

The City Record

Official Publication of the Council of the City of Cleveland



October the Twenty-Ninth, 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, OCTOBER 29, 2014

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CITY COUNCIL

MONDAY, OCTOBER 27, 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.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 1415-14.
RE: #0000189. Transfer of Ownership Application, D5J D6. A Z Taverns, Inc., 15335 Waterloo Road (Ward 8). Received.

File No. 1416-14.
RE: #7063933. Transfer of Ownership Application, C2 C2X. Premiums, Inc., 951 Linn Drive (Ward 9). Received.

File No. 1422-14.
RE: #4637425. Economic Development Transfer Application, D5. Sookyi, LLC, 1313 West 6th Street (Ward 3). Received.

File No. 1423-14.
RE: #9555106. Transfer of Ownership, C1 C2. West 65th Street Food & More, LLC, 2044 West 65th Street (Ward 15). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 1424-14 Vada Marie Smoot McGowan.

Res. No. 1436-14 Constance "Connie" Harper.

Res. No. 1437-14 Virginia Washington.

Res. No. 1438-14 Willie Cunningham.

CONGRATULATIONS RESOLUTIONS

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

Res. No. 1425-14 Elder Michael Robinson & Sister Rachel Robinson.

Res. No. 1426-14 Second New Hope Baptist Church — 90th Anniversary.

Res. No. 1427-14 Pastor Julius Mitchell, Jr.

Res. No. 1428-14 Rev. Joe Wesley Hill, Sr.

Res. No. 1429-14 Michael & Nancy DeCesare.

Res. No. 1430-14 Matthew P. Figie.

RECOGNITION RESOLUTIONS

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

Res. No. 1431-14 Hudec Dental Puritas.

Res. No. 1432-14 Cleveland Culinary Celebration Week/Fabulous Food Show.

Res. No. 1433-14 Cleveland Down Syndrome Day of Council.

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, October 27, 2014

The meeting of the Council was called to order at 7:02 p.m. with the President of Council, Kevin J. Kelley, in the Chair.

Council Members present: Dona Brady, Anthony Brancatelli, 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, Martin J. Sweeney, and Matthew Zone.

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

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Pastor James P. Quincy, Lee Road Baptist Church, Cleveland, Ohio (Ward 1). Pledge of Allegiance.

MOTION

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

COMMUNICATION

File No. 1421-14.

From Christine Robertson, Vice President, Millenia Housing Development, Ltd. Notice of intent to apply and utilize the multifamily funding programs of the Ohio Housing Finance Agency for the redevelopment of Central Park Place at 3043 Project Avenue in Cleveland, Ohio. Received.

APPRECIATION RESOLUTION

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

Res. No. 1434-14 John A. Hudec, D.D.S.

FIRST READING EMERGENCY ORDINANCES REFERRED

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 in the legal descriptions placed in File No. 1410-14-A.

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.

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

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.

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

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.

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

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.

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

Ord. No. 1414-14.

By Council Members Brancatelli 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.

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

Ord. No. 1418-14.

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

An emergency ordinance authorizing the Director of Community Development to employ one or more professional consultants to provide grant writing services; and authorizing the Director of Community Development to apply for and accept the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant and the Healthy Homes Grant both from the U.S. Department of Housing and Urban Development; authorizing the purchase by one or more standard and requirement contracts of materials, equipment, supplies, and services necessary to implement the grants and for the rental of furniture and other household articles to supply and accommodate displaced persons; and authorizing one or more contracts with various entities, agencies, or individuals to implement the grants.

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

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

Section 1. That the Director of Community Development is authorized to 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 to provide grant writing services needed to assist the City with preparing the applications needed to receive the grants identified in this ordinance.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Community Development from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Community Development 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 Community Development, and certified by the Director of Finance.

Section 2. That the Director of Community Development is authorized to apply for and accept either the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant, in the amount of up to approximately \$3,500,000 and to apply for and accept the Healthy Homes grant in the

amount of up to approximately \$500,000, and any other funds that may become available during the grant terms, both from the U.S. Department of Housing and Urban Development to conduct the Lead Hazard Reduction Demonstration or Lead Hazard Control Grant and the Healthy Homes Programs; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the Executive Summary contained in the file below.

Section 3. That the Executive Summary, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 1418-14-A, are made a part of this ordinance as if fully rewritten, are approved in all respects, and shall not be changed without additional legislative authority.

Section 4. That the Director of Community Development shall have the authority to extend the term of the grants during the grant terms.

Section 5. That the Director of Community Development shall deposit the grants accepted under this ordinance into a fund or funds designated by the Director of Finance to implement the programs as described in the file and appropriated for those purposes.

Section 6. That the Director of Community Development is authorized to make one or more written standard purchase and/or written requirement purchase contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the period during the grant terms, for each or all of the following items: materials, equipment, supplies, and services needed to implement the grant and for the rental of furniture and other household articles to supply and accommodate displaced persons during lead abatement performed under the grants as described in the file, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Department of Community Development. 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.

Section 7. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase or procurement under the contract, each of which purchases or procurements 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.

Section 8. That, unless expressly prohibited by the grant agreements, under Section 108(b) of the Charter, purchases or procurements made under the grant agreements may be made through cooperative arrangements with other governmental agencies. The Director of Community Development may sign all documents and do all things that are necessary to make the purchases or procurements, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 9. That the Director of Community Development is authorized to enter into one or more contracts with or make payments to various entities,

agencies, or individuals to implement the grants as described in the file.

Section 10. That the costs of the contract or contracts authorized by this ordinance and administrative costs shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, except for the professional services for grant writing authorized in Section 1 of this ordinance, which shall be paid from Fund No. 14 SF 040, RQS 8006, RL 2014-121.

Section 11. 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 Community Development, Finance, Law; Committees on Development Planning and Sustainability, Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1417-14.

By Council Member Zone.

An emergency ordinance authorizing and directing the Director of Office of Capital Projects to issue a permit to the Detroit Shoreway Community Development Organization to stretch a banner across West 65th Street, south of Detroit Avenue, for the period from November 20, 2014 to December 19, 2014, inclusive, promoting the Holiday Shopping event.

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 Office of Capital Projects is hereby authorized and directed to issue a permit to the Detroit Shoreway Community Development Organization to install, maintain and remove a banner across West 65th Street, south of Detroit Avenue; inclusive. Said banner shall be approved by the Office 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.

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

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

Ord. No. 1420-14.

By Council Member J. Johnson.

An emergency ordinance authorizing the Director of the Department of Community Development to enter into an agreement with the St. Clair Superior Development Corporation for the Five Points Senior Food Program through the use of Ward 10 Neighborhood Capital Funds.

