

# The City Record

Official Publication of the Council of the City of Cleveland



---

January the Seventh, Two Thousand and Fifteen

---

**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 Brian Kazy
- 17 Martin J. Keane

The City Record is available online at  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)

Containing	PAGE
City Council	3
The Calendar	12
Board of Control	12
Civil Service	12
Board of Zoning Appeals	12
Board of Building Standards and Building Appeals	13
Public Notice	13
Public Hearings	13
City of Cleveland Bids	13
Adopted Resolutions and Ordinances	14
Committee Meetings	14
Index	14



# 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	Brian Kazy	601 Lakeside Avenue, Room 220	44114
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 Trott, 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

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 102

WEDNESDAY, JANUARY 7, 2015

No. 5274

## CITY COUNCIL

MONDAY, JANUARY 5, 2015

The City Record  
Published weekly by the City Clerk,  
Clerk of Council under authority  
of the Charter of the  
City of Cleveland  
The City Record is available  
online at  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)  
Address all communications to  
**PATRICIA J. BRITT**  
City Clerk, Clerk of Council  
216 City Hall

**The following Committees meet at  
the Call of the Chair:**

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

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

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

Kazy be appointed Council Member,  
seconded by Council Member Pruitt.  
Council President Kelley asked if  
there were more nominations. Council  
Member Keane made the motion  
to close nominations, seconded by  
Council Member Zone. Council Pres-  
ident Kelley instructed the Members  
of Council to state the name of their  
candidate for Council Member, Ward  
16.

The Clerk of Council called the  
roll. Brian Kazy received 13 votes.  
Those voting for Brian Kazy: Council  
Members Brady, Brancatelli, Cim-  
perman, Cleveland, Conwell, Cum-  
mins, Dow, K. Johnson, Keane, Kel-  
ley, Mitchell, Pruitt, and Zone.

Not voting: Council Member  
Polensek.

The Honorable Judge Michelle  
Denise Earley, of the Cleveland  
Municipal Court, administered the  
oath of office to Brian Kazy, the  
newly appointed Council Member,  
Ward 16. Councilman Kazy made  
brief remarks and the meeting  
resumed.

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

#### MONDAY — Alternating

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

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

#### MONDAY

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

#### TUESDAY

9:30 A.M. — **Development, Plan-  
ning and Sustainability Committee:**  
Brancatelli (CHAIR), Cleveland  
(VICE-CHAIR), Cimperman, Cum-  
mins, 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 Com-  
munity Benefits Committee:** Cleve-  
land (CHAIR), Zone (VICE-CHAIR),  
J. Johnson, Kazy, Polensek, Pruitt,  
Reed.

#### WEDNESDAY — Alternating

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, January 5, 2015

The meeting of the Council was  
called to order at 7:05 p.m. with the  
President of Council, Kevin J. Kel-  
ley, in the Chair.

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

Also present were: Mayor Frank  
G. Jackson, Chief of Staff Ken Sil-  
liman, Chief Operating Officer Dar-  
nell Brown, Chief of Regional Devel-  
opment Edward W. Rybka, Chief of  
Education Monyka S. Price, Chief of  
Sustainability Jenita McGowan,  
Chief of Public Affairs Natoya  
Walker-Minor, and Directors  
Langhenry, Dumas, Spronz, Parrilla,  
Rush, O'Leary, Southerington,  
Nichols, Griffin, Collier, Fumich,  
Ambroz and Burrows.

Pursuant to Ordinance No. 2926-76,  
the opening prayer was offered by  
Pastor Luis Vizcarrando, Philadel-  
phia Church. Pledge of Allegiance.

#### MOTION

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

#### APPOINTMENT OF COUNCIL MEMBER, WARD 16

Clerk Britt read the letter from  
Martin J. Sweeney, resigning his  
position as Council Member, Ward  
16. Council President Kelley then  
declared a vacancy in the Ward 16  
Council Member seat and opened the  
floor to nominations. Council Mem-  
ber Cleveland moved that Brian

#### COMMUNICATIONS

##### File No. 2-15.

From Martin J. Sweeney. Letter of  
resignation as Ward 16 Cleveland  
City Council Member, effective  
December 31, 2014. Received.

##### File No. 3-15.

From William R. Butler, Engineer,  
American Transmissions Systems,  
Inc./FirstEnergy Service Company.  
Letter of Notification of Inland-  
Harding (S-8) 345 kV Transmission  
Line Structure Replacement Project  
(Ohio Power Siting Board Case No.  
14-2131-EL-BLN). Received.

##### File No. 4-15.

December 17, 2014

Allen Dreyer  
Deputy Clerk  
Cleveland City Council  
601 Lakeside Avenue  
Cleveland, Ohio 44114

Dear Mr. Dreyer:

You are requested, without objec-  
tion of Cleveland City Council, to  
serve as Clerk of Council Pro Tem-  
pore for all matters requiring the  
Clerk's signature between December  
18, 2014, and January 4, 2015.

Your assistance is appreciated.

Sincerely,  
Kevin J. Kelley  
Council President

Received.

**File No. 27-15.**  
From Council President Kevin J. Kelley. Making nomination to the Board of Commissioners of CMHA: Nina Turner, to an unexpired term ending October 24, 2016, and Ronnie A. Dunn, Ph.D. to a term ending October 24, 2017. Received. Without objection, these appointments are approved.

**OATHS OF OFFICE**

**File No. 8-15.**  
Rodney Harris, Lieutenant of Fire. Received.

**File No. 9-15.**  
Raymond A. Marotta, Lieutenant of Fire. Received.

**File No. 10-15.**  
Almarita Hailes, Chief Radio Dispatcher of Police. Received.

**File No. 11-15.**  
Dalia Lopez, Chief Radio Dispatcher of Police. Received.

**File No. 12-15.**  
Jennifer O'Malley, Chief Radio Dispatcher of Police. Received.

**File No. 28-15.**  
Brian Kazy, Ward 16 Member of Council. Received.

**STATEMENT OF WORK ACCEPTANCE**

**File No. 5-15.**  
From Department of Public Utilities, City of Cleveland, for 1825 Lakeside Avenue HVAC Improvements. Contractor: Energy Mechanical Corp., Inc. Contract: #CT2002-PI2012\*. Date of Acceptance: July 12, 2013. Received.

**File No. 6-15.**  
From Department of Public Utilities, City of Cleveland, for Cleaning and Lining of Water Main in East 42nd, East 52nd, and East 53rd Streets and Brow Avenue, all in Newburgh Heights. Contractor: Utilicon Corp. Contract: #PI20100060. Date of Acceptance: January 27, 2012. Received.

**File No. 7-15.**  
From Department of Public Utilities, City of Cleveland, for Brainard Road 16" Express Main. Contractor: Fabrizi Recycling, Inc. Contract: #201300041. Date of Acceptance: April 30, 2014. Received.

**FROM OHIO DIVISION OF LIQUOR CONTROL**

**File No. 13-15.**  
RE: #73935330760. New License Application, C2. Riser Foods Co., 5941 Ridge Road (Ward 13). Received.

**File No. 14-15.**  
RE: #0083967. New License Application, AJ Busters, LLC, 19610 S. Waterloo Road (Ward 8). Received.

**File No. 15-15.**  
RE: #2273669. Economic Development Transfer Application, D2 D2X D3 D6. Dos Amigos, LLC, 530 Euclid Avenue (Ward 3). Received.

**File No. 16-15.**  
RE: #6202749. Transfer of Location Application, D5 D6. MRKI Enterprises, LLC, 5379 St. Clair Avenue (Ward 10). Received.

**File No. 17-15.**  
RE: #44169950005. Stock Application, D5 D6. Justin Hughes, LLC, 806 Literary Road (Ward 3). Received.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 28-15**—Arnie Mae Russell.  
**Res. No. 29-15**—Anna Louise Harris.

**Res. No. 30-15**—Anthony Edward Pevec, Auxiliary Bishop of Cleveland.

**Res. No. 31-15**—Marc C. Krantz.  
**Res. No. 32-15**—Stanley I. Adelstein.

**Res. No. 33-15**—Harry A. Johnson.  
**Res. No. 34-15**—Rev. Dr. Henry J. Payden, Sr.

**Res. No. 35-15**—Father Anthony J. Cassese.

**Res. No. 36-15**—Erma Jean Robinson Rodgers.

**Res. No. 37-15**—Yvonne Grimes.

**CONGRATULATIONS RESOLUTIONS**

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

**Res. No. 38-15**—Sheila Kavalec.  
**Res. No. 39-15**—Elizabeth Frost Breckenridge — 103rd Birthday.

**Res. No. 40-15**—Maggie Artis — 100th Birthday.

**Res. No. 41-15**—Lula Christmas Gibson — 100th Birthday.

**Res. No. 42-15**—Sgt. Daniel Galmarini.

**RECOGNITION RESOLUTION**

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

**Res. No. 43-15**—Cleveland Treatment Center.

**FIRST READING EMERGENCY ORDINANCES REFERRED**

**Ord. No. 19-15.**

**By Council Members Pruitt and Kelley (by departmental request), an emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. CT 2004 PI 2013-18 with Hooper Corporation for the Lake Road Improvement for Phase 3 of the Substation and Distribution Expansion Project, for the Department of Public Utilities.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to make the following alterations and modifications in Contract No. CT 2004 PI 2013-18 with Hooper Corporation for the Lake Road Improvement for Phase 3 of the Substation and Distribution Expansion Project, for the Department of Public Utilities:

Subsidiary Additions:

1. Install cable, racking and splices on Marquette Avenue from MH Cable Poles near MH 124-57 on East 55th Street	\$641,748.00
2. Contingency amount	<u>+ 158,252.00</u>
Total Subsidiary Additions:	\$800,000.00

Original Contract Amount	\$ 11,948,801.98
Total Subsidiary Additions	<u>+ 800,000.00</u>
REVISED CONTRACT AMOUNT	\$ 12,748,801.98

which alteration has been recommended in writing by the Director of Public Utilities, countersigned by the Mayor, and consented to by the surety on the contract, which price to be paid has been agreed upon in writing and signed by the Director of Public Utilities and the contractor. This alteration will cause an increase in the amount of the original contract in the sum of \$800,000 to be paid from Fund No. 58 SF 230.

