f)(3) of the Cleveland Codified Ordinances which states that a school in Two family District is required to be not less than 30' from any adjoining premises in residence district not used for a similar purpose and subject to BZA approval; proposed school is in Two family District and within 30' of Two family District not use for a similar purpose. (Filed August 1, 2016)

Calendar No. 16-206: 7901 Halle Avenue (Ward 3)

Cleveland Metropolitan School District proposes to construct a new PreK-8 school in a B1 Two-Family zoning district. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 337.02(f)(3)(A) which states that a school built in a residential district requires approval by the Board of Zoning Appeals.

2. Section 357.13 which states that a Play area is not a permitted front yard encroachment; proposed play areas are within setback area.

3. Section 358.04(a) which states that fences in actual front and side street yards shall not exceed four (4) feet in height; proposed fence is six (6) feet high.

4. Section 358.04(c)(1) which states that only ornamental fencing is permitted in actual front and side street yards in residential districts; proposed fence is chain link. (Filed August 2, 2016)

Calendar No. 16-208: 9349 Gaylord Avenue (Ward 2)

Continental Contracting, owner, proposes to change use from single family to foster care facility for 8 children in a B1 Two-Family Zoning District. The owner appeals for relief from Section 337.03 of the Cleveland Codified Ordinances

which states that in a Two family District Foster care facility for 8 Children/group home is not permitted but first permitted in Multi-family residential district, and only if 15' from adjoining premises per section 337.08(e)(3). (Filed August 3, 2016)

Calendar No. 16-216: 17448 Lorain Avenue (Ward 17)

Kamm's Plaza Shopping Center, owner, proposes to establish use as brewery, tap room, and retail sales in a C1 Shopping Center District. The owner appeals for relief from Section 343.01(b) of the Cleveland Codified Ordinances which states that a Brewery for production of a product to be shipped and sold off-premises is not permitted in a Local Retail Business District. Per Zoning Code Section 343.11(b)(2)(N), a General Retail Business District allows office, display or sales space of wholesale, jobbing or distributing establishment in which not more than twenty-five percent (25%) of the floor area of the building of part of the building occupied by the establishment is used for making, assembling, remodeling, repairing, altering, finishing or refinishing its products or merchandise. (Filed August 4, 2016)

**POSTPONED FROM
AUGUST 8, 2016**

Calendar No. 16-160: 3551 East 93rd Street (Ward 6)

Charlie D. Rogers, owner, proposes to change of use from carryout to restaurant and bar with entertainment in a C2 Gen Retail District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 347.12(1) which states that Entertainment use shall be located 500 feet from a Residential District and the proposed location abuts Residential District at the rear.

2. Section 347.12(2) which states that Entertainment use shall be at least 500 feet from another entertainment use.

3. Section 349.04(e) which states that the required number of off-street parking space must equal three times gross floor area, in this case 93 parking spaces are required.

4. Sections 352.08 through 352.10 which state that 10' transition strip is required where the property abuts a Residential District and none are proposed. (Filed June 21, 2016 - No Testimony)

First postponement made at the request of the appellant due to a scheduling conflict.

**POSTPONED FROM
AUGUST 8, 2016**

Calendar No. 16-052: 7114 St. Clair Avenue (Ward 10)

Eishons House, LLC., owner, proposes to change use from store to bar and restaurant with entertainment in a C1 Local Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 343.11(b)(2)(A) which states that a bar/restaurant with entertainment is first permitted in a General Retail Business District; proposed location is in a Local

Retail Business District. Per Section 347.12 the use must be 500 feet from a residence district.

2. Section 349.04(e) which states that a parking area equal to three times the floor area (5,700) is required and no additional off-street parking is proposed. (Filed March 23, 2016 - Testimony Taken)

Fourth postponement made at the request of the Board in order for the good neighbor agreement to be amended and signed by all parties. Third postponement made at the request of the Board to allow for a community meeting to be held. First and second postponements made at the request of the appellant in order to revise plans.

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, AUGUST 29, 2016

At the meeting of the Board of Zoning Appeals on Monday, August 29, 2016 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 16-34: 3934 Lee Road Strawbridge Family Corp., owner, proposes to change use to a funeral home and construct a parking lot in a C1 Local Retail Business District and an A1 One-Family Residential District.

Calendar No. 16-180: 5409 Bridge Avenue

Tupelo Properties 1 LLC., owner, proposes to change the use of an existing three family residence to single family, erect a 20' x 23' second floor master bedroom addition and detached garage in a C1 Multi-Family Residential District.