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

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

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement with the St. Clair Superior Development Corporation for the Five Points Senior Food Program for the public purpose of providing nutritious foods and meals to needy senior citizens residing in the city of Cleveland through the use of Ward 10 Neighborhood Capital Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$30,000 and shall be paid from Fund No. 10 SF 177.

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

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

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. 1419-14.

By Council Member Kelley (by departmental request).

An emergency resolution rejecting in its entirety the Fact-Finder's findings and recommendations in the matter of City of Cleveland and the International Brotherhood of Electrical Workers Local 39.

Whereas, findings and recommendations of the Fact-Finder have been submitted to this Council under division(C)(6)(a) of Section 4117.14 of the Revised Code; 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, having duly considered the Fact-Finder's findings and recommendations in the matter of City of Cleveland and the International Brotherhood of Electrical Workers Local 39 (SERB Case No. 2012-MED-12-1405 and SERB Case No. 2012-MED-12-1406), which were served on the City's representative on October 20, 2014, a copy of which are contained in File No. 1419-14-A, this Council rejects the

Fact-Finder's findings and recommendations in their entirety.

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

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. 1435-14.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer of location of a D1 and D2 Liquor Permit at 1810 West 25th Street and repealing Resolution No 1145-14, objecting to said transfer.

Whereas, this Council objected to the transfer of location of a D1 and D2 Liquor Permit to Tabletop Board Game Café, LLC, 1810 West 25th Street, Cleveland, Ohio 44113, Permanent No. 8775046 by Resolution No. 1145-14 adopted by the Council on September 8, 2014; and

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

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

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

Section 1. That objection to the transfer of location of a D1 and D2 Liquor Permit to Tabletop Board Game Café, LLC, 1810 West 25th Street, Cleveland, Ohio 44113, Permanent No. 8775046, be and the same is hereby withdrawn and Resolution No. 1145-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 465-14.

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

An emergency ordinance authorizing the Director of Port Control to enter into a Lease By Way of Concession with JIT Services, LLC to manage, operate, and maintain the North Coast Harbor Transient Marina, associated support facility, concessions

and equipment rental programs, for a period of five years, with one five-year option to renew, exercisable through additional legislative authority.

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. 990-14.

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

An emergency ordinance authorizing the Director of Capital Projects to lease certain property known as Arch No. 6 of the Superior Viaduct to the John G. Johnson Construction Company, or its designee, for the purpose of providing employee parking and for material storage, for a period of five years, with one option to renew for an additional five year period, exercisable by the Director of Capital Projects.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance, when amended, as follows:

1. In the title, lines 6 and 7, strike "and for material storage".

2. Strike Section 3 in its entirety and insert "Section 3. That the purposes of the lease shall be for employee parking only."

Amendments agreed to.

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

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

Ord. No. 1134-14.

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

An emergency ordinance authorizing the Director of Capital Projects to issue permits to The Cleveland Clinic Foundation to encroach into the public right-of-way of Carnegie Avenue by installing, using, and maintaining a shoring system and tiebacks.

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

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

Ord. No. 1249-14.

By Council Members 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 2012-326 with HydroChem, LLC to provide required analysis, reporting, testing, and disposal of waste material necessary for mandatory environmental compliance for the various divisions of the Department of Port Control, and for other related services necessary for the compliance.

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. 1250-14.

By Council Members 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 2012-327 with HydroChem, LLC to provide environmental emergency response services necessary for mandatory environmental compliance for the various divisions of the Department of Port Control, and for other related services necessary for the compliance.

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. 1324-14.

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

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to provide talent management support services and other related services, for a period of one year, with three one-year options to renew, the second of which requires additional legislative authority.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Transportation, Finance, when amended, as follows:

1. In Section 1, line 5, after "including" insert "talent acquisition."

Amendment agreed to.

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

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

Ord. No. 1327-14.

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

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

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

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

SECOND READING ORDINANCE PASSED

Ord. No. 1468-12.

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

Approved by Directors of City Planning Commission, Law; Passage recommended by Committee on City Planning.

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

SECOND READING EMERGENCY RESOLUTIONS ADOPTED

Res. No. 1031-14.

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

An emergency resolution declaring the intent to vacate a portion of West 21st Street (12.00 feet wide) and a portion of Moore Avenue N.W. (66.00 feet wide).

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

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

Res. No. 1198-14.

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

An emergency resolution declaring the intent to vacate a portion of Sorg Court N.E.

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

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

MOTION

On the motion of Council Member Mitchell, the absence of Council Member Joe Cimperman is hereby authorized. Seconded by Council Member Sweeney.

MOTION

The Council Meeting adjourned at 7:45 p.m. to meet on Monday, November 10, 2014, at 7:00 p.m. in the Council Chamber.



Patricia J. Britt
City Clerk, Clerk of Council

THE CALENDAR

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

NONE

BOARD OF CONTROL

October 22, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 22, 2014 at 10:38 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Absent: Mayor Jackson and Director Smith.

Others: 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. 495-14.

By Director Dumas.

Whereas, under the authority of Ordinance No. 2234-05, passed by the Cleveland City Council on January 23, 2006, as amended by Ordinance No. 1717-06 passed November 20, 2006, the City of Cleveland, through the Director of Public Utilities, entered into City Contract No. 68241 with Gray Matter Systems, LLC, for an estimated quantity of labor and materials necessary to refurbish the Supervisory Control and Data Acquisition ("SCADA") and the Plant Computer Control Systems ("PCCS") systems, Option 2, items 7.001-7.032, for the Division of Water, Department of Public Utilities; and

Whereas, under the authority of Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, ("C.O."), and Board of Control Resolution No. 693-13, adopted December 18, 2013, the City entered into a contract with Gray Matter Systems, LLC, City Contract No. PS2014-030 to obtain software support, maintenance services and licenses for the PCCS, GE Proficy Software, and technical support and maintenance services for the SCADA system for one year starting January 1, 2014, for the Division of Water, Department of Public Utilities; and

Whereas, division (c) of Section 181.102 C.O. authorizes a director to execute one or more license agreements for software needed to implement or maintain a previously acquired software system directly with software licensing firm; and

Whereas, division (d) of Section 181.102 C.O. authorizes a director to enter into an agreement with a software vendor for professional services necessary to implement or maintain the software system, including but not limited to maintenance, repair, upgrades, enhancements and technical support; and

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Gray Matter Systems, LLC to renew the necessary software licenses and to continue to obtain software support and maintenance services for the PCCS, GE Proficy Software, and the technical support and maintenance services for the SCADA system, for one year starting January 1, 2015; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid for license fees and for maintenance and support services to be performed under the contract with Gray Matter Systems, LLC for the one-year term starting January 1, 2015, shall not exceed \$164,937.78.

