

The City Record

Official Publication of the Council of the City of Cleveland



May the Seventh, Two Thousand and Fourteen

Frank G. Jackson
Mayor

Kevin J. Kelley
President of Council

Patricia J. Britt
City Clerk, Clerk of Council

Ward Name

- 1 Terrell H. Pruitt
- 2 Zachary Reed
- 3 Joe Cimperman
- 4 Kenneth L. Johnson
- 5 Phyllis E. Cleveland
- 6 Mamie J. Mitchell
- 7 TJ Dow
- 8 Michael D. Polensek
- 9 Kevin Conwell
- 10 Jeffrey D. Johnson
- 11 Dona Brady
- 12 Anthony Brancatelli
- 13 Kevin J. Kelley
- 14 Brian J. Cummins
- 15 Matthew Zone
- 16 Martin J. Sweeney
- 17 Martin J. Keane

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

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DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Kevin J. Kelley

Ward	Name	Residence	
1	Terrell H. Pruitt	16920 Throckley Avenue	44128
2	Zack Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Michael D. Polensek	17855 Brian Avenue	44119
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
11	Dona Brady	1272 West Boulevard	44102
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Martin J. Sweeney	3632 West 133rd Street	44111
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff

Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer

Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs

Martin J. Flask, Executive Assistant to the Mayor of Special Projects

Monyka S. Price, Executive Assistant to the Mayor, Chief of Education

Maureen Harper, Executive Assistant to the Mayor, Chief of Communications

Janita McGowan, Executive Assistant to the Mayor, Chief of Sustainability

Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

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

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 – Paul Bender, 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 – Antonette 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 – George Baker, Interim Director, 75 Erieview Plaza

DIVISIONS:

Air Quality – George Baker, Commissioner

Environment – Pamela Cross, Commissioner, 75 Erieview Plaza

Health – _____, 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

Corrections – Robert Taskay, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.

Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive

Fire – Patrick Kelly, Chief, 1645 Superior Avenue

Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

DIVISIONS:

Administrative Services – Jesus Rodriguez, Commissioner

Fair Housing and Consumer Affairs Office – John Mahoney, Manager

Neighborhood Development – Chris Garland, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

DEPT. OF BUILDING AND HOUSING – Edward W. Rybka, 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 _____.

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 – Robert N. Brown, Director; Anthony J.

Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean

Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

Render, Genesis O. Brown.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan,

David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman;

Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman

Kevin Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel

Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair;

Laura M. Bala, Robert N. Brown, Allan Dreyer, Giancarlo Calicchia, Council Member

Terrell H. Pruitt, Robert Vilkas, Donald Petit, Interim Secretary.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Kevin J. Kelley; Law Director Barbara A.

Langhenry.

CLEVELAND MUNICIPAL COURT

JUSTICE CENTER – 1200 ONTARIO STREET

JUDGE COURTROOM ASSIGNMENTS

Judge Courtroom

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

Judge Pinkey S. Carr – Courtroom 12B

Judge Marilyn B. Cassidy – Courtroom 13A

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lauren C. Moore – Courtroom 14A

Judge Charles L. Patton, Jr. – Courtroom 13D

Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B

Judge Angela R. Stokes – Courtroom 15C

Judge Pauline H. Tarver – Courtroom 13C

Judge Ed Wade – Courtroom 12A

Judge Joseph J. Zone – Courtroom 14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims

– Chief Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief

Magistrate, Victor Perez – City Prosecutor

The City Record

71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 101

WEDNESDAY, MAY 7, 2014

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CITY COUNCIL

MONDAY, MAY 5, 2014

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2014-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

The following Committees meet at the Call of the Chair:

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

April 30, 2014

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 30, 2014 at 10:32 a.m. with Acting Director Singletary presiding.

Present: Acting Directors Singletary, White, Shaw, Directors Smith, Cox, Interim Director Baker, Acting Director Whithers, Directors Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Absent: Mayor Jackson.
Others: Natoya Walker Minor, Interim Director, Office of Equal Opportunity.

Tiffany White, Commissioner, Division of Purchases & Supplies.

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

Resolution No. 181-14.