Calendar No. 16-184: 4011 Bridge Avenue (4b)

Triban Investments, LLC., owner, proposes to erect a four story frame fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-185: 4011 Bridge Avenue (4a)

Triban Investments, LLC., owner, proposes to erect a three story frame fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-186: 4015 Bridge Avenue

Triban Investments, LLC., owner, proposes to erect a three story frame fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-187: 1937 Randall Road

Triban Investments, LLC., owner, proposes to erect a three story frame fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-188: 4011 Bridge Avenue (Sublot No. 3)

Triban Investments, LLC., owner, proposes to erect a four story frame

fee simple single family residence with attached garage in a B1 Two Family Residential District.

Calendar No. 16-199: 1953 Randall Road (Sublot No. 5)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Calendar No. 16-200: 1953 Randall Road (Sublot No. 6)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Calendar No. 16-201: 1953 Randall Road (Sublot No. 7)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Calendar No. 16-202: 1953 Randall Road (Sublot No. 8)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

Calendar No. 16-203: 1953 Randall Road (Sublot No. 9)

Triban Investment, LLC., owner, proposes to construct a fee simple townhouse with attached garage as part of a five unit development in B1 Two Family Residential District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

Calendar No. 16-144: 1684 Lorain Avenue

Edward Kopp, owner, proposes to erect a 29' - 6" x 78' three story frame single family residence with attached garage on irregular shaped lot located in a B1 Two-Family Residential District and a K1 Local Retail Business District.

Calendar No. 16-178: 2447 West 5th Street

Mendo Veloff, owner, proposes to erect a 15' x 22' two story frame addition to the front of an existing single family residence in a B1 Two-Family Residential District

The following appeals were **DISMISSED:**

None.

The following cases were **POSTPONED:**

Calendar No. 16-128: Muslim Brotherhood

1251 East 99th Street. Postponed October 3, 2016.

Calendar No. 16-179: 131 Miles LLC 13215 Miles Avenue. Postponed October 3, 2016.

Calendar No. 16-209 through 16-215: B.R. Knez

4195 Lorain Court Sublots 1 through 6 and Corner Lot. Postponed October 3, 2016.

The following cases were heard by the Board of Zoning Appeals on Monday, August 22, 2016 and the decisions were adopted and approved on Monday, August 29, 2016:

The following appeals were **APPROVED:**

Calendar No. 16-79: 17314 Puritas Avenue

Mihaela Ilie, owner, proposes to install a 4' - 0' high chain link fence in the front yard in an A1 One-Family Residential District.

Calendar No. 16-134: 8202 Wade Park Avenue

Karen Deaver, owner, proposes to establish a: Type "A" daycare in a D2 Multi-Family Residential District.

Calendar No. 16-169: 1326 West 65th Street

Mike Decesare proposes to erect a new 1,788 square foot single family house on a City of Cleveland Land Bank Parcel in a B1 Two-Family Residential District.

Calendar No. 16-170: 6500 Detroit Avenue

Gordon Square Commercial Limited Partnership, owner, proposes to expand use to include bar to existing pinball arcade located in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

Calendar No. 16-172: 5209 Detroit Avenue

The Centers for Families and Children (West Side Ecumenical Ministry), owner, proposes to construct a parking lot in a B1 Semi-Industrial District and Two-Family Residential district.

Calendar No. 16-175: 1414 East 26th Street

Cement Masons #404, owner, proposes to erect a 4,032 square foot addition to existing office building in a C1 Multi Family Residential Zoning District.

Calendar No. 16-176: 6309 Bridge Avenue

Doug Gertz, owner, proposes to construct a 2,172 square foot, two story single family house and a 3 car detached garage with an 875 square foot in-law suite above the garage on a 5,040 square foot lot.

Calendar No. 16-177: 6501 Detroit Avenue

Detroit Shoreway Development Corporation (Oeds Limited Partnership), owner, proposes to change use from office to restaurant and bar in C2 Local Retail Business District and a Pedestrian Retail Overlay District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of August 24, 2016

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-57-16.

RE: Appeal of Alwill Company, Ltd., Owner of the Property, located on the premises known as 701 East 185th Street from a NOTICE OF VIOLATION & ABATEMENT ORDER, dated February 16, 2016 of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Violation Notice was properly issued, and that the building is subject to the 396 requirements for the contents of the building; the property is REMANDED at this time to the Division of Fire for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

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

* * *

Docket A-73-16.