Yeas: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 496-14.

By Director Interim Dumas.

Whereas, under the authority of Ordinance No. 626-11, passed by the Cleveland City Council on May 16, 2011, and Board of Control Resolution No. 205-12, adopted May 16, 2012, the City of Cleveland, through the Director of Public Utilities, entered into City Contract No. PS2012-170 with Woolpert, Inc. and Azteca Systems, Inc. to acquire professional services necessary to perform technology consulting services to implement a new work order and asset management system, for the various divisions of City government; and

Whereas, the citywide Work Order/Asset Management System runs on the Azteca Systems, Inc. software platform, and support, maintenance, and licenses must be renewed annually for proper use and support of the citywide Work Order/Asset Management software and applications; and

Whereas, division (C) of Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, ("C.O.") authorizes a director to execute one or more license agreements for software needed to implement or maintain a previously acquired software system directly with software licensing firm; and

Whereas, under the authority of Section 181.102 C.O., and Board of Control Resolution No. 511-13, adopted September 11, 2013, the City entered into a contract with Azteca Systems, Inc., City Contract No. PS2014-011 for the one-year term starting November 1, 2013, to obtain professional services necessary for annual software license renewals, upgrades, and support and maintenance for the citywide Work Order/Asset Management System software and applications, for the Division of Water, Department of Public Utilities; and

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with Azteca Systems, Inc. to renew the necessary software licenses and to obtain the professional services necessary to continue support and maintenance for the citywide Work Order/Asset Management System software and applications for one year starting November 1, 2014; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of division (e) of Section 181.102 C.O., the compensation to be paid under the license agreement with Azteca Systems, Inc. including maintenance and support services for the one-year term starting November 1, 2014 shall not exceed \$60,850.00.

Yeas: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 497-14.

By Directors Spronz and Rush.

Be it resolved by the Board of Control of the City of Cleveland, that the bid of Envirocom Construction, Inc. for the public improvement constructing of the Upper Chester Avenue, south of Hough Avenue, east of East 85th Street and West of Martin Luther King Jr. Boulevard, Phase I, all bid items, 1 through 158, for the Division of Engineering and Construction, Mayor's Office of Capital Projects, received on October 2, 2014, under the authority of Ordinance No. 706-09, passed by Cleveland City Council on June 8, 2009, upon a unit price basis for the improvement, in the aggregate amount of \$2,483,605.20, is affirmed and approved as the lowest responsible bid, and the Director of Capital Projects is authorized to enter into contract for the improvement with the bidder.

Be it further resolved that the employment of the following subcontractors by Envirocom Construction, Inc. for the above-mentioned public improvement is approved:

21st Century Concrete
(CSE/FBE) — \$557,981.00 — (22.5%)

Cook Paving Construction Co., Inc.
(CSB/MBE) — \$180,000.00 — (7.2%)

Petty Group, LLC
(CSB/MBE) — \$22,169.00 — (0.9%)

United Hardscapes
Non-CSB — \$140,000.00

Tom Hall Excavating
Non-CSB — \$350,000.00

Yeas: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson and Director Smith.

Resolution No. 498-14.

By Director Parrilla.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Robin Nest Property Management and Landscape for an estimated quantity of labor and materials to remove snow and ice, all items, for the Department of Public Health, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with an option to renew for one additional year, received on August 20, 2014 under the authority of Section 181.101 of the Codified Ordinances of Cleveland Ohio, 1976, which on the basis of the estimated quantity would amount to \$50,000.00, (3%, Net 30 Days) is affirmed and approved as the lowest and best bid, and the Director of Public Health is requested to enter into a requirement contract for the goods and/or services necessary for the specified items. The requirement contract shall further provide that the Contractor shall furnish all the City's requirements for such goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Robin's Nest Property Management and Landscape for the above-mentioned service is approved:

<u>Subcontractor Amount</u>	<u>MBE/FBE Percentage</u>
M. Wilson Construction	CSB/LPE
\$12,000.00	24.00%

Yeas: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

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

Resolution No. 499-14.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that, under Ordinance No. 529-14 passed by the Council of the City of Cleveland May 12, 2014, Executive Caterers is selected upon nomination of the Director of Public Works from a list of firms submitting competitive proposals, as the firm to be employed by contract for the operation of a first-class food and beverage service in the Public Auditorium and Conference Center, for the Division of Public Auditorium, Special Events, Recreation & West Side Market, Department of Public Works, for a period not to exceed three years, with two one-year options to renew, beginning upon execution of the contract.

Be it further resolved that the Director of Public Works is authorized to enter into a written contract with Executive Caterers, based on its October 8, 2014 proposal, for the operation of a first-class food and beverage service in the Public Auditorium and Conference Center, for a period not to exceed three years, with two one-year options to renew, which contract shall be prepared by the Director of Law and shall include such additional provisions as the Director considers necessary to benefit and protect the public interest. The Director of Public Works is authorized to enter into a concession agreement with the Concessionaire to provide a minimum guarantee rent of \$72,000 per year and the service for a concession fee of 16% of gross revenue exceeding \$450,000 per year of the contract.

<u>Subcontractor</u>	<u>Cert Status</u>
<u>CSB%</u>	<u>Amount</u>
English Concessions	CSB/MBE
0%	\$75,000.00

Yeas: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

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

Resolution No. 500-14.

By Director Cox.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction,

Inc. for the public improvement of the Gunning Recreation Center Improvements Package 1 Base Bid Items A-F and Optional Items 1, 2, and 3 for the Department of Public Works, received on September 5, 2014 under the authority of Ordinance No. 534-12, passed June 4, 2012, upon a gross price basis for the improvement in the aggregate amount of \$369,000.00 is affirmed and approved as the lowest responsible bid; and the Director of the Department of Public Works is authorized to enter into contract with the bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Envirocom Construction, Inc. is hereby approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE</u>
<u>Amount</u>	<u>Percentage</u>
Signature Electric	CSB/FBE
\$9,541.46	2.425%
Landmark Plumbing	CSB/FBE
\$43,900.00	11.897%
M. Rivera Construction	CSB/FBE
\$15,000.00	13.550%
Miles Mechanical	CSB/MBE
\$50,000.00	0.813%
Zavarella Brothers Construction	Non-Certified
\$10,000.00	0.000%
McGarry & Sons	Non-Certified
\$54,000.00	0.000%
Master Floors	Non-Certified
\$21,000.00	0.000%

Yeas: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

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

Resolution No. 501-14.