By Director Bender.
Be it resolved by the Board of Control of the City of Cleveland that the bid of Cook Paving & Construction Co., Inc. for an estimated quantity of labor, material and installation necessary for the contractual restoration of water main, fire hydrants, water main appurtenances, service connections, and

underground enclosures, all items, for the Division of Water, Department of Public Utilities, for a period of one year starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on February 5, 2014 under the authority of Ordinance No. 314-13, passed April 8, 2013, which on the basis of the estimated quantity would amount to \$2,437,373.50 (0%) is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, necessary for the specified items.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Cook Paving & Construction Co., Inc. for the above-mentioned service is approved:

SUBCONTRACTOR WORK PERCENTAGE

RAR Contracting Co., Inc. (CSB/MBE) \$206,485.00 8.47%

Tech Ready Mix, Inc. (CSB/MBE) \$281,000.00 11.53%

Utilicon Corp. (CSB) TBD

Yeas: Acting Directors Singletary, White, Shaw, Directors Smith, Cox, Interim Director Baker, Acting Director Whithers, Directors Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 182-14.

By Director Cox.
Whereas, Board of Control Resolution No. 149-14, adopted April 9, 2014, authorized the Director of Public Works to enter into a concession agreement with NOW Valet Company to provide valet parking services to the general public for the Rock & Roll Hall of Fame Fundraiser to be held May 10, 2014 at Cleveland Public Auditorium, by using the Willard Park Garage; and

Whereas, after adoption of Resolution No. 149-14, NOW Valet Company informed the City Division of

Parking that NOW Valet had erroneously assumed it would be providing valet parking services for the Rock & Roll Hall of Fame Fundraiser but that the Rock & Roll Hall of Fame intended to use MVP Services, LLC to provide such services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 149-14, adopted by this Board April 9, 2014, authorizing the Director of Public Works to enter into a concession agreement with NOW Valet Company to provide valet parking services by use of Willard Park Garage, is amended by changing the valet parking service provider for the Rock & Roll Hall of Fame Fundraiser event to be held May 10, 2014 from NOW Valet Company to MVP Services, LLC.

Be it further resolved that all other provisions of Resolution No. 149-14 not expressly amended as stated above shall remain unchanged and in full force and effect.

Yeas: Acting Directors Singletary, White, Shaw, Directors Smith, Cox, Interim Director Baker, Acting Director Whithers, Directors Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 183-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 121-32-063 located at 10908 Notre Dame Avenue; and

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

Whereas, Lee McCracken has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Lee McCracken for the sale and development of Permanent Parcel No. 121-32-063 located at 10908 Notre Dame Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Directors Singletary, White, Shaw, Directors Smith, Cox, Interim Director Baker, Acting Director Whithers, Directors Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 184-14.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 07-02-086 and 107-02-087 located at 881 Ansel Road and 883 Ansel Road; and

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

Whereas, Letha Shepherd and Phillip Shepherd have proposed to the City to purchase and develop the parcels for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 9 has approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed purchasers of the parcels are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Letha Shepherd and Phillip Shepherd for the sale and development of Permanent Parcel Nos. 107-02-086 and 107-02-087 located at 881 Ansel Road and 883 Ansel Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Acting Directors Singletary, White, Shaw, Directors Smith, Cox, Interim Director Baker, Acting Director Whithers, Directors Rush, Southerington, Acting Director Thornton, Directors Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date 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, MAY 19, 2014

9:30 A.M.

Violation Notice

Calendar No. 14-060: 4103 Bohn Road (Ward 5)

Angelleta Brooks, owner, appeals under the authority of Section 76-6 of the Charter of the City of Cleveland and Section 329.02(d) of the Cleveland Codified Ordinances and disputes the decision rendered by the City of Cleveland Parking Violations Bureau Waste Collection and Photo Safety Division on April 3, 2014 and the violation information described on Civil Infraction Ticket Number WC00206771, issued February 28, 2014 for the property located at 4103 Bohn Road and failure to comply with Section 551.111(B) in the Cleveland Codified Ordinances.

