

The City Record

Official Publication of the Council of the City of Cleveland



October the Fourteenth, 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

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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	Brian Kazy	4300 West 143rd Street	44135
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

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

OFFICE OF CAPITAL PROJECTS – Matthew L. Spronz, Director

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

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

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

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

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

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

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

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

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

DEPT. OF PUBLIC WORKS – Michael Cox, Director

OFFICES:
 Administration – John Laird, Manager
 Special Events and Marketing – Tangee Johnson, Manager
DIVISIONS:
 Motor Vehicle Maintenance – 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 – Frank D. Williams, 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 – Edward Jamison, Chief Animal Control Officer, 2690 West 7th Street
 Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
 Emergency Medical Service – Nicole Carlton, Acting Commissioner, 1708 South Pointe Drive
 Fire – Patrick Kelly, Chief, 1645 Superior Avenue
 Police – Calvin D. Williams, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

DEPT. OF HUMAN RESOURCES – 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 Trot, 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 12C
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 14C
 Judge Emanuella Groves – Courtroom 14B
 Judge James H. Hewitt, III – Courtroom 12A
 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 12B
 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.

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Vol. 102

WEDNESDAY, OCTOBER 14, 2015

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CITY COUNCIL

MONDAY, OCTOBER 12, 2015

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City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

9:30 A.M. — **Development, Planning and Sustainability Committee:** Brancatelli (CHAIR), Cleveland (VICE-CHAIR), 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, 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 Committee:** Keane (CHAIR), Dow (VICE-CHAIR), Conwell, J. Johnson, K. Johnson, Kazy, Reed.

The following Committees meet at the Call of the Chair:

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

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio
Monday, October 12, 2015

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

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

Also present were: Mayor Frank G. Jackson, Chief of Staff Ken Siliman, Chief Operating Officer Darnell Brown, Chief of Government Affairs Valarie J. McCall, Chief of Regional Development Edward W. Rybka, Chief of Education Monyka S. Price, Media Relations Director Dan Williams, Chief of Sustainability Jenita McGowan, Chief of Public Affairs Natoya Walker-Minor, and Directors Langhenry, Dumas, Szabo, Spronz, McGrath, O'Leary, Southerington, Nichols, Griffin, Fumich, and Burrows.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Pastor Earl Bumgarner, The City of God Baptist Fellowship, Cleveland, Ohio (Ward 10). Pledge of Allegiance.

MOTION

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

COMMUNICATIONS

File No. 1268-15.
From Valarie J. McCall, Chief of Government & International Affairs, Office of the Mayor, City of Cleveland. Mayor's nominations for

members of various boards and commissions. Received.

File No. 1273-15.

From Director Michael McGrath, Department of Public Safety, City of Cleveland. Notification of grant acceptance of \$5,000 from the American Society for the Prevention of Cruelty to Animals. Received.

OATH OF OFFICE

File No. 1269-15.

Angelo Calvillo, Interim Chief of Fire, City of Cleveland. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 1265-15.

RE: #22898800010. Transfer of Ownership Application, D5 D6. Down River Specialties Inc, 620 Frankfort Avenue (Ward 3). Received.

CONGRATULATIONS RESOLUTION

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

Res. No. 1271-15 — Lee Carpenter.

RECOGNITION RESOLUTION

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

Res. No. 1272-15 — Rev. MacArthur H. Flournoy.

FIRST READING EMERGENCY ORDINANCES REFERRED

Ord. No. 1258-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Directors of Public Works and Finance to employ one or more temporary professional services to supply temporary and seasonal personnel for the Department of Public Works and the Project Clean program and for the various departments of the City, for a period up to one year.

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

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

Section 1. That the Director of Public Works is authorized to employ by contract or contracts, for a period up to one year, one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland

in order to provide professional services necessary to supply temporary and seasonal personnel for the Department of Public Works and the Project Clean program.

The selection of the agency or agencies shall be made by the Board of Control on the nomination of the Director of Public Works from a list of qualified agencies available for employment as may be determined after a full and complete canvass by the Director of Public Works for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Works, and certified by the Director of Finance.