By Director Cox.
Be it resolved, by the Board of Control of the City of Cleveland that the bid of Car Parts Warehouse, Inc. dba Clark Auto Parts, for an estimated quantity of auto and light truck parts, items 1-19 and 21-27, for the Division of Motor Vehicle Maintenance, Department of Public Works, for a period of one year, beginning with the date of execution of a contract, with two one-year renewal options, received on June 20, 2014 under the authority of Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$238,000.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a requirement contract for the goods and/or services specified.

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

Yeas: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

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

Resolution No. 502-14.

By Director Southerington.
Whereas, Board of Control Resolution No. 207-14, adopted May 14, 2014, under the authority of Ordinance No. 1497-13, passed by the Cleveland City Council on November 18, 2013, authorized the Director of Human Resources to enter into contract with Cigna Dental of Ohio/Connecticut General Life Insurance Company for group dental coverage for a term of one year with two one-year options to renew. Whereas, since adoption of Resolution No. 207-14, Cigna Dental of Ohio/Connecticut General Life Insurance has changed its name to Cigna Health and Life Insurance Company; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 207-14, adopted May 14, 2014, authorizing the Director of Human Resources to enter into contract with Cigna Dental of Ohio/Connecticut General Life Insurance Company for group dental coverage for a term of one year with two one-year options to renew, is amended to reflect the prospective provider's name change to Cigna Health and Life Insurance Company.

Be it further resolved that all other terms of Resolution No. 207-14 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Dumas, Interim Director Dumas, Directors Cox, Parrilla, McGrath, Rush, Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

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

KEITH D. SCHEURMAN,
Acting Secretary

CIVIL SERVICE NOTICES

General Information

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

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

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the commission has graded the papers. Thereafter, eligible lists will be established which will consist of the

names of those candidates who have been successful in all parts of the examination.

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, NOVEMBER 17, 2014

9:30 A.M.

Calendar No. 14-201: 2633 West 11th Street (Ward 3)

Margy and Amo Judd, owners, propose to erect a 24' x 24' 1 story frame detached garage with second floor storage on a parcel located in a B1 Two-Family Residential District. The owners appeal from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 327.02(e) which states that Lot Splits and Consolidations require approval by Engineering and Construction.

2. Section 337.23(a) which states that required minimum distance from property line is 18 inches and 6" are proposed. The distance from a main structure on an adjoining lot is 10 feet and 2 feet are proposed.

3. Section 337.23(7)A which states that accessory garage shall not exceed 650 square feet and 918 square feet are proposed.

4. Section 353.05 which states that the maximum mean height allowed for an accessory structure is 15 feet and 16 feet 4 inches are proposed.

5. Section 357.05(b)(2) which states that the rear building setback line for a corner lot is 10 feet and 5 feet are proposed. (Filed October 7, 2014)

Calendar No. 14-202: 2012 West 25th Street (Ward 3)

MRN, owner, proposes to display two business identification wall signs, each approximately 30 square feet in area on a building located in a C4 Local Retail Business District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 350.16 which states that for permit applications within Landmark Districts, Public Land Protective Districts or Business Revitalization Districts, the Landmarks Commission or City Planning Commission, as applicable, may authorize the Commissioner of Building and Housing to issue a permit which requires adherence to standards which are either less strict or more strict than the standards. The Landmarks Commission, in Certificate of Appropriateness 14-028, has required applicant in this case to seek a variance from Section 350.20(a) of the Zoning Code.

2. Section 350.02(a) for uses not located on the ground floor and for ground floor uses which lack direct access from the building exterior,

the following signs shall be permitted in addition to signs otherwise permitted for the building. Regardless of the number of such uses in a building, not more than one (1) wall or projecting identification sign, a maximum of twelve (12) square feet in area, shall be placed at each ground floor entrance providing access to the uses in question. Two wall signs, each of approximately 30 square feet are proposed. (Filed October 7, 2014)

POSTPONED FROM SEPTEMBER 22, 2014

Calendar No. 14-66: 4157 Lorain Avenue (Ward 3)

Thomas Papouras, owner, proposes to establish a used car lot on a parcel of land that is 80' x 125', located in a D3 Local Retail Business District and a Pedestrian Retail Overlay District (PRO). The owner appeals for relief from the strict application of the following Cleveland Zoning Code Sections:

1. Section 343.11(b)(2)(D)(4) which states that used auto sales is first permitted in General Retail Business.

2. Section 352.10 requiring a 4 foot wide frontage landscape strip along Lorain Avenue and West 42nd Street.

3. Section 352.10 requiring a 10 foot wide transition strip at the rear where the property abuts a residential district.

4. Section 347.11 requiring that the area for display of cars and customers parking must be hard surfaced and drained within lot.

5. Section 349.04(f) which states that an Auto sales lot must provide 25% of their gross lot area for customer parking.

6. Section 343.23(e)(1)(A) PRO District prohibits opens sales/car lots. (Filed May 5, 2014 - no testimony)

Fourth postponement requested by the City Planning Commission until November 17, to allow for a commission review of conditional use in pro.

POSTPONED FROM OCTOBER 20, 2014

Calendar No. 14-191: 4215 Robert Avenue (Ward 14)

Iglesia Hispana Pentecostal, owner, and Lincoln Preparatory School, tenant proposes to install a Mobile Classroom structure on a parcel located in a B1 Two-Family Residential District. The owner and tenant appeal for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.03 which states that by reference to Section 337.02(f)(3)(A), as permitted in a One-Family District a school is allowed if located 30 feet from any adjoining premises in a Residence District not used for a similar purpose and the existing school is at least 12 feet from an adjoining premises.

2. Section 349.04(c) states that a total of 11 new off-street parking spaces are required as 9 spaces will be displaced by the proposed mobile classroom plus 2 new spaces are required.

3. Section 359.01 states that expansion of a nonconforming use

requires approval from the Board of Zoning Appeals. (Filed September 23, 2014 - no testimony)

Postponed at the request of the Councilman for further review.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, OCTOBER 27, 2014

At the meeting of the Board of Zoning Appeals on Monday, October 27, 2014, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 14-142: 3675 East 65th Street

Bethel Church, owner, proposes to change use from Funeral Home to Art Gallery in an A1 One Family Residential District.

Calendar No. 14-163: 10400 Clifton Boulevard

Smith Ford Realestate, owner, and Christina Anderson tenant, proposed to expand the existing beauty supply store and salon to include tattooing.

The following appeals were **DENIED:**

None.