Calendar No. 14-059: 13407 Kinsman Road (Ward 4)

Emerald Development & Economic Network Inc., owner, appeals to construct a parking lot in a B1 Residence Office District that is contrary to Section 337.17 of the Cleveland Codified Ordinances in that the proposed aisle or driveway providing accessibility to the parking spaces must be at least 20 feet wide and the proposed aisle is 19 feet. (Filed 4-21-2014)

POSTPONED FROM APRIL 28, 2014

Calendar No. 14-17: 16917 Euclid Avenue (Ward 10)

John Lewis, owner, appeals to change the use of a service garage

located on a 42' x 160' parcel to used auto sales and a car wash located in a D2 Local Retail Business District and pursuant to Section 343.01 of the Cleveland Codified Ordinances used auto sales and car wash are not permitted in Local Retail Business District and according to Section 343.11 (b) (2) (I) (2 &4) are first permitted in General Retail Business; and contrary to Section 347.11 (a) auto sales lot must be at least 60' in width and 42' are proposed and under Section 337.17 each accessory off-street parking space shall have a minimum unobstructed area of 300 sq. ft. and a minimum of 9' in width and 8' are proposed, and driveways are required to provide accessibility to the parking spaces and shall have an unobstructed width of at least 20' and parking spaces are shown on the driveway. (Filed 2-13-2014 — No Testimony Taken)

Second postponement made at the request of the appellant in order to revise plans per suggestions of the City Planning Commission.

POSTPONED FROM APRIL 14, 2014

At the request of the Councilman to allow for a Block Club Meeting to take place.

Calendar No. 14-034: 2132 West 17th Street (Ward 3)

Tremont Property Investors, owner, appeals to erect a 24' x 45' 3 story frame single family residence with an attached garage on a parcel located in a B1 Two-Family Residential District and said parcel not being 40 feet wide nor 4800 square feet as required for single family homes by Section 355.04 (b) of the Cleveland Codified Ordinances, 29 feet in width and 1,972 square feet are proposed, Section 355.04(b) limits the maximum gross floor area to 50% of the lot area equaling 986 square feet and 2,637 are proposed, and the proposed rear yard is 18 feet and 39 feet are required by Section 357.08 (b)(1), the proposed interior side yards equal zero (0) and Section 357.09 requires an aggregate of 10 feet, pursuant to Section 357.09 (2) (B) a distance of 10 feet is required from a main building on an adjoining lot within a Residence District and zero (0) feet are proposed, and subject to Section 357.13 (b) (4) an open porch shall not extend within 10 feet of the property line and the plan shows porch extending within 5 feet of property line, Section 349.07 (a) requires that off street parking spaces shall be properly paved and drained and no detail is shown on the plan, and pursuant to Section 349.07(c) driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion. (Filed 3-14-14)

Calendar No. 14-035: 2136 West 17th Street (Ward 3)

Tremont Property Investors, owner, appeals to erect a 24' x 45' 3 story frame single family residence with an attached garage on a parcel located in a B1 Two-Family Residential District and said parcel not being 40 feet wide nor 4800 square feet as required for single family homes by Section 355.04 (b) of the Cleveland Codified Ordinances, 29 feet in width and 1,718

square feet are proposed, Section 355.04(b) limits the maximum gross floor area to 50% of the lot area equaling 884 square feet and 2,637 are proposed, and the proposed rear yard is 18 feet and 39 feet are required by Section 357.08 (b)(1), the proposed interior side yards equal two feet (2) and Section 357.09 requires an aggregate of 10 feet, pursuant to Section 357.09 (2) (B) a distance of 10 feet is required from a main building on an adjoining lot within a Residence District and zero (0) feet are proposed, and subject to Section 357.13 (b) (4) an open porch shall not extend within 10 feet of the property line and the plan shows porch extending within 5 feet of property line, Section 349.07 (a) requires that off street parking spaces shall be properly paved and drained and no detail is shown on the plan, and pursuant to Section 349.07(c) driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion. (Filed 3-14-14)

Calendar No. 14-036: 2140 West 17th Street (Ward 3)

Tremont Property Investors, owner, appeals to erect a 24' x 45' 3 story frame single family residence with an attached garage on a parcel located in a B1 Two-Family Residential District and said parcel not being 40 feet wide nor 4800 square feet as required for single family homes by Section 355.04 (b) of the Cleveland Codified Ordinances, 29 feet in width and 1,972 square feet are proposed, Section 355.04(b) limits the maximum gross floor area to 50% of the lot area equaling 884 square feet and 2,637 are proposed, and the proposed rear yard is 18 feet and 39 feet are required by Section 357.08 (b)(1), the proposed interior side yards equal two feet (2) and Section 357.09 requires an aggregate of 10 feet, pursuant to Section 357.09 (2) (B) a distance of 10 feet is required from a main building on an adjoining lot within a Residence District and zero (0) feet are proposed, and subject to Section 357.13 (b) (4) an open porch shall not extend within 10 feet of the property line and the plan shows porch extending within 5 feet of property line, Section 349.07 (a) requires that off street parking spaces shall be properly paved and drained and no detail is shown on the plan, and pursuant to Section 349.07(c) driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion. (Filed 3-14-14)