Section 2. That the Director of Finance is authorized to employ by contract or contracts, for a period up to one year, one or more temporary employment agency or agencies for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to provide the professional services necessary to supply temporary and seasonal personnel, as needed for the several departments of the City.

The selection of the agency or agencies shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified agencies available for employment as may be determined after a full and complete canvass by the Director of Finance for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, and approved and certified by the Director of Finance.

Section 3. That the costs for the services contemplated shall be paid from funds appropriated for this purpose in budget years 2015 and 2016.

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

Referred to Directors of Public Works, Finance, Law; Committee on Finance.

Ord. No. 1259-15.

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

An emergency ordinance authorizing the Director of Public Works to apply for and accept a grant from the Cleveland Foundation for the 2015-16 Cleveland Nights Program.

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

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

Section 1. That the Director of Public Works is authorized to apply for and accept a grant in the approximate amount of \$40,000, and any other funds that may become available during the grant term, from the Cleveland Foundation to conduct the 2015-16 Cleveland Nights Program; that

the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary and grant award letter for the grant contained in the file described below.

Section 2. That the summary and the grant award letter for the grant, File No. 1259-15-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That 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. 1260-15.

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

An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to provide services necessary to manage the Gateway East Garage, for a period up to three years.

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

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

Section 1. That the Director of Public Works is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to manage the Gateway East Garage for a period not to exceed three years.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Works from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the Director of Public Works for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Works, and certified by the Director of Finance.

Section 2. That the cost of contract or contracts authorized shall be paid from the fund or funds to which are credited the fees collected from the operation of the Gateway East Garage.

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

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

Ord. No. 1261-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to apply for and accept grants from the United States Department of Health and Human Services for the Specialized Dockets Project; and authorizing the Director to enter into one or more contracts with various agencies, entities, or individuals to implement the grant.

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

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

Section 1. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to apply for and accept grants for the Specialized Dockets Project from the United States Department of Health and Human Services, Substance Abuse and Mental Health Services Administration (SAMSHA), each year for a period of three years, in the approximate amount of \$325,000 annually, and any other funds that become available during the grant terms; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, File No. 1261-15-A, made a part of this ordinance as if fully rewritten, is approved in all respects and shall not be changed without additional legislative authority.

Section 3. That, unless expressly prohibited by the grant agreement, under Section 108(B) of the Charter, purchases made under the grant agreement may be made through cooperative arrangements with other governmental agencies. The Director of Finance, on behalf of the Cleveland Municipal Court, may sign all documents and do all things that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 4. That the Director of Finance, on behalf of the Cleveland Municipal Court, is authorized to enter into one or more contracts with or make payments to the YMCA of Greater Cleveland, dba Y-Haven, Hitchcock Center for Women, Moore Counseling and Mediation Services, Community Assessment and Treatment Services, and other agencies, entities, or individuals to implement the grant as described in the file.

Section 5. That the costs of the contract or contracts or any payments authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

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

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

Referred to Directors of Finance, Law; Committee on Finance.

Ord. No. 1263-15.

By Council Member Cimperman.

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 337.07, establishing a Home Entrepreneur Residence District.

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 337.07 to read as follows:

Section 337.07 Home Entrepreneur Residence District

(a) *Purpose.* A Home Entrepreneur Residence District is established to permit and promote shared occupancy by residential uses in combination with work activities. By facilitating establishment of such "home-occupation" space, the district is intended to meet an identified need for buildings that combine living space with work space in a manner that preserves the residential character of the property and avoids disturbances to neighbors and safety hazards.

(b) *District Designation.* Each Home Entrepreneur Residence District shall be established pursuant to legislation adopted by City Council in accordance with the provisions of this section. Each Home Entrepreneur Residence District shall be shown on the Zoning Map of the City of Cleveland as a residential district.