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

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

**Ord. No. 20-15.**  
**By Council Members K. Johnson**  
**and Kelley (by departmental**  
**request).**

**An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, to enact new Section 131.37; and to amend Section 131.35, amended by Ordinance No. 459-14, passed June 9, 2014, relating to rental of League Park Baseball Field and Visitors Center.**

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 Codified Ordinances of Cleveland, Ohio, 1976, are supplemented by enacting new Section 131.37 to read as follows:

**Section 131.37 Rental of League Park Baseball Field and League Park Visitors Center; Fee**

(a) The Director of Public Works, or his or her designee, may rent the League Park Baseball Field or the Visitors Center, collectively known as the League Park Complex, when available, as long as a permit is secured under Section 131.07 and the fees specified in this section are paid. Rentals secured under this section shall be for a minimum base rental period of four hours and include set-up, event, dismantle, exit of the organizers and their participants and guests, and general clean-up of the rented area.

(b) The Director, or his or her designee, shall assess and collect the following fees and charges for the rental of the following:

(1) League Park Baseball Field rental:

A. Not-For-Profit rental:

**1. \$300.00 for the base rental period of four hours**

**2. \$37.50 for each half hour the event extends beyond the four-hour base rental period, and any remaining minutes past any half-hour increment shall be prorated using the rate of \$37.50 per half hour**

B. For-Profit rental:

**1. \$600.00 for the base rental period of four hours**

**2. \$75.00 for each half hour the event extends beyond the four-hour base rental period, and any remaining minutes past any half-hour increment shall be prorated using the rate of \$75.00 per half hour**

(2) League Park Visitors Center rental:

A. Not-For-Profit rental:

**1. \$340.00 for the base rental period of four hours**

**2. \$42.50 for each half hour the event extends beyond the base rental period of four hours, and any remaining minutes past a half-hour increment shall be prorated at the rate of \$42.50 per half hour**

B. For-Profit rental:

**1. \$400.00 for the base rental period of four hours**

**2. \$50.00 for each half hour the event extends beyond the base rental period of four hours, and any remaining minutes past a half-hour increment shall be prorated at the rate of \$50.00 per half hour**

(c) The party renting either portion of the League Park Complex is

responsible for general clean-up of the area.

(d) Rentals are to conclude 30 minutes before dusk.

(e) All fees are due and payable prior to the issuance of a permit.

(f) In cases where off-duty commissioned officers or private security services are determined to be necessary by the Director, or his or her designee, it is the responsibility of the party renting either portion of the League Park Complex to provide the services, using a security service approved by the Director, or his or her designee.

(g) Any party renting either portion of the League Park Complex is responsible for damages incurred during the rental period and will be required to provide one million dollars (\$1,000,000.00) liability and property damage insurance and include the City of Cleveland as an additional insured.

(h) Any party renting either portion of the League Park Complex will be required to provide emergency medical personnel for any athletic competition or other event as determined to be necessary by the Director, or his or her designee.

(i) All proceeds from gate collections will go to the party renting the facility.

(j) All concessions will be operated by the City of Cleveland or its designated vendor.

(k) The Director shall deposit the fees and charges collected for the rental of either portion of the League Park Complex into the fund or funds designated to pay the costs of the general operation of the Complex, the equipment and maintenance costs associated with maintaining the Complex, and for improvements to the Complex. The funds collected may be used for and are appropriated for these purposes.

(l) After securing the necessary permit under Section 131.07 of these Codified Ordinances, the Director, or his or her designee, may allow the Cleveland Metropolitan School District to rent the baseball field for games or practices, without being assessed the fees and charges specified in division (b) of this section.

**Section 2.** That Section 131.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 459-14, passed June 9, 2014, is amended to read as follows:

**Section 131.35 Rental of Athletic Complexes; Fee**

(a) The Director of Public Works, or his or her designee, may rent the Collinwood Athletic Complex, the Morgana Athletic Complex, and any other City of Cleveland athletic complexes, when available, as long as a permit is secured under Section 131.07 and the fees specified in this section are paid. **This section shall not apply to the rental of the League Park Complex which is subject to the provisions of Section 131.37.**

(b) The Director, or his or her designee, shall assess and collect the following fees and charges for the rental of athletic complexes:

(1) Athletic complex base rental: one thousand dollars (\$1,000.00);

A. Base rental of the complex is based on a six (6) hour period.

B. The six (6) hour base rental period includes set up, event, dismantle, and the exit of the organizers and their participants and guests, and general clean-up.

C. Each additional hour or fraction thereof exceeding the six (6) hour base rental will cost an additional two hundred dollars (\$200.00) per hour.

D. During the six (6) hour base rental, if lights are required during any portion of the sporting or athletic event, an additional one hundred dollars (\$100.00) per hour or fraction thereof will be charged at the time the permit is issued. The City will bill for any additional lighting costs at one hundred fifty dollars (\$150.00) per hour or fraction thereof.

E. Party renting the complex is responsible for general clean-up of the area.

(2) All fees are due and payable prior to the issuance of a permit.

(3) Rentals not requiring lights are to conclude thirty (30) minutes prior to dusk.

(4) Rentals requiring lights must conclude no later than 11:00 p.m.

(c) In cases where private security services are determined to be necessary by the Director, or his or her designee, it is the responsibility of the party renting the complex to provide the services, using a security service approved by the Director, or his or her designee.

(d) Any party renting the complex is responsible for damages incurred during rental period and will be required to provide one million dollars (\$1,000,000.00) liability and property damage insurance which includes the City of Cleveland as an additional insured.

(e) Any party renting the complex will be required to provide emergency medical personnel for any athletic competition.

(f) All proceeds from gate collections will go to the party renting the facility.

(g) All concessions will be operated by the City of Cleveland or its designated vendor.

(h) The Director shall deposit the fees and charges collected for the rental of the complex into the fund or funds designated to pay the costs of the general operation of the complex, the equipment and maintenance costs associated with maintaining the complex, and for improvements to the complex. The funds collected may be used for and are appropriated for these purposes.

(i) After securing the necessary permit under Section 131.07 of these Codified Ordinances, the Director, or his or her designee, may allow the Cleveland Muni Football League and the Cleveland Metropolitan School District to rent athletic complexes for games, scrimmages, or practices, without being assessed the fees and charges specified in division (b) of this section.

**Section 3.** That Section 131.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 459-14, passed June 9, 2014, is repealed.

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

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

**Ord. No. 21-15.  
By Council Members Zone and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to enter into one or more contracts with Winbourne Consulting, LLC for professional services necessary to manage the upgrade and expansion of the Record Management System, for a term of one year, with two one-year options to renew, the second of which is exercisable through additional legislative authority.**

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

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

**Section 1.** That the Director of Public Safety is authorized to enter into one or more contracts with Winbourne Consulting, LLC for professional services necessary to manage the upgrade and expansion of the Record Management System on the basis of its proposal dated December 31, 2014, in the total sum of \$48,400, for the Department of Public Safety. The term of the contract shall be for one year, with two one-year options to renew, the second of which is exercisable by additional legislative authority. The contract or contracts shall be paid from funds appropriated for this purpose in budget year 2015.

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

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

**Ord. No. 22-15.  
By Council Members K. Johnson and Kelley (by departmental request).**

**An emergency ordinance authorizing the Director of Public Works to execute various deeds of easement and various temporary deeds of easement granting to the Northeast Ohio Regional Sewer District certain easement rights in property located in Forest Hills Park at East 110th Street and declaring the easement rights not needed for the City's public use.**

Whereas, the Northeast Ohio Regional Sewer District (the "NEORS") has requested the Director of Public Works to convey certain easement rights and temporary easement rights in property located in Forest Hills Park at East 110th Street and known as Permanent Parcel No. 111-03-001; and

Whereas, the NEORS requires the easement rights in Forest Hills Park at East 110th Street for the construction of the Dugway Storage Tunnel Project; and

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

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

**Section 1.** That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that easement interests in the following

described properties are not needed for the City's public use:

**DST-P1-3 Permanent Easement  
Across Parcel No. 111-03-001  
0.0613 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 108 and Volume 6687, Page 580 of the Cuyahoga County Records, being more definitely described as follows:

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;  
North 00° 33' 45" West, 82.54 feet;  
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and a northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly and easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses:

South 58° 10' 31" East, 33.66 feet;  
Thence South 03° 10' 31" East, 246.84 feet;

Thence, leaving an easterly line of Proposed Permanent Easement DWIRS-P1-1, along the arc of a curve which deflects to the right, 1.56 feet, said curve having a radius of 2014.50 feet, a central angle of 00° 02' 40", and a chord of 1.56 feet which bears North 23° 50' 26" East;

Thence North 23° 51' 46" East, 633.65 feet to a southwesterly line of Permanent Easement DEIRS-EA2P as recorded in Instrument No. 201005040152 of the Cuyahoga County Records;

Thence continuing North 23° 51' 46" East, 36.62 feet to a northeasterly line of Permanent Easement DEIRS-EA2P and also the True Point of Beginning for the easement herein described;

Thence continuing North 23° 51' 46" East, 20.73 feet;

Thence, along the arc of a curve which deflects to the right, 31.06 feet to the southerly right of way of New York Central Lines, LLC, said curve having a radius of 2014.50 feet, a central angle of 00° 53' 00", and a chord of 31.06 feet which bears North 24° 18' 16" East;

Thence, along the southerly right of way of New York Central Lines, LLC the following two courses;

North 58° 39' 38" East, 21.94 feet;  
Thence North 42° 45' 58" East, 58.63 feet;

Thence, leaving the southerly right of way of New York Central Lines, LLC, along the arc of a curve which deflects to the left, 104.60 feet, said

curve having a radius of 1985.50 feet, a central angle of 03° 01' 06", and a chord of 104.58 feet which bears South 25° 22' 19" West;

Thence South 23° 51' 46" West, 41.03 feet to a northeasterly line of Permanent Easement DEIRS-EA2P;

Thence, along a northeasterly line of Permanent Easement DEIRS-EA2P, North 31° 08' 17" West, 35.40 feet to the point of beginning.