RE: Appeal of Random Road Lofts Condominium Owners' Assn., Inc., Owner of the R-2 Residential - Non-transient, Apartments (Shared Egress) Two Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 2079 Random Road from a NOTICE OF VIOLATION - INTERIOR/EXTERIOR MAINTENANCE, dated January 19, 2016 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until January 1, 2017 to obtain all required permits and complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-113-16.

RE: Appeal of 7407 Cedar Ave, LLC, Owner of the MXD Mixed Uses - Multiple Uses In One Building Two & One/half Story Frame Property, located on the premises known as 7407 Cedar Avenue from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated May 6, 2016 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 Violation Notice was properly issued and to grant the Appellant until December 1, 2016 to complete abatement of the violations; the property

is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

* * *

Docket A-116-16.

RE: Appeal of Chanel Steiner, Owner of the One Dwelling Unit Single-Family Residence Two Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 3828 West 152nd Street from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated May 20, 2016 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-118-16.

RE: Appeal of Schultz Financial Company, LLC, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 6805 Hague Avenue from a NOTICE OF VIOLATION - FIRE DAMAGE, dated May 12, 2016, 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-118-15 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-120-16.

RE: Appeal of Scott L. Scrivens, Owner of the B Business - Offices, Laboratories, Adult School Two Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 2628 Detroit Avenue from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated May 17, 2016 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 Violation Notice was properly issued, and to REMAND the property immediately to the Department of Building and Housing, noting that the property has been sold. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Maschke.

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

Docket A-122-16.

RE: Appeal of Georgia & Dimples LLC, Owners of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property located on the premises known as 1145 Ansel Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 9, 2016 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 Appellants until December 1, 2016 to obtain all required permits and complete abatement of all violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-123-16.

RE: Appeal of Georgia & Dimples LLC, Owners of the MXD Mixed Uses - Multiple Uses In One Building Two & One/half Story Frame Property located on the premises known as 1141 Ansel Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 10, 2016 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 Appellants until December 1, 2016 to obtain all required permits and complete abatement of all violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-126-16.

RE: Appeal of Victor Zitello, Owner of the Two Dwelling Units Two-Family Residence Three Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as 1346 West 61st Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 26, 2016, 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-126-16 has been WITHDRAWN at the request of the Appellant.

* * *

Docket A-127-16.

RE: Appeal of Nettie Ann Williams, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 1185 East 83rd Street from

a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 9, 2016 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 24, 2016 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-128-16.

RE: Appeal of Wells Fargo Bank, N.A., Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame, and One Story Garage — Detached; Wood Frame Property, located on the premises known as 3878 East 74th Street from a CONDEMNATION ORDER — MAIN STRUCTURE & NOTICE OF VIOLATION — GARAGE, dated May 27, 2016 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 September 1, 2016 to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-130-16.

RE: Appeal of Achona Brown, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property, located on the premises known as 2837 East 116th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 28, 2016 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

* * *

Docket A-146-16.

RE: Appeal of Steven Daniels — GS Investments LLC, Owner of the Property, located on the premises known as 5417 Detroit Avenue from

an ADJUDICATION ORDER, dated July 11, 2016, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance and permit the 5,022 square feet to not be sprinkled under the requirements of the 5,000 square foot space, noting that there is a firewall in place; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-159-16.

RE: Appeal of MSM Family Invest Ltd. C/O Sane Jafer, Owner of the Two Story Property, located on the premises known as 5834 Storer Avenue from a NOTICE OF VIOLATION — HVAC, dated August 8, 2016 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to require the Appellant to obtain a permit for the use of the fryer before it is used again. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

* * *

APPROVAL OF RESOLUTIONS:

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

- A-112-16 — Regina A. Fortner
- A-115-16 — Denise Wells-Seals
- A-117-16 — Keith Brown
- A-125-16 — Joseph M. Mementowski
- A-148-16 — Arthur Ray Lawrence

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

* * *

APPROVAL OF MINUTES:

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

August 10, 2016

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, SEPTEMBER 15, 2016

File No. 96-16 — Uniform Clothing - Division of Fire, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.
THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 11:00 A.M. LOCATED THE DIVISION OF FINANCIAL REPORTING AND CONTROL, 601 LAKESIDE AVENUE, ROOM 18, CLEVELAND, OH 44114.