(c) *Permitted Buildings and Uses.* Except as otherwise provided in this Zoning Code, no main building or premises in a Home Entrepreneur Residence District shall hereafter be erected, altered, used, arranged or designed to be used, in whole or in part for other than as regulated herein. The following buildings and uses are permitted in a Home Entrepreneur Residence District:

(1) One-family dwelling houses.

A. *Accessory Uses to one-family dwellings.* All uses permitted and as regulated in the Local Retail District shall be permitted so long as any goods sold on premises are produced on premise; Home Entrepreneur activities allowed under this chapter are subject to the following additional regulations:

i. *Hours of Operation.* Home Entrepreneur retail sales and places for public display shall be permitted to operate from 8:00 a.m. to 8:00 p.m., daily, Sunday through Thursday, and 8:00 a.m. to 9:00 p.m. on Friday and Saturday;

ii. *Parking.* One parking space is required for each dwelling unit; accessory uses shall not require additional off-street parking;

iii. *Signs or Accessory Business Uses.* In the Home Entrepreneur Residence District, a business or home occupation permitted as an accessory use may be identified by means of a permitted nameplate sign. Such sign may be displayed as either a wall or window sign not exceeding six square feet in area. These signs shall

be non-illuminated. The Board of Zoning Appeals shall have no authority to grant a variance for any sign that deviates from these specifically designated standards.

iv. *Employees.* Not more than three non-resident employees shall work at any one time in home occupations located in a particular residential unit.

B. *Prohibited Use.* The following uses and activities are permitted within a Local Retail District but prohibited within the Home Entrepreneur Residence District:

i. Alcohol or Liquor sales;

ii. Drug stores;

iii. Banks; and

iv. Dry cleaners and laundries.

(2) All other uses permitted and as regulated in a Two-Family District.

A. Accessory Home Entrepreneur uses permitted by this section are prohibited on lots with more than one dwelling unit.

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 City Planning Commission, Law; Committee on Development Planning and Sustainability.

Ord. No. 1270-15.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Granicus, Inc. for the professional services necessary to provide a software solution for an integrated legislative management system for Cleveland City Council.

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 Clerk of Council ("Clerk") is authorized to enter into an agreement or agreements, including software license, with Granicus, Inc. ("Consultant"), for the professional services necessary to provide a software solution for an integrated legislative management system for Cleveland City Council. Services shall include, but are not limited to, provision of Granicus hardware components, configured software, implementation, and training and on-going technical support. This agreement shall be entered into as of November 1, 2015 and shall be for a term of 2 years with 2 options to renew, exercisable by the Clerk, for a term of one year each. The cost of the first term of this agreement shall not exceed \$58,000 and shall be paid for from fund 11-006 and/or fund numbers 632000-01-010100.

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 Committee on Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 1266-15.

By Council Members Cimperman and Zane.

An emergency ordinance amending the Title and Section 1 of Ordinance No. 721-15 passed June 8, 2015 as it pertains to the Public Theatre in the 21st Century Workshop through the use of Wards 3 and 15 Casino Revenue Funds.

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

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

Section 1. That Title and Section 1 of Ordinance No. 721-15 passed June 8, 2015 are hereby amended to read as follows:

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with the **Cleveland Playhouse** for the Public Theatre in the 21st Century Workshop through the use of Wards 3 and 15 Casino Revenue Funds.

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into an agreement effective June 15, 2015 with the **Cleveland Playhouse** for the Public Theatre in the 21st Century Workshop for the public purpose of providing theatre education and training on live arts to city of Cleveland residents through the use of Wards 3 and 15 Casino Revenue Funds.

Section 2. That Title and Section 1 of Ordinance No. 721-15 passed June 8, 2015 are hereby repealed.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 1267-15.

By Council Member Pruitt.

An emergency ordinance authorizing the Director of the Department of Economic Development to enter into agreement with Strawbridge Family Corporation for the Strawbridge Memorial Chapel Project through the use of Ward 1 Casino Revenue Funds.