Calendar No. 14-037: 2144 West 17th Street (Ward 3)

Tremont Property Investors, owner, appeals to erect a 24' x 45' 3 story frame single family residence with an attached garage on a parcel located in a B1 Two-Family Residential District and said parcel not being 40 feet wide nor 4800 square feet as required for single family homes by Section 355.04 (b) of the Cleveland Codified Ordinances, 29 feet in width and 1,972 square feet are proposed, Section 355.04(b) limits the maximum gross floor area to 50% of the lot area equaling 816 square feet and 2,637 are proposed, and the proposed rear yard is 18 feet and 39 feet are

required by Section 357.08 (b)(1), the proposed interior side yards equal two feet (2) and Section 357.09 requires an aggregate of 10 feet, pursuant to Section 357.09 (2) (B) a distance of 10 feet is required from a main building on an adjoining lot within a Residence District and zero (0) feet are proposed, and subject to Section 357.13 (b) (4) an open porch shall not extend within 10 feet of the property line and the plan shows porch extending within 5 feet of property line, Section 349.07 (a) requires that off street parking spaces shall be properly paved and drained and no detail is shown on the plan, and pursuant to Section 349.07(c) driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion. (Filed 3-14-14)

Calendar No. 14-038: 1708 Bradford Avenue (Ward 3)

Tremont Property Investors, owner, appeals to erect a 21' x 45' 3 story frame single family residence with an attached garage on a parcel located in a B1 Two-Family Residential District and said parcel not being 40 feet wide nor 4800 square feet as required for single family homes by Section 355.04 (b) of the Cleveland Codified Ordinances, 26 feet in width and 3,360 square feet are proposed, a front setback of 3 feet is proposed and a minimum of 16 feet is required per Section 357.04 (a), and Section 355.04(b) limits the maximum gross floor area to 50% of the lot area equaling 1680 square feet and 2,287 are proposed, the proposed interior side yards equal three feet (3) and Section 357.09 requires an aggregate of 10 feet, pursuant to Section 357.09 (2) (A) no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District and 3 are proposed, and subject to Section 357.13 (b) (4) an open porch shall not extend within 10 feet of the property line and the plan shows porch extending within 3 feet of property line, Section 349.07 (a) requires that off street parking spaces shall be properly paved and drained and no detail is shown on the plan, and pursuant to Section 349.07(c) driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion. (Filed 3-14-14 - No Testimony Taken)

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 5, 2014

At the meeting of the Board of Zoning Appeals on Monday, May 5, 2014, the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 14-54: 1918 East 120 Street

Scoza Development, owner, appealed to erect a 20' x 41' 6" 3 story frame two family residence on

a 40' x 106' lot in a C1 Multi-Family Residential District.

Calendar No. 14-055: 17910 Landseer Road

Michael Klein, owner, appealed to erect a 22' x 22' garage on a 60' x 115' parcel located in an A1 One Family Residential District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

Calendar No. 14-052: 2543 West 18th Place
Mary O. Skoropy, Postponed to June 9, 2014 at 9:30 a.m.

Calendar No. 14-053: 10022 Parkgate Avenue
George C. Ray, Postponed to June 30, 2014 at 9:30 a.m.

The following appeals were heard by the Board on April 28, 2014 and the decisions were adopted and approved on May 5, 2014;

The following appeals were **APPROVED:**

Calendar No. 14-47: 1882 West 65th Street
David Harper, owner, appealed to install telecommunications equipment and antennas on the roof of a structure located on a corner parcel in a B1 Two Family Residential District.

Calendar No. 14-049: 11125 Magnolia Drive
Cleveland Music School Settlement, owner, appeals to install a 30' x 40' temporary tent for various events occurring between April 9, 2014 and October 9, 2014.

Calendar No. 14-51: 16801 Fischer Road
Anne Agozzino, owner, appeals to build an addition, a garage, a pool and outdoor open space trellis with fireplace on a 10' x 170' lot located in an A1 One Family Residential District.