File No. 97-16 — 205 St. Clair - Lighting Improvements, for the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 734-14, passed by the Council of the City of Cleveland, June 9, 2014.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR 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, SEPTEMBER 1, 2016 AT 11:00 A.M. LOCATED THE DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, 601 LAKESIDE AVENUE, ROOM 517A, CLEVELAND, OH 44114.

August 24, 2016 and August 31, 2016

THURSDAY, SEPTEMBER 15, 2016

File No. 107-16 — Lease/Purchase of Cab and Chassis with Catch Basin Bodies and Related Equipment, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1231-15, passed by the Council of the City of Cleveland, December 7, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 10:00 A.M. HARVARD YARD, 4150 EAST 49TH STREET, CLEVELAND, OH 44105.

August 31, 2016 and September 7, 2016

WEDNESDAY, SEPTEMBER 21, 2016

File No. 98-16 — Automotive and Truck Parts and Service, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OH 44108.

File No. 102-16 — Purchase of Recycled, Virgin Asphalt Concrete, for the Division of Streets, Department of Public Works, as authorized by Ordinance No. 194-16, passed by the Council of the City of Cleveland, March 14, 2016.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, SEPTEMBER 9, 2016 AT 10:00 A.M. 4150 EAST 49TH STREET, BUILDING 1, CLEVELAND, OH 44105.

File No. 103-16 — Transfer and Disposal of Municipal Solid Waste, for the Division of Waste Collection, Department of Public

Works, as authorized by Ordinance No. 568-14, passed by the Council of the City of Cleveland, May 12, 2014.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 2:00 P.M. 5600 CARNEGIE AVENUE, CLEVELAND, OH 44103.

August 31, 2016 and September 7, 2016

THURSDAY, SEPTEMBER 22, 2016

File No. 99-16 — Purchase of Splice Kits, Supplies and Accessories for Electrical Wire and Cable (Re-Bid), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 10:00 A.M. CLEVELAND PUBLIC POWER, THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OH 44114.

File No. 100-16 — Labor and Materials Necessary to Inspect, Test and Repair Bucket and Derrick Trucks, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, SEPTEMBER 9, 2016 AT 10:30 A.M. CLEVELAND PUBLIC POWER, THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OH 44114.

File No. 101-16 — Rigging Services (Re-Bid), for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 328-15, passed by the Council of the City of Cleveland, April 20, 2015.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 11:30 A.M. CLEVELAND PUBLIC POWER, THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CONFERENCE ROOM A, CLEVELAND, OH 44114.

File No. 108-16 — Clark Avenue Rehabilitation: Lorain Avenue to West 41st Street, for the Division of Architecture and Site Development, Office of Capital Projects, as authorized by Ordinance No. 1101-15, passed by the Council of the City of Cleveland, November 9, 2015.

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 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, SEPTEMBER 15, 2016 AT 9:00 A.M. THE DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 518A, 601 LAKESIDE AVENUE, CLEVELAND, OH 44114.

10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 1201 LAKESIDE AVENUE, MAIN AUDITORIUM, CLEVELAND, OH 44114.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED FIFTY DOLLARS (\$150.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR MONEY ORDER (NO COMPANY CHECKS NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

August 31, 2016 and September 7, 2016

August 31, 2016 and September 7, 2016

WEDNESDAY, SEPTEMBER 28, 2016

FRIDAY, SEPTEMBER 23, 2016

File No. 104-16 — 1201 Lakeside Avenue Cooling Towers Replacement for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1554-13, passed by the Council of the City of Cleveland, February 10, 2014.

File No. 106-16 — 2016-2018 Purchase of Natural Gas, for the Division of Purchases and Supplies, Department of Finance as authorized, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, SEPTEMBER 8, 2016 AT 10:00 A.M. THE BALDWIN WATER WORKS PLANT, 11216 STOKES BOULEVARD, CLEVELAND, OH 44104.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR 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, MONDAY, SEPTEMBER 12, 2016 AT 2:00 P.M. PUBLIC HALL, ROOM LL10A, 500 LAKESIDE AVENUE, CLEVELAND, OH 44114.

August 31, 2016 and September 7, 2016

August 31, 2016 and September 7, 2016

FRIDAY, OCTOBER 7, 2016

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY SEPTEMBER 9, 2016 AT

File No. 105-16 — Baldwin Improvements - A, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1406-15, passed by the Council of the City of Cleveland, November 30, 2015.

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

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NO MEETINGS

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O—Ordinance; R—Resolution; F—File
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