Containing within said bounds 0.0613 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

**DST-P1-4 Permanent Easement  
Across Parcel No. 111-03-001  
0.4076 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 1265, Page 322 and Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows:

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;  
North 00° 33' 45" West, 82.54 feet;  
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and a northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly and easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses:

South 58° 10' 31" East, 33.66 feet;  
Thence South 03° 10' 31" East, 246.84 feet to the True Point of Beginning for the easement herein described;

Thence, leaving an easterly line of Proposed Permanent Easement DWIRS-P1-1, along the arc of a curve which deflects to the right, 1.56 feet, said curve having a radius of 2014.50 feet, a central angle of 00° 02' 40", and a chord of 1.56 feet which bears North 23° 50' 26" East;

Thence North 23° 51' 46" East, 633.65 feet to a southwesterly line of Permanent Easement DEIRS-EA2P as recorded in Instrument No. 201005040152 of the Cuyahoga County Records;

Thence, along a southwesterly line of Permanent Easement DEIRS-EA2P, South 31° 08' 17" East, 11.15 feet to a northwesterly corner of said Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1, South 09° 08' 04" West, 78.13 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1 South 23° 51' 46" West, 540.08 feet;

Thence South 47° 31' 28" East, 2.19 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly and northerly line of Proposed Permanent Easement DWIRS-P1-1 the following three courses;

South 23° 49' 44" West, 24.67 feet;  
Thence North 47° 31' 28" West, 31.69 feet;

Thence North 03° 10' 31" West, 2.33 feet to the point of beginning.

Containing within said bounds 0.4076 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

**DST-P1-5 Permanent Easement  
Across Parcel No. 111-03-001  
0.0851 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 107, Volume 3920, Page 108 and Volume 6267, Page 88 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 3 courses;

North 00° 33' 45" West, 82.54 feet;  
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 29.09 feet, said curve having a radius of 1875.83 feet, a central angle of 00° 53' 19", and a chord of 29.09 feet which bears North 04° 49' 30" East;

Thence, leaving the centerline of E. 110th Street, South 84° 43' 51" East, 30.00 feet to the easterly right of way of E. 110th Street and a southwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 42° 14' 14" East, 40.29 feet to the True Point of Beginning for the easement herein described;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, along the arc of a curve which deflects to the right, 149.31 feet to a southerly line of Proposed Permanent Easement DWIRS-P1-1, said curve having a radius of 2014.50 feet, a central angle of 04° 14' 48", and a chord of 149.28 feet which bears North 20° 26' 38" East;

Thence, along a southerly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses;

South 47° 50' 46" East, 32.23 feet;  
Thence South 23° 49' 34" West, 13.63 feet;

Thence South 47° 31' 28" East, 18.89;  
Thence South 42° 14' 14" West, 125.65 feet to the point of beginning.

Containing within said bounds 0.0851 acres of land as surveyed by KS

Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

**DST-P1-6 Permanent Easement  
Across Parcel No. 111-03-001  
0.1140 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 107 and Volume 6267, Page 88 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 2 courses;

North 00° 33' 45" West, 82.54 feet;  
Thence North 04° 22' 50" East, 238.31 feet;

Thence, leaving the centerline of E. 110th Street, South 85° 37' 10" East, 30.00 feet to the easterly right of way of E. 110th Street and the True Point of Beginning for the easement herein described;

Thence, leaving the easterly right of way of E. 110th Street, along the arc of a curve which deflects to the right, 49.70 feet to an easterly line of Proposed Permanent Easement DWIRS-P1-1, said curve having a radius of 2014.50 feet, a central angle of 01° 24' 49", and a chord of 49.70 feet which bears North 15° 41' 16" East;

Thence, along an easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses;

North 61° 09' 24" East, 4.68 feet;  
Thence North 42° 14' 14" East, 60.92 feet;

Thence, leaving an easterly line of Proposed Permanent Easement DWIRS-P1-1, along the arc of a curve which deflects to the left, 328.31 feet to the easterly right of way of E. 110th Street, said curve having a radius of 1985.50 feet, a central angle of 09° 28' 27", and a chord of 327.94 feet which bears South 13° 20' 10" West;

Thence, along the easterly right of way of E. 110th Street, North 04° 22' 50" East, 224.53 feet to the point of beginning.

Containing within said bounds 0.1140 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

**DST-P1-7 Permanent Easement  
Across Parcel No. 111-03-001  
0.0103 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;

North 00° 33' 45" West, 82.54 feet;  
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and a northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly, easterly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses;

South 58° 10' 31" East, 33.66 feet;  
Thence South 03° 10' 31" East, 249.17 feet;

Thence South 47° 31' 28" East, 31.69 feet;

Thence North 23° 49' 44" East, 24.67 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 47° 31' 28" West, 2.19 feet;

Thence North 23° 51' 46" East, 321.13 feet to the True Point of Beginning for the easement herein described;

Thence continuing North 23° 51' 46" East, 14.00 feet;

Thence South 66° 08' 14" East, 31.88 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1, South 23° 26' 25" West, 14.00 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 66° 08' 14" West, 31.98 feet to the point of beginning;

Containing within said bounds 0.0103 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

**DST-P1-8 Permanent Easement  
Across Parcel No. 111-03-001  
0.0048 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;

North 00° 33' 45" West, 82.54 feet;  
Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and the northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly, easterly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following five courses:

South 58° 10' 31" East, 33.66 feet;

Thence South 03° 10' 31" East, 249.17 feet;

Thence South 47° 31' 28" East, 31.69 feet;

Thence North 23° 49' 44" East, 24.67 feet;

Thence South 47° 31' 28" East, 22.65 feet to the True Point of Beginning for the easement herein described;

Thence, leaving a northerly line of Proposed Permanent Easement DWIRS-P1-1, North 40° 59' 06" East, 36.07 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly and northerly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses;

South 23° 26' 25" West, 38.14 feet;

Thence North 47° 31' 28" West, 11.50 feet to the point of beginning.

Containing within said bounds 0.0048 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

**DST-P1-9 Permanent Easement  
Across Parcel No. 111-03-001  
0.6744 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 1265, Page 322, Volume 1265, Page 326 and Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 2 courses;

North 00° 33' 45" West, 82.54 feet;

Thence North 04° 22' 50" East, 238.31 feet;

Thence, leaving the centerline of E. 110th Street, South 85° 37' 10" East, 30.00 feet to the easterly right of way of E. 110th Street;

Thence, leaving the easterly right of way of E. 110th Street, along the arc of a curve which deflects to the right, 49.70 feet to an easterly line of Proposed Permanent Easement DWIRS-P1-1, said curve having a radius of 2014.50 feet, a central angle of 01° 24' 49", and a chord of 49.70 feet which bears North 15° 41' 16" East;

Thence, along an easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses:

North 61° 09' 24" East, 4.68 feet;

Thence North 42° 14' 14" East, 234.06 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along an easterly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses;

North 23° 26' 25" East, 474.82 feet;

Thence North 35° 00' 37" East, 42.73 feet;

Thence North 05° 48' 01" West, 74.29 feet;

Thence North 09° 08' 04" East, 64.53 feet to the southwesterly line of Permanent Easement DEIRS-EA2P as recorded in Instrument No. 201005040152 of the Cuyahoga County Records;

Thence, along the southwesterly line of Permanent Easement DEIRS-EA2P the following eight courses;

South 41° 21' 33" East, 37.50 feet;

Thence South 21° 03' 27" West, 72.91 feet;

Thence South 68° 56' 33" East, 30.00 feet;

Thence North 21° 03' 27" East, 45.96 feet;

Thence South 41° 21' 33" East, 63.08 feet;

Thence South 48° 39' 52" West, 151.69 feet;

Thence South 41° 20' 08" East, 49.00 feet;

Thence North 48° 39' 52" East, 94.38 feet;

Thence, leaving the southwesterly line of Permanent Easement DEIRS-EA2P, South 23° 29' 50" West, 47.03 feet;

Thence South 35° 36' 39" West, 466.24 feet to the point of beginning.

Containing within said bounds 0.6744 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

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

**Section 2.** That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that temporary easement interests in the following described properties are not needed for the City's public use:

**DST-T1-1 Temporary Easement  
Across Parcel No. 111-03-001  
0.0503 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 1265, Page 326 and Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;

North 00° 33' 45" West, 82.54 feet;

Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet, said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and the northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly, easterly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses:

South 58° 10' 31" East, 33.66 feet;

Thence South 03° 10' 31" East, 249.17 feet;

Thence South 47° 31' 28" East, 31.69 feet;

Thence North 23° 49' 44" East, 24.67 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 47° 31' 28" West, 2.19 feet;

Thence North 23° 51' 46" East, 335.13 feet to the True Point of Beginning for the easement herein described;

Thence continuing North 23° 51' 46" East, 20.72 feet;

Thence North 43° 52' 24" East, 39.90 feet;

Thence North 43° 04' 35" East, 13.59 feet;

Thence North 38° 37' 14" East, 24.92 feet;

Thence North 40° 39' 27" East, 20.27 feet;

Thence North 44° 36' 57" East, 17.69 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1 the following three courses;

South 05° 48' 01" East, 2.57 feet;

Thence South 35° 00' 37" West, 34.61 feet;

Thence South 23° 26' 55" West, 94.90 feet;

Thence, leaving the westerly line of Proposed Permanent Easement DWIRS-P1-1, North 66° 08' 14" West, 31.88 feet to the point of beginning.