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

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

Section 1. That the Director of the Department of Economic Development is authorized to enter into an agreement with Strawbridge Family Corporation for the Strawbridge Memorial Chapel Project for the public purpose of acquiring property located at 3934 Lee Road, Cleveland, Ohio for the acquisition and rehabilitation for economic development and new job creation for city of Cleveland

residents through the use of Ward 1 casino revenue funds.

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

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

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 1262-15.

By Council Member Cimperman.
An emergency resolution objecting to the transfer of location of a D1, D2, D3, D3A and D6 Liquor Permit to 2130 East 9th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D1, D2, D3, D3A and D6 Liquor Permit from Locomotion, LLC, DBA Sinergy, 1213 West 6th Street, 1st floor and patio, Cleveland, Ohio 44113, Permanent Number 5249587 to International Bar Management, LLC, 2130 East 9th Street, Cleveland, Ohio 44115, Permanent Number 4147205; and

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

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

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

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

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

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

Whereas, this resolution constitutes an emergency measure providing for the immediate preservation of the public peace, prosperity, safety and welfare pursuant to Section 4303.26 of the Ohio Revised Code. Council's objection to said permit

must be received by the Superintendent of Liquor Control within 30 days of notification; now, therefore,

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

Section 1. That Council does hereby record its objection to the transfer of location of a D1, D2, D3, D3A and D6 Liquor Permit from Locomotion, LLC, DBA Sinergy, 1213 West 6th Street, 1st floor and patio, Cleveland, Ohio 44113, Permanent Number 5249587 to International Bar Management, LLC, 2130 East 9th Street, Cleveland, Ohio 44115, Permanent Number 4147205; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

Res. No. 1264-15.

By Council Members Kazy, Kelley, Conwell, Cimperman.

An emergency resolution declaring October 12th annually as Cleveland Down Syndrome Day, and encouraging our citizens to work together to promote respect and inclusion of individuals with Down syndrome and to celebrate their accomplishments and contributions.

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

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

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

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

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

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

Whereas, despite dramatic increases in lifespan and intellectual ability in the U.S., there is still much work to be done regarding the rights to equality, inclusion, education, medical

care, research and support for people with Down syndrome;

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

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

Section 1. That this Council declares October 12th annually as Cleveland Down Syndrome Day, and encourages our citizens to work together to promote respect and inclusion of individuals with Down syndrome and to celebrate their accomplishments and contributions.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 986-15.

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more concession agreements for the operation of soft drink, candy, snack, and other vending machines throughout various City-owned and City-leased buildings, for a period not to exceed two years, with a one-year option to renew, exercisable by the Director of Public Works.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance, when amended, as follows:

1. In Section 1 at the end, add the following sentence: "**A copy of the legislative summary is placed in File No. 986-15-A.**"

Amendment agreed to.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

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

Ord. No. 990-15.

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

An emergency ordinance authorizing the Director of Public Works to employ one or more professional consultants to provide armed security services at the West Side Market Parking Lots during operational hours, for a period of one year, with two one-year options to renew, the second of which shall require additional legislative authority.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Municipal Services and Properties, Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 16. Nays 1.

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

Those voting nay: Council Members Polensek.

Ord. No. 1165-15.

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

An emergency ordinance authorizing the Director of Economic Development to enter into an amendment to Contract No. 57822 and the Promissory Note with The Eliza Jennings Group to partially finance the renovation of The Eliza Jennings Home located at 10603 Detroit Avenue to change the terms of the loan.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

Ord. No. 1226-15.

By Council Member Kelley (by departmental request).

An emergency ordinance to amend Sections 5 and 7 of Ordinance No. 702-15, passed July 22, 2015, relating to various contracts needed to implement projects under the 2015 IT Capital Strategic Plan.

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Passed. Yeas 17. Nays 0.

SECOND READING EMERGENCY RESOLUTION ADOPTED

Res. No. 1237-15.

By Council Member Brady.
An emergency resolution supporting the application from Westown Community Development Organization for the Cuyahoga County Brownfield Sub Grant to complete the environmental remediation of the development site at 12815 Belaire Avenue, in Ward 11, in Cleveland, Ohio.

Approved by Committee on Finance.