The following appeal was **DENIED:**

Calendar No. 14-50: 310-320 Prospect Avenue
LR 310 Prospect Investor, LLC, owner appealed the decision of the Cleveland City Planning Commission rendered on March 21, 2014 regarding a request for a demolition permit.

The following appeal was **WITHDRAWN:**

Calendar No. 14-48: 4209 East 131 Street
Winston House, owner, appeals to erect a 960 square foot addition and

expand use to include a banquet/assembly hall on a parcel located in a B1 Local Retail Business District.

The following appeals were **DISMISSED:**

None.

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."

THURSDAY, MAY 22, 2014

File No. 59-14 Employee Uniforms, (Re-bid), for the Various Divisions of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, MAY 9, 2014 AT 10:00 A.M. CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OH 44135-3193.

File No. 60-14 Constructing and Installing Replacement Sewers and Repairing and Rehabilitation of Existing Sewers, (Re-bid), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 1105-13, passed by the Council of the City of Cleveland, September 23, 2013.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, MAY 8, 2014 AT 11:30 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY 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.

April 30, 2014 and May 7, 2014

FRIDAY, MAY 23, 2014

File No. 56-14 Regular and Synthetic Lubricants, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, MAY 9, 2014 AT 10:30 A.M. MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

File No. 57-14 International Truck Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING FRIDAY, MAY 9, 2014 AT 10:00 A.M. MOTOR VEHICLE MAINTENANCE,

NANCE, 4150 EAST 49TH STREET, BUILDING #1, CLEVELAND, OHIO 44105.

File No. 58-14 Vehicle Exhaust System Upgrade, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 1089-13, passed by the Council of the City of Cleveland, August 14, 2013.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, MAY 8, 2014 AT 1:00 P.M. CLEVELAND FIRE HEAD-QUARTERS, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

April 30, 2014 and May 7, 2014

WEDNESDAY, MAY 28, 2014

File No. 61-14 Labor And Materials For Maintenance of Uninterruptible Power Supply Systems, Appearances And Specialized Batteries, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 675-13, passed by the Council of the City of Cleveland, May 20, 2013.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, MAY 8, 2014 AT 10:00 A.M. THE CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

April 30, 2014 and May 7, 2014

FRIDAY, MAY 30, 2014

File No. 62-14 Eastside Maintenance Facility Phase II New Construction, for the Division of Architecture and Site Development, Department of Public Works and the Mayor's Office of Capital Projects, as authorized by Ordinance No. 533-12, passed by the Council of the City of Cleveland, June 4, 2012.

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

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, MAY 15, 2014 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

May 7, 2014 and May 14, 2014

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 566-14. By Council Member Dow.

An emergency resolution objecting to the transfer of ownership of a C1 Liquor Permit to 5510 St. Clair Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 Liquor Permit from SMK1, Inc., DBA St. Clair BP, 5510 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 8320705 to AS & KS, Inc., DBA St. Clair BP, 5510 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 0006566; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 Liquor Permit from SMK1, Inc., DBA St. Clair BP, 5510 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 8320705 to AS & KS, Inc., DBA St. Clair BP, 5510 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 0006566; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

Section 3. That this resolution is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it

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

Adopted April 28, 2014.
Effective April 29, 2014.

Res. No. 569-14. By Council Member Dow.

An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 7017-19 Superior Avenue, 1st floor only and repealing Resolution No. 1064-13, objecting to said renewal.

Whereas, this Council objected to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to C & S Entertainment, LLC, DBA Club Bottoms Up, 7017-19 Superior Avenue, 1st floor only, Cleveland, Ohio 44103, Permanent Number 1173725 by Resolution No. 1064-13, adopted by the Council on August 14, 2013; and

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

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

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

Section 1. That objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit to C & S Entertainment, LLC, DBA Club Bottoms Up, 7017-19 Superior Avenue, 1st floor only, Cleveland, Ohio 44103, Permanent Number 1173725, be and the same is hereby withdrawn and Resolution No. 1064-13, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

Adopted April 28, 2014.
Effective April 29, 2014.