Containing within said bounds 0.0503 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

**DST-T1-2 Temporary Easement  
Across Parcel No. 111-03-001  
0.2443 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 3920, Page 108 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 5 courses;

North 00° 33' 45" West, 82.54 feet;

Thence North 04° 22' 50" East, 292.58 feet;

Thence, along the arc of a curve which deflects to the right, 294.67 feet,



said curve having a radius of 1875.83 feet, a central angle of 09° 00' 02", and a chord of 294.37 feet which bears North 08° 52' 51" East;

Thence North 13° 22' 52" East, 36.86 feet;

Thence, along the arc of a curve which deflects to the left, 169.39 feet, said curve having a radius of 394.74 feet, a central angle of 24° 35' 12", and a chord of 168.09 feet which bears North 01° 05' 16" East;

Thence, leaving the centerline of E. 110th Street, North 78° 47' 40" East, 30.00 feet to the easterly right of way of E. 110th Street and the northwesterly corner of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly, easterly and westerly line of Proposed Permanent Easement DWIRS-P1-1 the following four courses:

South 58° 10' 31" East, 33.66 feet;  
Thence South 03° 10' 31" East, 249.17 feet;

Thence South 47° 31' 28" East, 31.69 feet;

Thence North 23° 49' 44" East, 24.67 feet to the True Point of Beginning for the easement herein described;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, North 47° 31' 28" West, 2.19 feet;

Thence North 23° 51' 46" East, 321.13 feet;

Thence South 66° 08' 14" East, 31.98 feet to a westerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a westerly line of Proposed Permanent Easement DWIRS-P1-1, South 23° 26' 25" West, 294.59 feet;

Thence, leaving a westerly line of Proposed Permanent Easement DWIRS-P1-1, South 40° 59' 06" West, 36.07 feet to a northerly line of Proposed Permanent Easement DWIRS-P1-1;

Thence, along a northerly line of Proposed Permanent Easement DWIRS-P1-1, North 47° 31' 28" West, 22.65 feet to the point of beginning.

Containing within said bounds 0.2443 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

**DST-T1-3 Temporary Easement  
Across Parcel No. 111-03-001  
1.2095 Acres**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Original One Hundred Acre Lot No. 356. Also being part of the land conveyed to the City of Cleveland as recorded in Volume 1265, Page 326, Volume 1266, Page 281 and Volume 6267, Page 88 of the Cuyahoga County Records, being more definitely described as follows;

Commencing at the intersection of the centerline of Glenview Avenue (40.00 feet wide) and the centerline of E. 110th Street (60.00 feet wide);

Thence, along the centerline of E. 110th Street the following 2 courses;  
North 00° 33' 45" West, 82.54 feet;  
Thence North 04° 22' 50" East, 238.31 feet;

Thence, leaving the centerline of E. 110th Street, South 85° 37' 10" East, 30.00 feet to the easterly right of way of E. 110th Street;

Thence, leaving the easterly right of way of E. 110th Street, along the arc of a curve which deflects to the

right, 49.70 feet to an easterly line of Proposed Permanent Easement DWIRS-P1-1, said curve having a radius of 2014.50 feet, a central angle of 01° 24' 49", and a chord of 49.70 feet which bears North 15° 41' 16" East;

Thence, along an easterly line of Proposed Permanent Easement DWIRS-P1-1 the following two courses:

North 61° 09' 24" East, 4.68 feet;  
Thence North 42° 14' 14" East, 60.92 feet to the True Point of Beginning for the easement herein described;

Thence, continuing along an easterly line of Proposed Permanent Easement DWIRS-P1-1, North 42° 14' 14" East, 173.13 feet;

Thence, leaving an easterly line of Proposed Permanent Easement DWIRS-P1-1, North 35° 36' 39" East, 466.24 feet;

Thence South 23° 29' 50" West, 664.58 feet;

Thence North 82° 16' 49" West, 149.12 feet;

Thence, along the arc of a curve which deflects to the right, 85.90 feet to the point of beginning, said curve having a radius of 1985.50 feet, a central angle of 02° 28' 44", and a chord of 85.89 feet which bears North 16° 50' 02" East.

Containing within said bounds 1.2095 acres of land as surveyed by KS Associates, Inc. under the supervision of Trevor A. Bixler, Professional Surveyor, No. 7730 in August 2012.

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

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

**Section 3.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described non-exclusive easement interests and the exclusive temporary easements to the NEORS D subject to any conditions stated in this ordinance at an appraised price of \$20,355, which is determined to be fair market value.

**Section 4.** That the purpose of the easements shall be for the construction and maintenance of the Dugway Storage Tunnel Project.

**Section 5.** That the duration of the easements shall be perpetual; that the duration of the temporary easements shall be until the construction of the Dugway Storage Tunnel Project is completed; that the easements and temporary easements may include reasonable right of entry rights to the City; that the easements and temporary easements shall not be assignable without the consent of the Director of Public Works; that the easements and temporary easements shall require that the NEORS D provide reasonable insurance, and pay any applicable taxes and assessments.

**Section 6.** That the conveyances referred to above shall be made by official deeds of easement and official deeds of temporary easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The deeds of easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect 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 Works, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

**Ord. No. 23-15.**

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

**An emergency ordinance authorizing the Director of Public Works to execute a deed of easement granting to the Northeast Ohio Regional Sewer District certain easement rights in property located in Ambler Park near the northeast corner of Martin Luther King, Jr. Boulevard and Fairhill Road, and declaring that the easement rights granted are not needed for the City's public use.**

Whereas, the Northeast Ohio Regional Sewer District ("NEORS D") has requested the Director of Public Works to convey certain easement rights in property located in Ambler Park near the northeast corner of Martin Luther King, Jr. Boulevard and Fairhill Road; and

Whereas, NEORS D requires the easement to construct and maintain a bioretention basin which is a part of its Green Ambassador - Fairhill/MLK Green Infrastructure Project in Ambler Park; and

Whereas, the easement rights to be granted are not needed for the City's public use; and

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

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

**Section 1.** That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that an easement interest in the following described property is not needed for the City's public use:

**LEGAL DESCRIPTION  
PERMANENT SOUTHERLY  
BIORETENTION BASIN EASEMENT  
WITHIN CITY OF CLEVELAND'S  
LAND - PP #121-28-001  
FOR THE NORTHEAST OHIO  
REGIONAL SEWER DISTRICT  
BETWEEN FAIRHILL RD. &  
EAST BLVD.**

**CITY OF CLEVELAND  
COUNTY OF CUYAHOGA, OHIO**  
Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being a part of Original East Cleveland Township 100 Acre Lots #412 & #420 and being a 1.8914 acres (82,388 sq.ft.) Permanent Southerly Bioretention Basin Easement located within a 48.0 acres parcel of land (Auditor's record - PP #121-28-001) as conveyed to the City of Cleveland (Ambler Park) by deeds dated May 24, 1895 & April 07, 1897 as recorded in Volume 599, Page 457 & Volume 660, Page 288, respectively, of Cuyahoga County Deed Records and as shown on the Ambler Park Plat #P4 of the City of Cleveland's Survey Records and further bounded and described as follows;

Beginning at the intersection of the Northerly sideline of Fairhill Road S.E. (100 feet wide) with the Proposed Easterly sideline of Martin Luther King Jr. Drive - aka MLK (50 feet wide), said MLK being a Park Drive formerly known as East Boulevard as shown on the Alteration Plat of Fairhill Road as recorded in Volume Q, Page 295 of Cuyahoga County Survey Records (M-2425) and the Place of Beginning of the Premises herein intended to be described;

**COURSE I:**

Thence North 00°49'46" West, along said Proposed Easterly sideline of MLK, a distance of 342.00 feet to a point on the Northerly line of said City of Cleveland's land (PP #121-28-001), said point being on the Corporation line between said City of Cleveland & the City of Cleveland Heights;

**COURSE II:**

Thence South 73°51'42" East, along said Northerly line of City of Cleveland's land (PP #121-28-001), the Corporation line of City of Cleveland & City of Cleveland Heights, a distance of 155.91 feet to a point;

**COURSE III:**

Thence South 26°23'41" East, a distance of 66.94 feet to an angle point;

**COURSE IV:**

Thence South 42°23'12" East, a distance of 160.00 feet to an angle point;

**COURSE V:**

Thence South 12°39'38" West, a distance of 200.00 feet to a point on said Northerly sideline of Fairhill Road S.E.;

**COURSE VI:**

Thence North 72°37'40" West, along said Northerly sideline of Fairhill Road S.E., a distance of 250.00 feet to the Place of Beginning and containing 1.8914 acres (82,388 sq.ft.) of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in January, 2014, be the same more or less;

Basis of Bearing for this legal description is North 72°37'40" West as the Northerly sideline of said Fairhill Road S.E. (100 feet wide) as shown on said Alteration Plat of Fairhill Road as recorded in Volume Q, Page 295 of Cuyahoga County Survey Records (M-2425);

**LEGAL DESCRIPTION  
PERMANENT NORTHERLY  
BIORETENTION BASIN EASEMENT  
WITHIN CITY OF CLEVELAND'S  
LAND - PP #685-35-001  
FOR THE NORTEAST OHIO  
REGIONAL SEWER DISTRICT  
BETWEEN FAIRHILL RD. &  
EAST BLVD.  
CITY OF CLEVELAND HEIGHTS  
COUNTY OF CUYAHOGA, OHIO**