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 17. Nays 0.

LAID ON THE TABLE

Ord. No. 537-14.

By Council Members Conwell, Kelley, Mitchell and Brady.

An emergency ordinance to amend Sections 392.01 through 392.08 and 392.99 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances and to supplement the Codified Ordinances by enacting new Section 392.021 requiring carbon monoxide alarms in rental dwelling units.

Without objection Ordinance No. 537-14 was relieved of further consideration of all committees and laid

on the table pursuant to Rules of Council.

The rules were suspended. Yeas 17. Nays 0. Ordinance No. 537-14 Laid on the Table.

Ord. No. 522-15.

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

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Tom Pallas Industries, Inc., or its designee, to partially finance the redevelopment and acquisition of the building located at 2040 West 110th Street in Cleveland, Ohio, and other associated costs necessary to redevelop the property.

Without objection Ordinance No. 522-15 was relieved of further consideration of all committees and laid on the table pursuant to Rules of Council.

The rules were suspended. Yeas 17. Nays 0. Ordinance No. 522-15 Laid on the Table.

Ord. No. 604-15.

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

An emergency ordinance to repeal Sections 207.01, 217.01, and 217.02 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by various ordinances, relating to marinas and trailer parks.

Without objection Ordinance No. 604-15 was relieved of further consideration of all committees and laid on the table pursuant to Rules of Council.

The rules were suspended. Yeas 17. Nays 0. Ordinance No. 604-15 Laid on the Table.

MOTION

The Council Meeting adjourned at 8:01 p.m. to meet on Monday, October 19, 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

October 7, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 7, 2015 at 10:47 a.m. with Director Langhenry presiding.

Present: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director

Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Others: Tiffany White, Commissioner, Purchases & Supplies.

Melissa Burrows, Director, Office of Equal Opportunity.

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

Resolution No. 383-15.

By Director Dumas.

Whereas, under the authority of Ordinance No. 524-15, passed by the Council of the City of Cleveland on May 11, 2015, and Resolution No. 322-15, adopted on August 26, 2015, this Board of Control selected "CompManagement, Inc." as the firm to be employed by contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland to provide the professional services necessary for a comprehensive workers' compensation and actuarial services program. The services will include, but not be limited to, actuarial and auditing services, disability and account management, preparing reports, scheduling and payment of medical exams, claims settlements, handicap reimbursements, investigations and filing claims appeals and other duties, for a one-year period with a one-year option to renew exercisable by the Director of Finance; and

Whereas, in Resolution No. 322-15, the name of the firm selected for the above-described professional services should have read CompManagement, LLC.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Board of Control Resolution No. 322-15, adopted August 26, 2015, is amended by deleting "Inc." and substituting "LLC.", where appearing, as part of the name of the firm selected to be employed by contract for the above-described professional services.

Be it further resolved that all other terms of Resolution No. 322-15 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 384-15.

By Director Davis.

Whereas, Board of Control Resolution No. 289-15, adopted July 29, 2015, authorized the Director of Public Utilities to enter into a standard purchase contract with Power Asset Recovery Corporation for various items of used/reconditioned transformers and accessories, which on the basis of the order quantities would amount to \$894,100.91, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, the contract amount stated in Resolution No. 289-15 was miscalculated; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 289-15, adopted by

this Board on July 29, 2015, approving the bid of Power Asset Recovery Corporation as the lowest and best for various items of used/reconditioned transformers and accessories is amended by changing the contract amount from "\$894,100.91" to "\$894,100.00", where appearing in the resolution.

Be it further resolved that all other provisions of Resolution No. 289-15 not expressly amended above shall remain unchanged and in full force and effect.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 385-15.

By Director Davis.