Res. No. 570-14. By Council Member Brancatelli.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 5222 Fleet Avenue, and repealing Resolution No 69-14, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to A & H Pantry, Inc., 5222 Fleet Avenue, Cleveland, Ohio 44105, Permanent No. 0003595 by Resolution No. 69-14 adopted by the Council on January 13, 2014; and

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

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

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

Section 1. That objection to the transfer of location of a C1 and C2 Liquor Permit to A & H Pantry, Inc., 5222 Fleet Avenue, Cleveland, Ohio 44105, Permanent No. 0003595, be and the same is hereby withdrawn and Resolution No. 69-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted April 28, 2014.
Effective April 29, 2014.

Res. No. 571-14.
By Council Member Brancatelli.
An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 6506 Fleet Avenue, and repealing Resolution No 174-14, objecting to said transfer.

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to Mr. Z Beverage, Inc., 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent No. 6208550 by Resolution No. 174-14 adopted by the Council on February 3, 2014; and

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

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

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

Section 1. That objection to the transfer of location of a C1 and C2 Liquor Permit to Mr. Z Beverage, Inc., 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent No. 6208550, be and the same is hereby withdrawn and Resolution No. 174-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

Adopted April 28, 2014.
Effective April 29, 2014.

Ord. No. 299-14.
By Council Members Zone and Kelley (by departmental request).

An emergency ordinance authorizing the Director of Public Safety to enter into an agreement with Cuyahoga County to permit the County's Sheriff's Department to provide the City with all booking, housing, and other related services for City Prisoners for a per diem rate per prisoner.

Whereas, the City desires to cease operations at its Jails and Cleveland House of Correction, both currently operated by the Division of Correction in the Department of Public Safety; and

Whereas, the Cuyahoga County, through its Sheriff's Department, operates County jail and correctional facilities and contracts with various political subdivisions to provide jail housing and related services for their prisoners; and

Whereas, the City desires to have the County's Sheriff Department take over booking, housing and other related services for individuals designated "City Prisoners" for a per diem rate per City Prisoner, and the County is agreeable to this; and

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

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

Section 1. That the Director of Public Safety is authorized to enter into an agreement with Cuyahoga County to have the County's Sheriff Department provide all booking, housing and other related services for "City Prisoners" for a fee calculated at a per diem rate per City Prisoner established by the Board of Control. The agreement shall provide for a transition period for the orderly transfer of operations and upon completion of the transition period, the total per diem per City Prisoner payable to the County shall not fall below the annual amount of \$2,365,658.95. The Agreement shall have no termination date but either party may terminate the Agreement without cause with twenty four (24) months prior written notice. The per diem rate may be increased upon written agreement of the parties with Board of Control approval up to, but not to exceed, 2% after completion of the transition period and no more than once every twelve month period, but only upon substantiation by County of increased County costs directly attributable to City Prisoners any such suggested cost increase, along with substantiation, shall be immediately reported to Council.

Section 2. That the Director of Public Safety is authorized to permit the County to use the City-allocated space on the 3rd floor of the County's Detention Center known as the "120 Space" for temporary prisoner housing during the term of the Agreement. City shall no longer be charged by County for any expenses related to the 120 Space, including, but not limited to, remodeling, updates, maintenance, utilities, and other expenses that currently are charged to the City for use of the 120 Space.

Section 3. That the cost of the agreement, including the transitional period, shall be paid from the fund or funds approved by the Director of Finance and are appropriated for this purpose.

Section 4. That a copy of the final agreement and the report dated March 2014 compiled by Guy Gadomski entitled "Cleveland Jails" shall be placed in File No. 299-14-A.

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take

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

Passed April 28, 2014.
Effective April 29, 2014.

Ord. No. 565-14.
By Council Members Cimperman and Zone.

An emergency ordinance consenting and approving the issuance of a permit for the Rite Aid 2014 Cleveland Marathon, on May 18, 2014.