Situated in the City of Cleveland Heights, County of Cuyahoga and State of Ohio and known as being a part of Original East Cleveland Township 100 Acre Lot #412 and being a 0.3031 acres (13,201 sq.ft.) Permanent Northerly Bioretention Basin Easement located within a 43.6 acres parcel of land (Auditor's record - PP #685-35-001) as conveyed to the City of Cleveland by deeds dated May 24, 1895 & May 23, 1895 as recorded in Volume 599, Page 457 & Volume 599, Page 425, respectively, of Cuyahoga County

Deed Records and as shown on the Ambler Park Plat #P4 of the City of Cleveland's Survey Records and further bounded and described as follows;

Beginning at the intersection of the Northerly sideline of Fairhill Road S.E. (100 feet wide) with the Proposed Easterly sideline of Martin Luther King Jr. Drive - aka MLK (50 feet wide), said MLK being a Park Drive formerly known as East Boulevard as shown on the Alteration Plat of Fairhill Road as recorded in Volume Q, Page 295 of Cuyahoga County Survey Records (M-2425);

Thence North 00°49'46" West, along said Proposed Easterly sideline of MLK, a distance of 342.00 feet to a point on the Southerly line of said City of Cleveland's land (PP #685-35-001), said point being on the Corporation line between said City of Cleveland Heights & the City of Cleveland and the Principal Place of Beginning of the Premises herein intended to be described;

**COURSE I:**

Thence North 73°51'42" West, along said Southerly line of said City of Cleveland's land (PP #685-35-001), the Corporation line of City of Cleveland Heights & City of Cleveland, a distance of 16.00 feet to a point;

**COURSE II:**

Thence along an arc of a curve, deflecting to the left, 50.02 feet, said curve having a radius of 500.00 feet, a tangent of 25.03 feet, a delta of 05°43'55" and a chord which bears North 22°10'43" West, a distance of 50.00 feet to a point;

**COURSE III:**

Thence South 89°12'01" East, a distance of 40.00 feet to an angle point;

**COURSE IV:**

Thence South 67°06'25" East, a distance of 50.00 feet to an angle point;

**COURSE V:**

Thence North 22°53'35" East, a distance of 100.00 feet to an angle point;

**COURSE VI:**

Thence South 67°06'25" East, a distance of 60.00 feet to an angle point;

**COURSE VII:**

Thence South 22°53'35" West, a distance of 100.00 feet to an angle point;

**COURSE VIII:**

Thence South 67°06'25" East, a distance of 24.03 feet to an angle point;

**COURSE IX:**

Thence South 26°23'41" East, a distance of 46.20 feet to a point on said Southerly line of said City of Cleveland's land (PP #685-35-001), the Corporation line of City of Cleveland Heights & City of Cleveland;

**COURSE X:**

Thence North 73°51'42" West, along said Southerly line of City of Cleveland's land (PP #685-35-001), the Corporation line of City of Cleveland Heights & City of Cleveland, a distance of 155.91 feet to the Principal Place of Beginning and containing 0.3031 acres (13,201 sq.ft.) of land as calculated and described from Cuyahoga County Records by Donald F. Sheehy, Registered Surveyor #7849 of Chagrin Valley Engineering, Ltd., in January, 2014, be the same more or less;

Basis of Bearing for this legal description is North 72°37'40" West as the Northerly sideline of said Fairhill Road S.E. (100 feet wide) as shown on said Alteration Plat of Fairhill Road as recorded in Volume Q, Page 295 of Cuyahoga County Survey Records (M-2425);

**Section 2.** That the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interests to NEORSD subject to any conditions stated in this ordinance, at the appraised value of \$246,900, which is determined to be fair market value.

**Section 3.** That the easements shall be non-exclusive and the purpose of the easement shall be to construct and maintain a bioretention basin as part of its Green Ambassador - Fairhill/MLK Green Infrastructure Project in Ambler Park.

**Section 4.** That the duration of the easement shall be perpetual; that the easement shall not be assignable without the consent of the Director of Public Works; that the easement shall require that NEORSD provide reasonable insurance, maintain any NEORSD improvements located within the easement area; pay any applicable taxes and assessments; and shall contain such other terms and conditions that the Director of Law determines to be necessary to protect and benefit the City.

**Section 5.** That the conveyance referenced above shall be made by official deed of easement prepared by the Director of Law and executed by the Director of Public Works on behalf of the City of Cleveland. The Directors of Public Works and Law are authorized to execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect 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 Public Works, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Finance.

**Ord. No. 24-15,**

**By Council Member Polensek,**

**An emergency ordinance to add the name Father Anthony Cassese Way as a secondary and honorary name to Ridpath Avenue between East 152nd Street and East 149th Street.**

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

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

**Section 1.** That, notwithstanding and as an exception to the Codified Ordinances of the City of Cleveland, 1976, the name Father Anthony Cassese Way as a secondary and honorary name to Ridpath Avenue between East 152nd Street and East 149th Street.

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

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

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

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

**Res. No. 18-15.**

**By Council Member Kazy.**

**An emergency resolution supporting Catholic Charities Housing Corporation in its effort to develop affordable housing for senior citizens on the campus of St. Vincent de Paul Parish located at 13400 Lorain Avenue in Cleveland.**

Whereas, Cleveland City Council has recognized the need for affordable housing in our neighborhoods; and

Whereas, the Catholic Charities Housing Corporation has developed a comprehensive plan to identify those areas that would be appropriate for housing developments for seniors; and

Whereas, the Catholic Charities Housing Corporation has proposed the new construction of up to 40 units in a three story elevator building comprised of one and two bedroom units designed to accommodate and will be affordable to seniors; and

Whereas, the development will meet the Enterprise Green Communities Version 3.0 criteria or LEED Certification by the U.S. Green Building Council, and will also include amenities such as community gathering space, laundry facilities, green space and parking; and

Whereas, Catholic Charities Housing Corporation will apply for funding under the Low Income Housing Tax Credit Program and the City of Cleveland Housing Trust Fund; and

Whereas, the proposal involves utilizing an under-used parking lot, including demolition of two structures which are no longer in use; and

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

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

**Section 1.** That this Council supports the efforts of Catholic Charities Housing Corporation to develop a senior housing complex of up to 40 units on the campus of St. Vincent de Paul Parish located at 13400 Lorain Avenue in Cleveland to provide affordable housing for senior citizens.

**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 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

**Res. No. 25-15.**

**By Council Member Brancatelli.**

**An emergency resolution declaring this Council's support of the Cleveland Housing Network Inc.'s application to the Ohio Housing Finance Agency for low-income housing tax credits for the Slavic Village Green Homes I project.**

Whereas, each year the Ohio Housing Finance Agency allocates low-income housing credits for affordable housing developments throughout Ohio using a competitive proposal process; and

Whereas, the Cleveland City Council has recognized the need to maintain affordable housing in Cleveland's neighborhoods; and

Whereas, Slavic Village Green Homes I will consist of approximately 35 new construction single family homes in the Slavic Village neighborhood, which is one of the six Strategic Investment Initiative areas; and

Whereas, the Slavic Village Green Homes I project will strengthen and support the existing housing investment within the Slavic Village neighborhood, including Opportunity Housing, a for-sale market rate project, Cleveland Green Homes, Cleveland Green Homes East, Cleveland Green Homes II, Cleveland NSP Homes I, Cleveland Green Homes III, Trailside Homes and Habitat for Humanity homes; and

Whereas, Slavic Village is nationally recognized as the epicenter of the national home mortgage foreclosure crisis that continues to hit Ohio, and in particular, the City of Cleveland; and

Whereas, working together for over 30 years, Cleveland Housing Network, Inc. and its non-profit development partners and the City of Cleveland have demonstrated the ability to use tax credits to leverage local resources and complete successful projects that meet community development objectives concerning vacant properties and provide needed affordable housing to low-income families; and

Whereas, in the current environment of large numbers of vacant single family homes, a weak homeownership market, and an increasing poverty rate, this tool is needed more than ever; and

Whereas, Cleveland City Council remains committed to a continued partnership with the Cleveland Housing Network Inc. and the development of Slavic Village Green Homes I project, as we work together to address the foreclosure crisis and meet the needs of our low income families for decent affordable housing; and

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

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

**Section 1.** That this Council supports Cleveland Housing Network Inc.'s application to the Ohio Housing Finance Agency for low-income housing tax credits for the Slavic Village Green Homes I project.

**Section 2.** That the Clerk of Council is hereby directed to transmit a copy of this resolution to Robert S. Curry, Executive Director, Cleveland Housing Network, Inc.

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

**Res. No. 26-15.**

**By Council Member Pruitt.**

**An emergency resolution objecting to the transfer of ownership of a C2 and C2X Liquor Permit to 14005 Benwood Avenue.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C2 and C2X Liquor Permit from Wdad, Inc., DBA Shortcut Deli & Beverage, 14005 Benwood Avenue, Cleveland, Ohio 44128, Permanent Number 9446170 to Short Cut Deli, Inc., 14005 Benwood Avenue, Cleveland, Ohio 44128, Permanent Number 8107930; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C2 and C2X Liquor Permit from Wdad, Inc., DBA Shortcut Deli & Beverage, 14005 Benwood Avenue, Cleveland, Ohio 44128, Permanent Number 9446170 to Short Cut Deli, Inc., 14005 Benwood Avenue,

Cleveland, Ohio 44128, Permanent Number 8107930; and requests the Superintendent of the Division of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 15. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 0.

**MOTION**

On the motion of Council Member Zone, the absences of Council Member Jeffrey D. Johnson and Zack Reed are hereby authorized. Seconded by Council Member Cleveland.

The Council Meeting adjourned at 7:27 p.m. to meet on Monday, January 12, 2015, 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**

NO MEETING

**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, JANUARY 26, 2015

9:30 A.M.

**Calendar No. 14-248:** 3219 Detroit Avenue (Ward 3)

3219 Detroit LLC, owner, proposes to erect a new 60 unit apartment building in a B1 and D2 Local Retail Business District and a Pedestrian Overlay District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 325.03 which states that the minimum area required for an off-street parking space is 180 square feet.