The following appeal was **WITHDRAWN:**

Calendar No. 14-144: 511 East 140th Street

Gillota Fuel Products, appealed to expand existing motor vehicle service station by adding a 209 square foot addition in a D2 Local Retail Business District.

The following appeal was **DISMISSED:**

Calendar No. 14-161: 511 East 140th Street

Gillota Fuel Products appealed the Notice of Nonconformance issued July 29, 2014.

The following appeals were **POSTPONED:**

Calendar Nos. 14-184, 14-185, 14-186, 14-187: Fairfax Development

2341, 2345, 2347, 2353 East 79th Street. Postponed to December 8, 2014.

Calendar No. 14-045: Johnny Abounader

4384 Lee Road. Postponed to December 22, 2014.

The following appeals were heard by the Board on October 20, 2014 and the decisions were adopted and approved on October 27, 2014:

The following appeals were **APPROVED:**

Calendar No. 14-172: 3478 West 44th Street

Denise Moore-Toth, owner, proposes to establish use as food storage

and distribution, a meeting place for a non-profit and two dwelling units; to construct a new garage and new parking area on a parcel located in a B1 Two Family Residential District.

Calendar No. 14-178: 2081 Murray Hill Road
Steve Bucchieri, owner, proposes to renovate the existing four unit apartment building to five units, demolish garage and add a new concrete drive apron on a parcel located in a C1 Multi-Family Residential District.

Calendar No. 14-181: 4224 Bridge Avenue
Phil Woodcock, owner, proposes to erect a 23' - 9" x 26' 2 story frame reverse gable accessory garage on a parcel located in a B1 Two-Family Residential District.

Calendar No. 14-183: 7250 Brookpark Road
Speedway LLC, owner, proposes to construct a new gas station and convenience store on a parcel located in a C1 General Retail Business District and a C3 Semi-Industry District.

The following appeal was heard by the Board on August 25, 2014 and the decision was adopted and approved on October 27, 2014:

Calendar No. 14-131: 732 East 127th Street
Al Kriss, owner, proposes to change the use from two-family to three-family on a 37' x 116' parcel located in a B1 Two-Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of October 22, 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-154-14.

RE: Appeal of Sandusky Solutions LLC, Owner of the F-2 Factory — Low Hazard (Non-combustibles) Property, located on the premises known as 2175 Ashland Road from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 11, 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 has agreed to submit plans and obtain all required permits and proceed with abatement of the property hazards and any renovations. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-161-14.

RE: Appeal of Louis A. Rucker, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 2877 East Boulevard from a NOTICE OF VIOLATION — INTERIOR/ EXTERIOR MAINTENANCE, dated July 15, 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 January 15, 2015 in which 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. Bradley and seconded by Mr. Gallagher.

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

* * *

Docket A-162-14.

RE: Appeal of Donald J. Ernst, Owner of the VL Vacant Lot One Story Metal Frame Property, located on the premises known as 9512 Richmond Avenue from a NOTICE OF VIOLATION — POOR WORKMANSHIP, dated July 23, 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 will be rescheduled for November 5, 2014.

* * *

Docket A-163-14.

RE: Appeal of Rebecca Black/Charles Brown, Owners of the One Dwelling Unit Single-Family Residence One & One/half Story Frame Property, located on the premises known as 10900 Parkhurst Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 21, 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 December 30, 2014 to repaint the peeling paint areas and the areas that have been stripped, and until May 13, 2015 to abate all the painting and other violations on the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required

further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

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

* * *

Docket A-164-14.

RE: Appeal of John D'Amico, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 10814 Bernard Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 30, 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 December 31, 2014 in which to obtain all required permits for 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-165-14.

RE: Appeal of Mike Bugarcic, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 5757 Portage Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 14, 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 Violation Notice was properly issued and that the Appellant did not appear at the hearing, the appeal 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. Maschke and seconded by Mr. Bradley.

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

* * *

Docket A-166-14.

RE: Appeal of Mohammad Sohraibi, Owner of the One Dwelling Unit Single-Family Residence Two Story Masonry Walls/Wood Floors Property, located on the premises known as 14224 Tuckahoe Avenue from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated August 14, 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).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant until December 1, 2014 in which to complete abatement of the violations; the property is REMANDED at this time to the Department

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

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

* * *

Docket A-167-14.

RE: Appeal of Charles Holmes, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property, located on the premises known as 2624 East 112th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 11, 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 January 1, 2015 in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Saab.

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

* * *

Docket A-168-14.

RE: Appeal of David D. Nagel, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Garage — Detached; Wood Frame Property, located on the premises known as 15900 Chatfield Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 11, 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 February 15, 2015 in which to complete abatement of the violations by completing the construction of the garage; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Saab.

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

* * *

Docket A-169-14.

RE: Appeal of Timothy Willis, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 2267 East 83rd Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 30, 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 February 1, 2015 in which to complete abatement of the

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

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

* * *

EXTENSION OF TIME:

Docket A-15-14.

RE: A & M Financial Services, Inc. — 2032 West 101st Street:

A motion is in order at this time to grant the Appellant until January 1, 2015 in which to complete abatement of the violations; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab.

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

* * *

APPROVAL OF RESOLUTIONS:

Separate motions were entered by Mr. Gallagher and seconded by Mr. Saab 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-146-14 — Khalid Qureshi
- A-160-14 — Salathiel Carter

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

* * *

Separate motions were entered by Mr. Bradley and seconded by Mr. Saab 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-150-14 — Brue A. Kotnik
- A-155-14 — Sherri & Sandra Sullins

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

* * *

Separate motions were entered by Mr. Bradley and seconded by Mr. Gallagher 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-151-14 — Bernita C. Sherrell
- A-175-14 — C.W.R.U.
- A-177-14 — Elizabeth Bilicic

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

* * *

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-153-14 — Farid Nagib
- A-156-14 — Cleveland Housing Solutions
- A-159-14 — Aola Pempton

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

* * *

APPROVAL OF MINUTES:

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

October 8, 2014

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

* * *

JOSEPH F. DENK
Chairman

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

**Department of Public Safety,
City of Cleveland**

Regarding a Residential Permit Parking Area proposed for the East 118th Street/Wade Park Avenue area.

The hearing will be held in the Community Room at Public Safety Central, 2001 Payne Avenue, on Thursday, November 6, 2014, at 11:00 a.m. Free parking is available on Payne Ave. in front of the building.

October 22, 2014, October 29, 2014 and November 5, 2014

NOTICE OF PUBLIC HEARING

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

**Mercedes Cotner
Committee Room 217
City Hall, Cleveland, Ohio
On Tuesday, November 11, 2014
9:30 a.m.**

Notice is hereby given to all interested property owners that the Council Committee on Development, Planning and Sustainability will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on Tuesday, November 11, 2014, at 9:30 a.m., to consider the following ordinances now pending in the Council:

Ord. No. 996-14.