Whereas, under the authority of Ordinance No. 1727-12, passed by the Council of the City of Cleveland on February 4, 2013, and Board of Control Resolution No. 269-13, adopted June 5, 2013, the City of Cleveland, through the Director of Public Utilities, entered into City Contract No. PS2013*155 with CT Consultants, Inc. ("Consultant") for professional consulting services necessary to design and implement the Suburban Water Main Renewal Program, Year 6 through Year 10, including replacing or rehabilitating water mains and their related apparatus in various suburban communities (the "Capital Improvement") requiring engineering services such as design, plan review, planning, project and construction monitoring, inspection, environmental site assessments, identification of surface and sub-surface conditions, preparation of reports for regulatory agencies, specialized technical assistance, lead project design services, construction administration services, field services, and other related professional consulting services, as-needed, for the Division of Water, Department of Public Utilities, for a term not exceeding 3 years; and

Whereas, notwithstanding that Ordinance No. 1727-12 authorized a contract term not exceeding 5 years, and Board of Control Resolution No. 269-13 authorized the Director to enter into a contract with Consultant for a term not exceeding 3 years, Contract No. PS2013*155 provided for a term not exceeding two (2) years; and

Whereas, to ensure that the engineering consulting services require for the Capital Improvement are available for the duration of Year 6 through Year 10 of the Suburban Water Main Renewal Program without interruption, the City has determined it is necessary to extend City Contract No. PS2013*155 from a term not exceeding 2 years to a term not exceeding 5 years; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 269-13, adopted by this Board on June 5, 2013, is amended by substituting "a term not exceeding 5 years" for "a term not exceeding 3 years", where appearing in the resolution.

Be it further resolved that the Director of Public Utilities is authorized to enter into a first modification to City Contract No. PS2013*155

with CT Consultants, Inc. for professional consulting services necessary to design and implement the Suburban Water Main Renewal Program increasing the term of the contract from a term not exceeding 2 years to a term of 5 years. The first modification shall be prepared by the Director of Law and shall include such additional provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 386-15.

By Director Davis.

Whereas, under the authority of Ordinance No. 1727-12, passed by the Council of the City of Cleveland on February 4, 2013, and Board of Control Resolution No. 270-13, adopted June 5, 2013, the City of Cleveland, through the Director of Public Utilities, entered into City Contract No. PS2013*150 with DLZ Ohio, Inc. ("Consultant") for professional consulting services necessary to design and implement the Suburban Water Main Renewal Program, Year 6 through Year 10, including replacing or rehabilitating water mains and their related apparatus in various suburban communities (the "Capital Improvement") requiring engineering services such as design, plan review, planning, project and construction monitoring, inspection, environmental site assessments, identification of surface and sub-surface conditions, preparation of reports for regulatory agencies, specialized technical assistance, lead project design services, construction administration services, field services, and other related professional consulting services, as-needed, for the Division of Water, Department of Public Utilities, for a term not exceeding 3 years; and

Whereas, notwithstanding that Ordinance No. 1727-12 authorized a contract term not exceeding 5 years, and Board of Control Resolution No. 270-13 authorized the Director to enter into a contract with Consultant for a term not exceeding 3 years, Contract No. PS2013*150 provided for a term not exceeding two (2) years; and

Whereas, to ensure that the engineering consulting services require for the Capital Improvement are available for the duration of Year 6 through Year 10 of the Suburban Water Main Renewal Program without interruption, the City has determined it is necessary to extend City Contract No. PS2013*150 from a term not exceeding 2 years to a term not exceeding 5 years; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 270-13, adopted by this Board on June 5, 2013, is amended by substituting "a term not exceeding 5 years" for "a term not exceeding 3 years", where appearing in the resolution.

Be it further resolved that the Director of Public Utilities is authorized to enter into a first modification to City Contract No. PS2013*150

with DLZ Ohio, Inc. for professional consulting services necessary to design and implement the Suburban Water Main Renewal Program increasing the term of the contract from a term not exceeding 2 years to a term of 5 years. The first modification shall be prepared by the Director of Law and shall include such additional provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 387-15.

By Director Davis.