2. Section 343.23(g)(1) which states that no building shall be setback more than 5 feet in a Pedestrian Retail Overlay District.

3. Section 355.04 which states that in a 'B' Area District the maximum floor area shall not exceed 1/2 the total lot area; in this case 15,437 square feet. In a 'D' Area District the maximum floor area shall not exceed the total lot area; in this case 30,875 square feet. The proposed total floor area is 77,525 square feet.

4. Section 357.05 which states that a five foot side yard is required.

5. Section 357.08(b)(2) which states that the rear yard shall not be less than 20 feet nor less than 1/2 the height of the main building. (Filed December 11, 2014)

**Calendar No. 14-250:** 1230 West 58th Street (Ward 15)

Breakwater Bluffs, LLC., owner, proposes to establish use as a parking and erect a parking garage on a parcel located in a C2 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.14(c) which states that the Board of Zoning Appeals may permit, temporarily or permanently, the use of land in a Residence District, other than a Limited One-Family District, for a parking lot when the best interests of the community will be served, and provided that:

(1) The lot is to be used only for the parking of passenger automobiles of employees, customers or

guests of the person or firm controlling and operating the lot, who shall be responsible for its maintenance;

(2) No charge is to be made for parking on the lot;

(3) The lot is not to be used for sales, repair work or servicing of any kind;

(4) Entrance to and exit from the lot are to be located so as to do the least harm to the Residence District;

(5) No advertising sign or material is to be located on the lot;

(6) All parking is to be kept back of the setback building line by barrier unless specifically authorized otherwise by the Board;

(7) The parking lot and that portion of the driveway back of the building line are to be adequately screened from the street and from adjoining property in a Residence District by a hedge, sightly fence or wall not less than four (4) feet six (6) inches high and not more than five (5) feet high located back of the setback building line. All lighting is to be arranged so that there will be no glare that is annoying to the occupants of adjoining property in a Residence District, and the surface of the parking lot is to be smoothly graded, hard surfaced and adequately drained;

(8) The building permit number under which the lot is established is to be posted;

(9) Such other and further conditions may be imposed as the Board may deem necessary in any specific case to reduce the adverse effect of the proximity of a parking lot upon the character, development and maintenance of the Residence District in which the parking lot is to be located. (Filed December 17, 2014)

**Calendar No. 14-255:** 7312 Detroit Avenue (Ward 15)

Howard Gurandon, owner, proposes to renovate basement and first floor of vacant retail space, in mixed use building containing four dwelling units on the second floor, for establishment of bar/restaurant in a C2 Local Retail Business District and a Pedestrian Retail Overlay District. The owner appeals for relief from Section 349.04(f) of the Cleveland Codified Ordinances which states that in addition to one space required for each of the four dwelling units, parking for bar/restaurant is required at the rate of one space per employee plus one space per 100 square feet of floor area devoted to patron use. In this case, approximately 1,493 square foot floor area will be devoted to patron use and 3 employees will be on site equaling a requirement of 22 parking spaces. There is a credit of 4 parking spaces for the previous retail store use resulting in a total of 18 parking spaces being required; this amount is reduced by 33% per Section 343.23(i) in the Pedestrian Retail Overlay District regulations, for a final total of 12 parking spaces being required and 4 spaces are provided. (Filed December 29, 2014)

**POSTPONED FROM DECEMBER 8, 2014**

**Calendar No. 14-214:** 1020 East 185th Street (Ward 8)

William Dagg, owner, proposes to expand existing parking lot on an

irregular shaped parcel located in an A1 One-Family Residential District and C1 Local Retail Business District. The owner appeals for relief from the following Sections of the Cleveland Codified Ordinances:

1. Section 325.03 which states that the minimum required area of an accessory off-street parking space is 180 square feet and 162 square feet are proposed.

2. Section 337.01 which states that an accessory parking area of a bar/restaurant is not permitted in a One-Family district and 30 spaces are proposed.

3. Section 352.07 which states that an extension of non-conforming landscaping must receive Board of Zoning Appeals approval.

4. Section 352.10(c)(d) which states that a 6 foot wide landscaping strip is required for a parking lot along a street frontage over fifty (50) feet wide. (Filed October 31, 2014)

First postponement made at the request of the appellant in order for them to work with councilman and the city to resolve water issues.

**POSTPONED FROM  
NOVEMBER 24, 2014**

**Calendar No. 13-253:** 4600 West 160th Street (Ward 18)

MWTP LLC, pursuant to the Journal Entry of the Cuyahoga County Common Pleas Court in Case-CV-14-823007 dated September 18, 2014, where the Court, having reviewed the entire record, remanded the case to the City of Cleveland Board of Zoning Appeals for the limited purpose of considering the application of an area variance using the "practical difficulty" standard as set out in *Duncan v. Village of Middlefield* (1986) 91 N.E.2D 692 in a request to convert an existing static 14' x 48' billboard sign to automatic changeable copy, electronic image, sign face, located on an acreage parcel in a B3 General Industry District; contrary to the provisions under Section 350.10(j) that billboards shall not include automatic changeable copy signs, i.e., that is, electronic message centers. (Filed November 20, 2013)

Postponement made at the request of the applicant due to personal scheduling conflict.

Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, JANUARY 5, 2015**

At the meeting of the Board of Zoning Appeals on Monday, January 5, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

**Calendar No. 14-229:** 1326 West 116th Street

House Under the Green Bottle, owner, appealed to demolish the existing parking lot and install new parking lot with striping in a B2 Semi-Industry District.

The following appeals were **DENIED:**

None.

The following appeals were **Dismissed:**

None.

The following appeal was **WITHDRAWN:**

**Calendar No. 14-231:** 5027 Lorain Avenue

Cleveland Metropolitan School District, owner, proposes to erect one 10'-3" x 6'-4" x 7'-2" high single faced non-illuminated identification sign and two 6'-2" x 3'-10" x 3'-10" high double faced non-illuminated directional sign in a B1 Two-Family Residential District.

The following appeals were **POSTPONED:**

**Calendar No. 14-205:** Muhammad Riaz  
5605 Detroit Avenue. Postponed to February 17, 2015.

**Calendar No. 14-207:** Carey Holdings Inc.  
5801 Ensign Avenue. Postponed to February 9, 2015.

**Calendar No. 14-208:** Reginald Phillips  
1310 East 125th Street. Postponed to February 2, 2015.

**Calendar No. 14-233:** 6603 Cedar Inc.,  
2501 Thurman Avenue. Postponed to February 17, 2015.

**Calendar No. 14-234:** 6603 Cedar Inc.,  
2503 Thurman Avenue. Postponed to February 17, 2015.

**Calendar No. 14-235:** 6603 Cedar Inc.,  
2505 Thurman Avenue. Postponed to February 17, 2015.

**Calendar No. 14-236:** George Sevastos  
3401 Denison Avenue. Postponed to February 17, 2015.

**Calendar No. 14-238:** East 123 St. Properties LTD.,  
3401 Denison Avenue. Postponed to March 9, 2015.

The following appeals were heard at the Board of Zoning Appeals on Monday, December 29, 2014, and the decisions were adopted and approved on January 5, 2015:

The following appeal was **APPROVED:**

**Calendar No. 14-242:** 5100 Biddulph Avenue

Cleveland Board of Education (Rhodes High School) owner, appeals to erect a 4' x 8' x 8' high single faced illuminated identification message center ground sign in a B1 Two-Family Residential District.

The following appeal was **DENIED:**

**Calendar No. 14-218:** Appeal of Wolley Taxi Company  
Wolley Taxi Company LLC, appealed the decision of the Commissioner of Assessments and

Licenses to revoke licenses for two vehicles in their fleet (#7110 and #7116) in accordance with Section 443.36 of the Cleveland Codified Ordinances.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

**187.10 Negotiated contracts; Notice required in Advertisement for Bids.**

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

**WEDNESDAY, JANUARY 28, 2015**

**File No. 1-15 — Rehabilitation of MLK, Jr. Boulevard Bridge 50.28 (2-1) & 50.30 (3-1) Over Doan Brook**, for the Division of Engineering and Construction, Mayor's Office of Capital Projects, as authorized by Ordinance No. 730-13 Passed Council May 20, 2013.

**\*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 THURSDAY, JANUARY 15, 2015 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

**\*Bidders must purchase plans and specifications directly from the office of the Commissioner of Purchases and Supplies. Only registered Plan Holders will receive Addenda. Bids cannot be**

**accepted from Bidders who only purchase plans from other entities such as Plan Rooms and/or who fail to register to be on the City of Cleveland Plan Holders List.**

**File No. 2-15 — Exterminating Services for Various Divisions of City Government**, for the Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING TUESDAY, JANUARY 20, 2015 AT 1:30 P.M. CITY HALL, THE DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

**File No. 3-15 — Purchase of High Voltage Pad Mounted Switching Equipment**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, JANUARY 15, 2015 AT 10:00 A.M. CLEVELAND PUBLIC POWER DIVISION, TOM L.**

JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 7, 2015 and January 14, 2015

**ADOPTED RESOLUTIONS AND ORDINANCES**

NONE

**COUNCIL COMMITTEE MEETINGS**

**Monday, January 5, 2015  
2:00 p.m.**

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

**Tuesday, January 6, 2015  
9:30 a.m.**

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

**Index**

O—Ordinance; R—Resolution; F—File  
 Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
 Bold type in sections indicates amendments

**Board of Zoning Appeals — Report**

Biddulph Avenue, 5100 (Ward 13) — Cleveland Board of Education (Rhodes High School), owner — appeal granted and adopted on 1/5/15 (Cal. 14-242) ..... 13

Company, LLC, Wolley Taxi — appeal denied and adopted on 1/5/15 (Cal. 14-218) ..... 13