By Council Member Zone.

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).

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

Anthony Brancatelli, Chair
Committee on Development,
Planning and Sustainability

October 29, 2014 and November 5, 2014

CITY OF CLEVELAND BIDS

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

THURSDAY, NOVEMBER 6, 2014

File No. 124-14 — Ridge Road Transfer Station Truck Scale Improvements Phase 2, for the Division of Architecture and Site Development, Department of Public

Works and the Mayor's Office of Capital Projects, as authorized by Section 185.01 of the Codified Ordinances of Cleveland, Ohio, 1976.

***THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).**

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, OCTOBER 31, 2014 AT 10:00 A.M. THE CLEVELAND CITY HALL, ROOM 517A, 601 LAKE-SIDE 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.**

October 22, 2014 and October 29, 2014

FRIDAY, NOVEMBER 21, 2014

File No. 125-14 — Bunker Gear Suits, Including, but not Limited to, Proximity Pants, Proximity Coats, Hoods, Helmets, Suspenders and Boots for Various Divisions of Department of Port Control, for the various Divisions of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A MANDATORY PRE-BID MEETING MONDAY, NOVEMBER 10, 2014 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S, AIRPORT RESCUE FIRE FIGHTING BUILDING, 5651 POSTAL ROAD, CLEVELAND, OHIO 44135-3193.

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

October 22, 2014 and October 29, 2014

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1387-14.

By Council Member J. Johnson.

An emergency resolution objecting to the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit to 6201 St. Clair Avenue, 1st floor.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a D2, D2X, D3 and D6 Liquor Permit from Dot &

Beans Tavern, Inc., 6201 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 2275179 to Cheri Caldwell, DBA Dot & Beans Tavern, 6201 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 1189725; 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 D2, D2X, D3 and D6 Liquor Permit from Dot & Beans Tavern, Inc., 6201 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 2275179 to Cheri Caldwell, DBA Dot & Beans Tavern, 6201 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 1189725; 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 October 20, 2014.
Effective October 22, 2014.

Res. No. 1388-14.
By Council Member J. Johnson.
An emergency resolution objecting to a New D3A Liquor Permit at 6201 St. Clair Avenue, 1st floor.

Whereas, Council has been notified by the Division of Liquor Control of an application for a New D3A Liquor Permit at Cheri Caldwell, DBA Dot & Beans Tavern, 6201 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 1189725; 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 D3A Liquor Permit at Cheri Caldwell, DBA Dot & Beans Tavern, 6201 St. Clair Avenue, 1st floor, Cleveland, Ohio 44103, Permanent Number 1189725; 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 October 20, 2014.
 Effective October 22, 2014.

Res. No. 1389-14.
By Mayor Jackson and Council Members Cimperman, Pruitt, Reed, K. Johnson, Cleveland, Mitchell, Dow, Polensek, Conwell, J. Johnson, Brady, Brancatelli, Kelley, Cummins, Zone, Sweeney and Keane.

An emergency resolution declaring October 20, 2014 as Cleveland Down Syndrome Day, and encouraging our citizens to work together to promote respect and inclusion of individuals with Down syndrome and to celebrate their accomplishments and contributions.

Whereas, approximately one in every 691 children are born with Down syndrome; and

Whereas, Down syndrome occurs in people of all races and economic levels; and

Whereas, there are over 400,000 individuals living with Down syndrome in the United States; and

Whereas, people with Down syndrome attend school, work, participate in decisions that affect them, and contribute to society in many wonderful ways; and

Whereas, the Up Side of Downs of Northeast Ohio has been working for over 30 years to provide support, education and advocacy to individuals with Down syndrome, their families and the community, and currently serves over 900 families; and

Whereas, through public awareness, the city of Cleveland celebrates the hard work and progress made by parents, self-advocates, medical professionals, researchers, educators, and many non-profit organizations including, but not limited to, the Up Side of Downs; and

Whereas, despite dramatic increases in lifespan and intellectual ability in the U.S., there is still much work to be done regarding the rights to equality, inclusion, education, medical care, research and support for people with Down syndrome;

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 Mayor Jackson and this Council declare October 20, 2014 as Cleveland Down Syndrome Day, and encourages our citizens to work together to promote respect and inclusion of individuals with Down syndrome and to celebrate their accomplishments and contributions.

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 October 20, 2014.
 Effective October 22, 2014.

Res. No. 1398-14.
By Council Members Brady and J. Johnson.

An emergency resolution requesting the Ohio Development Services Agency to make policy revisions to existing criteria related to the Ohio Preservation Tax Credit in order to create a more equitable playing field for smaller-scale projects.

Whereas, the Ohio Historic Preservation Tax Credit is an invaluable program assisting non-profits and developments to save Ohio's historic structures as well as creating jobs for Ohio residents; and

Whereas, the present scoring system by which projects vie to secure an award, unintentionally eliminates neighborhood-scale projects (those with over \$8 million dollars in rehabilitation costs) located in small cities and urban neighborhoods; and

Whereas, the neighborhood-scale projects, though costly, are smaller in square footage than large downtown projects and thus can never compete in number of construction jobs; and

Whereas, in discussions with staff at the Ohio Development Services Agency, some policy revisions were proposed that could be implemented administratively, including:

- increase the intermediate project set aside of qualified rehabilitation expenditure to \$10 million dollars for the present \$8 million dollars or less;
- increase the small projects pool to \$2 million dollars; and
- create a strategic initiative set aside of \$5 million dollars in annual Ohio Historic Preservation Tax Credits.

Whereas, proposals such as these have been implemented by other state agencies administering tax credit programs to increase flexibility and ensure a balance in type of project and geographic location; and

Whereas, Ohio Development Services Agency staff might also consider new or revised point scoring categories for the set aside pool thereby increasing the differentiation among projects and creating opportunities to fund projects in greater alignment with the Agency's objectives; 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 requests the Ohio Development Services Agency to make policy revisions to existing criteria related to the Ohio Preservation Tax Credit in order to create a more equitable playing field for smaller-scale projects.

Section 2. That the Clerk of the Council is directed to transmit copies of this resolution to the administrative body of the Ohio Development Services Agency

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 October 20, 2014.
 Effective October 22, 2014.

Res. No. 1399-14.
By Council Members Conwell, Pruitt, Reed, Cimperman, K. Johnson, Cleveland, Mitchell, Dow, Polensek, J. Johnson, Brady, Brancatelli, Kelley, Cummins, Zone, Sweeney and Keane.
An emergency resolution recognizing the importance of public transportation to the future of our city.