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

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

Section 1. That pursuant to Section 411.06 of the Codified Ordinances of Cleveland, Ohio 1976, this Council consents to and approves the holding of the Rite Aid 2014 Cleveland Marathon on May 18, 2014, 10K, Full Marathon, Half Marathon Course Turns starting at (all routes) W. Superior near W. 3rd; straight/east on W. Superior, becomes Superior E, to E. 18th; right on E. 18th to Carnegie; right on Carnegie, becomes Lorain, to W. 20th; (10K route continued), right on W. 25th to Franklin; left on Franklin to W. 45th; right on W. 45th to Detroit; left on Detroit to W. 49th; right on W. 49th to Cleveland Memorial Shoreway entrance/exit ramp; right on exit ramp to Cleveland Memorial Shoreway; straight on Cleveland Memorial Shoreway, in west bound lanes, against traffic, to shoreway entrance ramp at W. Lakeside; bear left at top of Cleveland Memorial Shoreway/W. Lakeside Avenue entrance ramp to W. Lakeside; FINISH: straight on W. Lakeside to Onatario; (Full & Half Marathon continued), left on W. 20th Abbey; left on Abbey to W. 11th; right on W. 11th to Starkweather; right on Starkweather to Scranton; left on Scranton to Barber; right on Barber to W. 25th right on W. 25 to Lorain; left on Lorain to W. 45th; right on W. 45th to Franklin; left on Franklin to W. 74th; right on W. 74th to Detroit; left on Detroit to Lake; right on Lake to West Blvd; left on West Blvd to Baltic; right on Baltic to W. 106th; right on W. 106th to Clinton; right on Clinton to W. 104th; left on W. 104th to Lake; (Half Marathon route continued), right on Lake to West Blvd/Cleveland Memorial Shoreway entrance ramp; bear left at entrance ramp, stay on Cleveland Memorial Shoreway to W. Lakeside exit ramp; bear right at W. Lakeside exit ramp to W. Lakeside; FINISH: straight on W. Lakeside to Ontario; (Full Marathon continued), left on Lake, in east bound lanes, against traffic, to Webb, Lakeside; right on Webb, in south bound lane, against traffic, to Lake; left on Lake, in east bound lane, against traffic; bear right on Lake, in east bound lane, against traffic, to Clifton; right on Clifton, becomes Lake, in east bound lanes, against traffic, to turn around near Brandon, Rocky River; 180 degree turn, Lake near Brandon, in west bound lanes, against traffic, to Avalon; left on Avalon to Lake; left on Lake, becomes Clifton, in west bound lanes, against traffic, to Lake-Lakewood; left on Lake, in west bound lanes, against

traffic, to Lake/Forect/W. Clifton intersection; bear left on Lake, in west bound lanes, against traffic, to Webb; right on Webb, in north bound lane, against traffic to Lake; left on Lake, in west bound lanes, against traffic, to W. 117th; left on W. 117th to Edgewater; right on Edgewater to West Blvd/Cleveland Memorial Shoreway exit ramp; straight on Cleveand Memorial Shoreway, in west bound lanes, against traffic, to shoreway entrance ramp at W. Lakeside; bear left at top of Cleveland Memorial Shoreway/W. Lakeside entrance ramp to W. Lakeside; FINISH: straight on W. Lakeside to Ontario; provided that the applicant sponsor shall meet all the requirements of Section 411.05 of the Codified Ordinances of Cleveland, Ohio, 1976. Streets may be closed as determined by the Chief of Police and safety forces as may be necessary in order to protect the participants in the event. Said permit shall further provide that the City of Cleveland shall be fully indemnified from any and all liability resulting from the issuance of the same, to the extent and in form satisfactory to the Director of Law.

Section 2. That this ordinance is hereby declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.
 Passed April 28, 2014.
 Effective April 29, 2014.

Brady, Brancatelli, Keane, Mitchell, Zone. *Authorized Absence:* Conwell, Pruitt. *Pro tempore:* Cummins.

**Tuesday, May 6, 2014
 9:30 a.m.**

Development, Planning and Sustainability Committee: Present: Brancatelli, Vice Chair; Cummins, Zone. *Authorized Absence:* Cleveland, Vice Chair; Dow, Pruitt. *Unauthorized Absence:* Cimperman. *Pro tempore:* Reed, J. Johnson, Conwell.

**Wednesday, May 7, 2014
 10:00 a.m.**

Transportation Committee & Development, Planning and Sustainability Committee: Present in Transportation: Keane, Chair; Dow, Vice Chair; J. Johnson, K. Johnson, Reed, Sweeney. *Unauthorized Absence:* Conwell. *Pro tempore:* Cummins. Present in DP&S: Brancatelli, Chair; Cleveland, Vice Chair; Cummins, Dow, Pruitt, Zone. *Unauthorized Absence:* Cimperman. *Pro tempore:* Sweeney.

COUNCIL COMMITTEE MEETINGS

**Monday, May 5, 2014
 9:00 a.m.**

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

2:00 p.m.

Finance Committee: Present: Kelley, Chair; Cleveland, Vice Chair;

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