Denison Avenue, 3401 (Ward 12) — George Sevastos, owner — appeal postponed to 2/17/15 on 1/5/15 (Cal. 14-236) ..... 13

Detroit Avenue, 5605 (Ward 15) — Muhammad Riaz, owner — appeal postponed to 2/17/15 on 1/5/15 (Cal. 14-205) ..... 13

East 123rd Street, 1862 (Ward 6) — East 123rd Street Properties Ltd., owner — appeal postponed to 3/9/15 on 1/5/15 (Cal. 14-238) ..... 13

East 125th Street, 1310 (Ward 9) — Reginald Phillips, owner — appeal postponed to 2/2/15 on 1/5/15 (Cal. 14-208) ..... 13

East 185th Street, 1020 (Ward 8) — William Dagg, owner — appeal postponed on 12/8/14 (Cal. 14-214) ..... 12

East 79th Street, 1349 (Ward 7) — Cleveland Metropolitan School District, owner — appeal withdrawn on 1/5/15 (Cal. 14-231) ..... 13

Ensign Avenue, 5801 (Ward 5) — Carey Holdings Inc., owner — appeal postponed to 2/9/15 on 1/5/15 (Cal. 14-207) ..... 13

Thurman Avenue, 2501 (Ward 3) — 6603 Cedar Inc., owner — appeal postponed to 2/17/15 on 1/5/15 (Cal. 14-233) ..... 13

Thurman Avenue, 2503 (Ward 3) — 6603 Cedar Inc., owner — appeal postponed to 2/17/15 on 1/5/15 (Cal. 14-234) ..... 13

Thurman Avenue, 2505 (Ward 3) — 6603 Cedar Inc., owner — appeal postponed to 2/17/15 on 1/5/15 (Cal. 14-235) ..... 13

West 116th Street, 1326 (Ward 15) — House Under the Green Bottle, owner — appeal heard on 1/5/15 (Cal. 14-229) ..... 13

**Board of Zoning Appeals — Schedule**

Detroit Avenue, 3219 (Ward 3) — 3219 Detroit LLC, owner — appeal to be heard on 1/26/15 (Cal. 14-248) ..... 12

Detroit Avenue, 7312 (Ward 15) — Howard Gurandon, owner — appeal to be heard on 1/26/15 (Cal. 14-255) ..... 12

West 58th Street, 1230 (Ward 15) — Breakwater Bluffs, LLC, owner — appeal to be heard  
 on 1/26/15 (Cal. 14-250) ..... 12

**Capital Projects**

Ridpath Ave. (between East 152nd St. and East 149th St.) — secondary and honorary name  
 of Father Anthony Cassese Way — Capital Projects Office — City Planning Commission  
 (Ward 08) (O 24-15) ..... 10

**City Council**

Board of Commissioners of CMHA -nomination — Turner, Nina and Dunn, Ph.D., Ronnie A. —  
 approve appointments (F 27-15) ..... 4  
 Kazy, Brian — oath of office — Council Member (Ward 16) (F 28-15)..... 4  
 Sweeney, Martin J. — Council Member — letter of resignation (Ward 16) (F 2-15) ..... 3  
 Dreyer, Allan — Clerk of Council Pro Tempore — Dec. 18, 2014 to Jan. 4, 2015 (F 4-15) ..... 3

**City of Cleveland Bids**

Exterminating Services for Various Divisions of City Government — Department of Finance —  
 per C.O. Sec. 181.101 — bid due January 28, 2015 (advertised 1/7/2015 and 1/14/2015) ..... 14  
 Purchase of High Voltage Pad Mounted Switching Equipment — Department of Public  
 Utilities — Division of Cleveland Public Power — per C.O. Sec. 129.26 — bid due  
 January 28, 2015 (advertised 1/7/2015 and 1/14/2015) ..... 14  
 Rehabilitation of MLK, Jr. Boulevard Bridge 50.28 (2-1) & 50.30 (3-1) over Doan Brook —  
 Office of Capital Projects — Division of Engineering and Construction —  
 per Ord. 730-13 — bid due January 28, 2015 (advertised 1/7/2015 and 1/14/2015)..... 14

**City Planning Commission**

Ridpath Ave. (between East 152nd St. and East 149th St.) — secondary and honorary name  
 of Father Anthony Cassese Way — Capital Projects Office (Ward 08) (O 24-15) ..... 10

**Clerk Of Council**

Dreyer, Allan — Clerk of Council Pro Tempore — Dec. 18, 2014 to Jan. 4, 2015 (F 4-15) ..... 3

**Cleveland Electric Illuminating Company (CEI)**

FirstEnergy Service Company — letter of notification — Inland-Harding (S-8) 345 kV  
 Transmission Line Structure Replacement Project — First Energy Corp. (F 3-15) ..... 3

**Cleveland Housing Network (CHN)**

Slavic Village Green Homes 1 Project — residential housing development project — Cleveland  
 Housing Network — Ohio Housing Finance Agency (OHFA) (Ward 12) (R 25-15) ..... 11

**Cleveland Metropolitan Housing Authority (CMHA)**

Board of Commissioners of CMHA — nomination — Turner, Nina and Dunn, Ph.D., Ronnie A. —  
 approve appointment (F 27-15) ..... 4

**Codified Ordinances**

Rental of League Park Baseball Field and League Park Visitors Center; Fee — enact Section  
 131.37 — amend Section 131.35 (Ward 07) (O 20-15)..... 5

**Communications**

Board of Commissioners of CMHA — nomination — Turner, Nina and Dunn, Ph.D., Ronnie A. —  
 approve appointment (F 27-15) ..... 4  
 Brainard Rd. 16" Express Main — Contract: #2013000000041 — Fabrizi Recycling, Inc. —  
 Utilities Department (Statement of Final Acceptance) (F 7-15) ..... 4  
 Cleaning and Lining of Water Main in East 42nd, East 52nd, East 53rd Streets and Brow Ave.,  
 (Newburgh Hts.) — Contract # PI2010000000060 — Utilicon Corp. — Utilities Department  
 (Statement of Final Acceptance) (F 6-15)..... 4  
 Dreyer, Allan — Clerk of Council Pro Tempore — Dec. 18, 2014 to Jan. 4, 2015 (F 4-15) ..... 3  
 FirstEnergy Service Company — letter of notification — Inland-Harding (S-8) 345 kV  
 Transmission Line Structure Replacement Project — First Energy Corp. (F 3-15) ..... 3  
 HVAC Improvements, Lakeside Ave., 1825 — Contract: #CT2002-PI2012\* — Energy Mechanical  
 Corp., Inc. — Utilities Department (Statement of Final Acceptance) (F 5-15)..... 4  
 Sweeney, Martin J. — Council Member — letter of resignation (Ward 16) (F 2-15) ..... 3

**Condolences**

Adelstein, Stanley I. (R 32-15) ..... 4  
 Cassese, Father Anthony J. (R 35-15) ..... 4  
 Grimes, Yvonne (R 37-15) ..... 4  
 Harris, Anna Louise (R 29-15) ..... 4  
 Johnson, Harry A. (R 33-15) ..... 4  
 Krantz, Marc C. (R 31-15) ..... 4  
 Payden, Sr., Rev. Dr. Henry J. (R 34-15) ..... 4  
 Pevec, Anthony Edward, Auxiliary Bishop of Cleveland (R 30-15) ..... 4  
 Rodgers, Erma Jean Robinson (R 36-15) ..... 4  
 Russell, Arnie Mae (R 28-15) ..... 4

**Congratulations**

Artis, Maggie — 100th Birthday (R 40-15) ..... 4  
 Breckenridge, Elizabeth Frost — 103rd Birthday (R 39-15) ..... 4  
 Galmarini, Sgt. Daniel (R 42-15) ..... 4  
 Gibson, Lula Christmas — 100th Birthday (R 41-15) ..... 4  
 Kavalec, Sheila (R 38-15) ..... 4

**Contracts**

Brainard Rd. 16" Express Main — Contract: #2013000000041 — Fabrizi Recycling, Inc. —  
 Utilities Department (Statement of Final Acceptance) (F 7-15) ..... 4  
 Cleaning and Lining of Water Main in East 42nd, East 52nd, East 53rd Streets and Brow Ave.,  
 (Newburgh Hts.) — Contract # PI2010000000060 — Utilicon Corp. — Utilities Department  
 (Statement of Final Acceptance) (F 6-15) ..... 4  
 HVAC Improvements, Lakeside Ave., 1825 — Contract: #CT2002-PI2012\* — Energy Mechanical  
 Corp., Inc. — Utilities Department (Statement of Final Acceptance) (F 5-15) ..... 4  
 Lake Road Improvement for Phase 3 of the Substation and Distribution Expansion Project —  
 Contract No. CT 2004 PI 2013-18 -Hooper Corporation — Utilities Department  
 (O 19-15) ..... 4  
 Winbourne Consulting, LLC — professional service — upgrade and expansion of the Record  
 Management System (O 21-15) ..... 6

**Easements**

Ambler Park (northeast corner of MLK, Jr. Blvd. and Fairhill Rd.) — Bioretention Basin —  
 Northeast Ohio Regional Sewer District — Works Department (O 23-15) ..... 9  
 Forest Hills Park (East 110th St.) — Dugway Storage Tunnel Project — Northeast Ohio  
 Regional Sewer District — Works Department (O 22-15) ..... 6

**Fees**

Rental of League Park Baseball Field and League Park Visitors Center; Fee — enact Section  
 131.37 — amend Section 131.35 (Ward 07) (O 20-15) ..... 5

**Fire Division**

Harris, Rodney — oath of office — Lieutenant — Safety Department (F 8-15) ..... 4  
 Marotta, Raymond A. — oath of office — Lieutenant — Safety Department (F 9-15) ..... 4

**League Park Center**

Rental of League Park Baseball Field and League Park Visitors Center; Fee — enact Section  
 131.37 — amend Section 131.35 (Ward 07) (O 20-15) ..... 5