Whereas, under Ordinance No. 556-08, passed by the Council of the City of Cleveland on June 9, 2008, and Board of Control Resolution No. 474-14, adopted October 8, 2014, the City, through its Director of Public Utilities, entered into City Contract No. PI2014-55 with The Ryan Company, Inc. for the public improvement of the Ridge Road Ring Bus Project, in the amount of \$4,028,420.00, for the Division of Cleveland Public Power, Department of Public Utilities; and

Whereas, by its September 25, 2015 letters, The Ryan Company, Inc. requested the City's consent to employ additional sub-contractors under Contract No. PI2014-55 to assist in completion of the remaining services under the contract; now, therefore,

Be it resolved, by the Board of Control of the City of Cleveland that the employment of the following additional sub-contractors by The Ryan Company and its sub-contractor, respectively, under City Contract No. PI2014-55 for the public improvement of the Ridge Road Ring Bus Project, for the Division of Cleveland Public Power is approved:

<u>Sub-contractors</u>	<u>Work</u>
United Welding of Brainerd, Inc.	\$18,350.00
Henry Gurtzweiler, Inc., (lower tier subcontractor to Marous Brothers Construction, subcontractor to The Ryan Company)	\$59,500.00

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 388-15.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of American Wire Group, Inc. for an estimated quantity of Wire, Cable and Accessories, Group D, Items 1-4, and Group M, escalation per the specifications, of the Division of Cleveland Public Power, Department of Public Utilities, for a

period of one year starting upon execution of a contract or the day following expiration of the currently effective contract for the goods or service, with a one-year option to renew, received on July 16, 2015 under the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$110,800.00 (0%, Net 30 Days), 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 required 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.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 389-15.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Leff Electric Company, Inc. for an estimated quantity of Wire, Cable and Accessories, Group B, all items, Group D, Item 5, Group E, all items, Group F, all items, Group G, all items, Group I, all items, and Group M, escalation per the specifications, of the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year starting upon execution of a contract or the day following expiration of the currently effective contract for the goods or services, with a one-year option to renew, received on July 16, 2015 under the authority of Sections 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$737,049.00 (0%, Net 30 Days), 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 required 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.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 390-15.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that

the bid of RA Strauss Electric Supply Co. for an estimated quantity of Wire, Cable and Accessories, Group H, all items, Group L, all items, and Group M, escalation per the specifications, of the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year starting upon execution of a contract or the day following expiration of the currently effective contract for the goods or services, with a one-year option to renew, received on July 16, 2015 under the authority of Sections 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$128,930.00 (0%, Net 30 Days), 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 required 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.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 391-15.

By Director Davis.

Be it resolved by the Board of Control of the City of Cleveland that the bid of WESCO Distribution, Inc. for an estimated quantity of Wire, Cable and Accessories, Group A, all items, Group C, all items, Group J, all items, Group K, all items, and Group M, escalation per the specifications, of the Division of Cleveland Public Power, Department of Public Utilities, for a period of one year starting upon execution of a contract or the day following expiration of the currently effective contract for the goods or services, with a one-year option to renew, received on July 16, 2015 under the authority of Sections 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$1,454,469.00 (0%, Net 30 Days), 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 required 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.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 392-15.

By Director Cox.

Whereas, by Resolution No. 250-12, adopted on June 6, 2012, under the authority of Section 131.15(f) of the Codified Ordinances of Cleveland, Ohio 1976, this Board of Control established the rental rates for the Cleveland Public Auditorium, its various rooms, halls, and portions thereof, and

Whereas, the City of Cleveland will sponsor Disability Awareness Day to be held on October 27, 2015; and

Whereas, Disability Awareness Day is open to the public free of charge; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that notwithstanding and as an exception to the terms of Resolution No. 250-12, adopted by this Board of Control on June 6, 2012, the use of the space at Cleveland Public Auditorium for Disability Awareness Day shall be provided at no charge.

Be it further resolved that the Cleveland Public Auditorium shall charge the Department of Aging at the prevailing rate for any labor, materials, and equipment supplied.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 393-15.

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 112-19-051 located at 489 East 143rd Street; and

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

Whereas, Lee A. Gordon 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 8 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

2. The proposed 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 A. Gordon for

the sale and development of Permanent Parcel No. 112-19-051 located at 489 East 143rd Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 394-15.