Whereas, as an integral component of a Statewide Transit Needs Study, the Ohio Department of Transportation is conducting several regional meetings during the month of October; and

Whereas, the purpose of the study is to assess the current and future needs of public transit and determine how much financial assistance is needed from the State of Ohio; and

Whereas, the Northeast Ohio region will hold its meeting on October 21, 2014 at the RTA offices in downtown Cleveland; and

Whereas, key stakeholders will be in attendance to discuss the importance of public transportation to the City of Cleveland and to highlight the growing need for RTA services to reduce transportation inequity in impoverished neighborhoods; and

Whereas, this council recognizes that public transportation provides citizens with a viable option to driving which, among other things, is critical to getting to schools, jobs and healthcare, and to reducing traffic congestion, parking needs and traffic related negative environmental impact; 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 recognizes the importance of public transportation to the future of our city.

Section 2. That the Clerk of Council is hereby directed to transmit copies of this resolution to the Ohio Department of Transportation and the Board of the Regional Transit Authority.

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

Adopted October 20, 2014.
Effective October 22, 2014.

**Ord. No. 848-14.
By Council Members Keane and Kelley (by departmental request).**

An emergency ordinance authorizing the Director of Port Control to employ one or more professional consultants to design the BKL Terminal Enhancement Program and to conduct a facilities assessment.

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 Port Control 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 to design the BKL Terminal Enhancement Program, and to conduct a facilities assessment.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The 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 Port Control, and certified by the Director of Finance.

Section 2. That the cost of the contracts authorized shall be paid from Fund Nos. 60 SF 001, 60 SF 104, 60 SF 106, 60 SF 112, 60 SF 114, 60 SF 115, 60 SF 116, 60 SF 117, 60 SF 119, 60 SF 121, 60 SF 122, 60 SF 126, 60 SF 128, 60 SF 130, 60 SF 141, 60 SF 160, and from the fund or funds to which are credited any grant proceeds accepted for this purpose or federal PFCs, if authorized for this purpose, Request No. RQS 3001, RL 2014-64.

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 October 20, 2014.
Effective October 22, 2014.

Ord. No. 1326-14.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Sections 30, 34, 36, 37, 39 and 40 of Ordinance No. 385-14, passed March 31, 2014, as amended, relating to compensation for various classifications.

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

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

Section 1. That the following:

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

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

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

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

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

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

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

	Minimum	Maximum
1. Animal Adoption/Volunteer Coordinator	\$20,800.00	\$45,000.00
2. Assessments Analyst	20,800.00	52,843.08
3. Budget Analyst.....	20,800.00	54,612.13
4. Buyer	20,800.00	49,930.03
5. Civil Service Examiner II.....	20,800.00	45,020.62
6. Civil Service Examiner III	20,800.00	51,677.50
7. Civil Service Examiner IV.....	20,800.00	64,132.45
8. Docket Clerk.....	20,800.00	37,422.27
9. Junior Personnel Assistant.....	20,800.00	40,556.67
10. Legal Secretary.....	20,800.00	47,303.11
11. Mailing Specialist	20,800.00	52,000.00
12. Misdemeanor Investigator	20,800.00	48,972.49
13. Office Manager	20,800.00	51,170.01
14. Paralegal.....	20,800.00	45,020.62
15. Personnel Assistant.....	20,800.00	48,871.45
16. Private Secretary to Director.....	20,800.00	48,986.27
17. Senior Personnel Assistant	20,800.00	51,677.50

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

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

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

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

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

	Minimum	Maximum
1. Accountant Supervisor.....	\$23,647.11	\$74,729.73
2. Assistant Chief of Water Distribution.....	23,647.11	89,285.75
3. Assistant Commissioner of Assessments and Licenses	23,647.11	87,143.34
4. Assistant Commissioner, Division of Printing and Reproduction.....	23,647.11	87,143.34
5. Building Manager.....	23,647.11	80,438.24

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

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

	Minimum	Maximum	
1.	Administrative Manager.....	\$27,193.55	\$104,891.07
2.	AMR Field Engineer.....	27,325.56	88,000.00
3.	Assistant Commissioner of Water.....	27,325.56	125,945.67
4.	Assistant Secretary of Sinking Fund Commission.....	27,325.56	100,773.99
5.	Chief of Health Planning and Evaluation.....	27,325.56	79,843.51
6.	Chief-Systems Analysis.....	27,325.56	100,773.99
7.	Consulting Engineer.....	36,000.00	97,860.03
8.	Disease Intervention Specialist Supervisor.....	47,396.28	68,182.40
9.	Emergency Operations Center Manager.....	27,325.56	90,000.00
10.	Harbor Manager.....	27,325.56	100,773.99
11.	Health Services Administrator.....	27,325.56	79,843.51
12.	Labor Relations Officer.....	27,325.56	79,843.51
13.	Manager of Compensation and Classifications.....	27,325.56	120,000.00
14.	Manager of Education and Research.....	27,325.56	90,312.42
15.	Manager of Employee Relations.....	27,325.56	93,021.80
16.	Manager of Equal Employment Opportunity.....	27,325.56	93,021.80
17.	Manager of Public Safety Office of Quality Control...	27,325.56	90,000.00
18.	Minority Business Development Administrator.....	27,325.56	79,843.51
19.	Project Coordinator.....	27,325.56	93,021.80
20.	Risk Manager.....	27,325.56	100,773.99
21.	Senior Compensation Analyst/HRIS.....	27,325.56	97,830.00
22.	Superintendent of Electric Trouble Operations.....	27,325.56	79,843.51
23.	Testing, Training and Exercises Planner.....	27,325.56	85,000.00
24.	Water Business Plan Manager.....	27,325.56	93,021.80

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

	Minimum	Maximum	
1.	Administrator of Engineering and Planning.....	\$30,214.95	\$115,924.76
2.	Airport Chief Engineer.....	30,214.95	115,924.76
3.	Assistant City Comptroller.....	41,312.22	117,075.20
4.	Airport Planning Environmental Officer.....	30,214.95	91,848.40
5.	Air Trade Development Manager.....	30,214.95	107,006.06

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

Section 2. That the following existing:

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

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

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

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

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

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

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

Passed October 20, 2014.

Effective October 22, 2014.

Ord. No. 1328-14.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Ohio Patrolmen's Benevolent Association Chief Dispatchers; and to amend Section 15 of Ordinance No. 385-14, passed March 31, 2014, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Ohio Patrolmen's Benevolent Association Chief Dispatchers, under the terms contained in File No. 1328-14-A, for the period from April 1, 2013 through March 31, 2016, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

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

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

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

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

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

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

Passed October 20, 2014.
Effective October 22, 2014.