**Liquor Permits**

Benwood Ave., 14005 — objection to transfer of ownership (Ward 01) (R 26-15) ..... 11  
 Euclid Ave., 530 — transfer to another taxing district (Ward 03) (F 15-15) ..... 4  
 Literary Ave., 806 — stock application (Ward 03) (F 17-15) ..... 4  
 Ridge Rd., 5941 — new application (Ward 13) (F 13-15) ..... 4  
 S. Waterloo Rd., 19610 — new application (Ward 08) (F 14-15) ..... 4  
 St. Clair Ave., 5379 — transfer of location application (Ward 10) (F 16-15) ..... 4

**Northeast Ohio Regional Sewer District (NEORS)**

Ambler Park (northeast corner of MLK, Jr. Blvd. and Fairhill Rd.) — deed of easement —  
 Bioretention Basin — Works Department (O 23-15) ..... 9  
 Forest Hills Park (East 110th St.) — deeds of easement — Dugway Storage Tunnel Project —  
 Works Department (O 22-15) ..... 6



**Oath Of Office**

Hailes, Almarita — Chief Radio Dispatcher of Police — Safety Department (F 10-15) ..... 4  
Harris, Rodney — Lieutenant — Fire Division — Safety Department (F 8-15) ..... 4  
Kazy, Brian — Council Member (Ward 16) (F 28-15) ..... 4  
Lopez, Dalia — Chief Radio Dispatcher of Police — Safety Department (F 11-15) ..... 4  
Marotta, Raymond A. — Lieutenant — Fire Division — Safety Department (F 9-15) ..... 4  
O'Malley, Jennifer — Chief Radio Dispatcher of Police — Safety Department (F 12-15) ..... 4

**Ohio House Finance Agency (OHFA)**

Slavic Village Green Homes 1 Project — residential housing development project — Cleveland  
Housing Network (Ward 12) (R 25-15) ..... 11

**Police Division**

Hailes, Almarita — oath of office — Chief Radio Dispatcher of Police — Safety Department  
(F 10-15) ..... 4  
Lopez, Dalia — oath of office — Chief Radio Dispatcher of Police — Safety Department  
(F 11-15) ..... 4  
O'Malley, Jennifer — oath of office — Chief Radio Dispatcher of Police — Safety Department  
(F 12-15) ..... 4

**Professional Services**

Winbourne Consulting, LLC — contracts — upgrade and expansion of the Record Management  
System (O 21-15) ..... 6

**Public Improvements**

Lake Road Improvement for Phase 3 of the Substation and Distribution Expansion Project —  
Contract No. CT 2004 PI 2013-18 -Hooper Corporation — Utilities Department  
(O 19-15) ..... 4

**Public Works**

Ambler Park (northeast corner of MLK, Jr. Blvd. and Fairhill Rd.) — deed of easement —  
Bioretention Basin — Northeast Ohio Regional Sewer District (O 23-15) ..... 9  
Forest Hills Park (East 110th St.) — deeds of easement — Dugway Storage Tunnel Project —  
Northeast Ohio Regional Sewer District (O 22-15) ..... 6

**Recognition**

Cleveland Treatment Center (R 43-15) ..... 4

**Resolution Of Support**

Slavic Village Green Homes 1 Project — residential housing development project — Cleveland  
Housing Network — Ohio Housing Finance Agency (OHFA) (Ward 12) (R 25-15) ..... 11  
Supporting Catholic Charities Housing Corporation — housing developments for seniors —  
Campus of St. Vincent de Paul Parish — Lorain Ave., 13400 (Ward 16) (R 18-15) ..... 11

**Safety Department**

Hailes, Almarita — oath of office — Chief Radio Dispatcher of Police (F 10-15) ..... 4  
Harris, Rodney — oath of office — Lieutenant — Fire Division (F 8-15) ..... 4  
Lopez, Dalia — oath of office — Chief Radio Dispatcher of Police (F 11-15) ..... 4  
Marotta, Raymond A. — oath of office — Lieutenant — Fire Division (F 9-15) ..... 4  
O'Malley, Jennifer — oath of office — Chief Radio Dispatcher of Police (F 12-15) ..... 4  
Winbourne Consulting, LLC — professional service — contracts — upgrade and expansion of  
the Record Management System (O 21-15) ..... 6

**Statement Of Work Acceptance**

Brainard Rd. 16" Express Main — Contract: #2013000000041 — Fabrizi Recycling, Inc. —  
Utilities Department (Statement of Final Acceptance) (F 7-15) ..... 4  
Cleaning and Lining of Water Main in East 42nd, East 52nd, East 53rd Streets and Brow Ave.,  
(Newburgh Hts.) — Contract # PI2010000000060 — Utilicon Corp. — Utilities Department  
(Statement of Final Acceptance) (F 6-15) ..... 4  
HVAC Improvements, Lakeside Ave., 1825 — Contract: #CT2002-PI2012\* — Energy Mechanical  
Corp., Inc. — Utilities Department (Statement of Final Acceptance) (F 5-15) ..... 4

**Streets — Name**

Ridpath Ave. (between East 152nd St. and East 149th St.) — secondary and honorary name  
of Father Anthony Cassese Way — Capital Projects Office — City Planning Commission  
(Ward 08) (O 24-15) ..... 10

**Utilities Department**

Brainard Rd. 16" Express Main — Contract: #2013000000041 — Fabrizi Recycling, Inc.  
(Statement of Final Acceptance) (F 7-15)..... 4  
Cleaning and Lining of Water Main in East 42nd, East 52nd, East 53rd Streets and Brow Ave.,  
(Newburgh Hts.) — Contract # PI2010000000060 — Utilicon Corp. (Statement of Final  
Acceptance) (F 6-15) ..... 4  
HVAC Improvements, Lakeside Ave., 1825 — Contract: #CT2002-PI2012\* — Energy Mechanical  
Corp., Inc. (Statement of Final Acceptance) (F 5-15) ..... 4  
Lake Road Improvement for Phase 3 of the Substation and Distribution Expansion Project —  
Contract No. CT 2004 PI 2013-18 -Hooper Corporation (O 19-15) ..... 4

**Ward 01**

Benwood Ave., 14005 — objection to transfer of ownership — liquor permit (R 26-15) ..... 11  
Rodgers, Erma Jean Robinson — Condolence (R 36-15) ..... 4

**Ward 02**

Cleveland Treatment Center — Recognition (R 43-15) ..... 4  
Grimes, Yvonne — Condolence (R 37-15) ..... 4  
Payden, Sr., Rev. Dr. Henry J. — Condolence (R 34-15)..... 4

**Ward 03**

Adelstein, Stanley I. — Condolence (R 32-15) ..... 4  
Euclid Ave., 530 — transfer to another taxing district — liquor permit (F 15-15) ..... 4  
Krantz, Marc C. — Condolence (R 31-15) ..... 4  
Literary Ave., 806 — stock application — liquor permit (F 17-15) ..... 4  
Pevce, Anthony Edward, Auxiliary Bishop of Cleveland — Condolence (R 30-15) ..... 4

**Ward 04**

Ambler Park (northeast corner of MLK, Jr. Blvd. and Fairhill Rd.) — deed of easement —  
Bioretention Basin — Northeast Ohio Regional Sewer District — Works Department  
(O 23-15) ..... 9  
Forest Hills Park (East 110th St.) — deeds of easement — Dugway Storage Tunnel Project —  
Northeast Ohio Regional Sewer District — Works Department (O 22-15)..... 6  
Payden, Sr., Rev. Dr. Henry J. — Condolence (R 34-15)..... 4

**Ward 07**

Artis, Maggie — 100th Birthday — Congratulations (R 40-15) ..... 4  
Breckenridge, Elizabeth Frost — 103rd Birthday — Congratulations (R 39-15) ..... 4  
Gibson, Lula Christmas — 100th Birthday — Congratulations (R 41-15)..... 4  
Rental of League Park Baseball Field and League Park Visitors Center; Fee — enact Section  
131.37 — amend Section 131.35 (Ward 07) (O 20-15) ..... 5

**Ward 08**

Cassese, Father Anthony J. — Condolence (R 35-15)..... 4  
Pevce, Anthony Edward, Auxiliary Bishop of Cleveland — Condolence (R 30-15) ..... 4  
Ridpath Ave. (between East 152nd St. and East 149th St.) — secondary and honorary name  
of Father Anthony Cassese Way — Capital Projects Office — City Planning Commission  
(O 24-15) ..... 10  
S. Waterloo Rd., 19610 — new application — liquor permit (F 14-15) ..... 4

**Ward 09**

Harris, Anna Louise — Condolence (R 29-15) ..... 4  
Russell, Arnie Mae — Condolence (R 28-15) ..... 4

**Ward 10**

Harris, Anna Louise — Condolence (R 29-15) ..... 4  
St. Clair Ave., 5379 — transfer of location application — liquor permit (F 16-15) ..... 4

**Ward 12**

Slavic Village Green Homes 1 Project — residential housing development project — Cleveland  
 Housing Network — Ohio Housing Finance Agency (OHFA) (R 25-15) ..... 11

**Ward 13**

Galmarini, Sgt. Daniel — Congratulations (R 42-15)..... 4  
 Johnson, Harry A. — Condolence (R 33-15) ..... 4  
 Ridge Rd., 5941 — new application — liquor permit (F 13-15) ..... 4

**Ward 16**

Kavalec, Sheila — Congratulations (R 38-15)..... 4  
 Kazy, Brian — oath of office- Council Member (F 28-15) ..... 4  
 Supporting Catholic Charities Housing Corporation — housing developments for seniors —  
 Campus of St. Vincent de Paul Parish — Lorain Ave., 13400 (R 18-15)..... 11  
 Sweeney, Martin J. — Council Member — letter of resignation (F 2-15) ..... 3