Ord. No. 1393-14.

By Council Member Kelley.

An emergency ordinance To amend the title and Section 1 of Ordinance No. 834-14, passed October 6, 2014, relating to a permit to Crown Castle NG East Inc. to encroach into the public right-of-way with 23 nodes, cabinets, and duct banks.

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

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

Section 1. That the title and Section 1 of Ordinance No. 834-14, passed October 6, 2014, are amended to read as follows:

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

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to Crown Castle NG East Inc., 2000 Corporate Drive, Canonburg, PA 15317 ("Permittee"), to encroach into the public right-of-way of various streets by installing, using, and maintaining 23 nodes (distributed antenna systems) and associated pole-mounted cabinets to be attached to Cleveland Public Power utility poles and City of Cleveland traffic-signal poles (by separate permission of the poles' owners) together with electrical duct banks, at the locations more fully described as follows:

Name	Crown BUN	Address	Lat	Long
Node CL001	918969	3410 E. 114th St.	41.4659583	-81.6042278
Node CL002	918970	3202 E. 117th St.	41.4714500	-81.6017556
Node CL003	918971	12975 Imperial Ave.	41.4728889	-81.5920611
Node CL004	918966	3791 E. 126th St.	41.4558017	-81.5953163
Node CL005	918967	11511 Clarebird Ave.	41.4585520	-81.6032102
Node CL006	918963	3488 E. 142nd St.	41.4647662	-81.5834897
Node CL007	918964	3341 E. 137th St.	41.4682442	-81.5874127
Node CL008	918968	13581 Horner Ave.	41.4558739	-81.5877482
Node CL009	918965	3671 E. 143rd St.	41.4595559	-81.5822668
Node CL010	918972	11602 Kensington Ave.	41.4498662	-81.7680281
Node CL011	918973	12799 Wayland Ave.	41.4504806	-81.7760255
Node CL012	918974	13311 Courtland Ave.	41.4456071	-81.7827300
Node CL013	918975	4242 W. 134th St.	41.4393891	-81.7835120
Node CL014	918976	13327 Puritas Ave.	41.433314	-81.7839330
Node CL015	918977	4600 W. 127th St.	41.42825355	-81.7774194
Node CL018	918954	1910 Carter Rd.	41.4930696	-81.6969572
Node CL019	918958	1099 W. 9th St.	41.5017361	-81.7029111
Node CL020	928952	1200 Lakeside Ave.	41.5066619	-81.6890753
Node CL021	918953	1700 E. 9th St.	41.5020699	-81.6885757
Node CL022	918955	Location to be confirmed and approved by Division of Engineering and Construction		
Node CL023	918956	1802 Robert Lockwood Jr. Dr.	41.4858667	-81.6996278
Node CL024	918959	1329 W. 9th St.	41.4988611	-81.7002444
Node CL025	918957	608 Prospect Ave.	41.4984333	-81.6886222

Section 2. That the existing title and Section 1 of Ordinance No. 834-14, passed October 6, 2014, are repealed.

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

Passed October 20, 2014.
Effective October 22, 2014.

**Ord. No. 1395-14.
By Council Members Brady and Brancatelli.**

An emergency ordinance declaring a moratorium on the review and issuance of zoning permits, certificates of occupancy, and other license or permit applications for hookah lounge operations and vapor lounge operations in the City of Cleveland.

Whereas, hookah lounges or hookah bars, establishments where patrons share flavored tobacco known as shisha, or non-tobacco herbal shisha from a communal hookah or waterpipe placed on a table, have become popular in Cleveland in recent years; by whatever name it might be known, hereinafter "hookah lounges"; and

Whereas, vapor lounges are establishments similar to hookah lounges, where patrons use a heating element that vaporizes a substance that releases nicotine, tobacco, flavored vapor or other substances through one or more electronic or battery operated delivery devices, including devices known as electronic cigarettes, vape pens or hookah pens, and known variously as vape bars, vape lounges, e-cigarette lounges or vape cafes; by whatever name it might be known, hereinafter "vapor lounges"; and

Whereas, research shows that hookah smoke can do as much or more damage to your health as smoking cigarettes or cigars; further, devices that vaporize substances, such as electronic cigarettes, are not emission free and the use of such devices increases fine particle air pollution and levels of potentially carcinogenic compounds in people who use them and;

Whereas, a study by the World Health Organization indicates that smoke inhaled during a typical hookah session of one hour can equal 100 cigarettes or more; and

Whereas, this Council believes that a number of hookah lounge establishments are operating in the

City of Cleveland in violation of Ohio's Smoking Ban (Chapter 3794 of the Revised Code) as well as other state and local laws; and

Whereas, a number of hookah lounges in the city are connected to other businesses, including restaurants, allow patrons to bring in alcohol, and allow underage drinking and smoking; moreover, numerous fights and shootings have occurred outside these establishments; and

Whereas, most recently, a young man was shot and killed outside one such hookah lounge on the City's west side; and

Whereas, because of concern for the health and safety of the citizens of the City, the public nuisances hookah lounge present, as well as the detrimental effects to the health of patrons of hookah lounges and vapor lounges, this Council finds it necessary to evaluate how best to regulate hookah lounge operations and vapor lounge operations in the city and to consider their prohibition; and

Whereas, this Council will consider legislation that would regulate or prohibit hookah lounge operations and vapor lounge operations in the City; and

Whereas, this ordinance constitutes an emergency measure for the immediate preservation of the public peace, property, health, safety, or welfare in that a moratorium on the review and issuance of zoning permits, certificates of occupancy, and other license or permit applications for hookah lounge operations and vapor lounge operations in the City is necessary to enable this Council to consider reasonable regulations or the prohibition of hookah lounge operations and vapor lounge operations; now, therefore

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

Section 1. That, for the reasons stated in the preamble, this Council declares a moratorium on the review and issuance of zoning permits, certificates of occupancy, and other

license or permit applications for hookah lounge operations and vapor lounge operations for a period commencing on the effective date of this ordinance and ending on either the effective date of an ordinance regulating or prohibiting hookah lounge operations and vapor lounge operations or April 20, 2015, whichever date occurs first.

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 October 20, 2014.
Effective October 22, 2014.

COUNCIL COMMITTEE MEETINGS

**Monday, October 27, 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, Conwell, Keane, Mitchell, Pruitt, Zone. *Authorized Absence:* Brancatelli.

**Tuesday, October 28, 2014
1:30 p.m.**

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

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Bold type in sections indicates amendments

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