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. 139-12-056 located at 3642 East 149th Street; and

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

Whereas, Apte U. Lochan has proposed to the City to purchase and develop the parcel for greenspace; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has either approved the proposed sale or has not disapproved or requested a hold of the proposed sale within 45 days of notification of it;

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Apte U. Lochan for the sale and development of Permanent Parcel No. 139-12-056 located at 3642 East 149th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$1,500.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

Resolution No. 395-15.

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. 141-06-007 located at 4293 East 160th Street; and

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

Whereas, Rosalind M. Jacobs and Marcus D. Jacobs have proposed to the City to purchase and develop the parcel for new single family construction; and

Whereas, the following conditions exist:

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

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

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of the Codified Ordinances of Cleveland, Ohio, 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested, to execute an Official Deed for and on behalf of the City of Cleveland, with Rosalind M. Jacobs and Marcus D. Jacobs for the sale and development of Permanent Parcel No. 141-06-007 located at 4293 East 160th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the parcel shall be \$200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Directors Langhenry, Davis, Interim Director Szabo, Director Cox, Parrilla, Acting Director Green, Director Southerington, Acting Director Ebersole, Directors Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson, Directors Dumas, McGrath and Fumich.

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 OCTOBER 26, 2015

9:30 A.M.

**POSTPONED FROM
OCTOBER 12, 2015**

Calendar No. 15-198: 731 East 152nd Street (Ward 8)

Areliia R. Dalton, owner, proposes to change use from storage to a church in a C2 General Retail Business District. The owner appeals for relief from Sections 352.08 through 352.10 which states that a 10 foot wide transition strip is required at the rear where the lot abuts the Two-Family Residential District. (Filed September 8, 2015 - Testimony taken)

First postponement made at the request of the Councilman to allow for more time for review.

**SCHEDULE OF THE BOARD
OF ZONING APPEALS**

MONDAY NOVEMBER 2, 2015

9:30 A.M.

Calendar No. 15-216: 4140 Pearl Road (Ward 13)

Marzano Nunzio, owner, proposes to construct a parking lot for a day-care use in a C2 Local Retail Business District, Parking Lot District and B1 Two-Family Residential District. The owner appeals for relief from the strict application of the following sections of the Cleveland Codified Ordinances:

1. Section 337.02 which states that daycare buildings and uses must be located 30' away from an adjoining premises in a Residence District and must be approved by the Board of Zoning Appeals.

2. Section 352.10 which states that a minimum of 6 feet of landscaped frontage strip is required for parking lots and 2 1/2 feet and 4 feet frontage strips are proposed. (Filed September 25, 2015)

Calendar No. 15-219: 10730 Euclid Avenue (Ward 6)

University Circle Inc., owner, proposes to construct a 533,070 square

foot 20 story 280 units residential building with a 4 story parking garage and surface parking lot on a 1.79 acre parcel in an E4 General Retail Business District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 355.04(b) which states that in an "E" Area District the maximum gross floor area cannot exceed one and one-half times the lot area. A 77,972 maximum square foot building is permitted and 533,070 square feet are proposed.

2. Section 353.01 and 353.02 which states that the maximum height of the building cannot exceed 175 feet. However, this section states that the building height can be exceeded by four feet for every foot of setback from required yard area up to 260 feet. The proposed building exceeds permissible height by 35 feet to 11 feet in side, front and rear yard setbacks.

3. Section 357.08(b)(2) which states that a rear yard of no less than one-half the height of the building is required and no rear yard is proposed.

4. Section 357.09(b)(2)(C) which states that interior side yards must be equal to 1/4 the height of the building, or in this case 58.5 feet where 5 feet to 10 feet are proposed. (Filed September 30, 2015)

Calendar No. 15-224: 2700 Carroll Avenue (Ward 3)

Saltzman OC Realty LLC, owner, proposes to add 1,200 square foot addition to an existing grocery store in a C3 Local Retail Business District. The owner appeals for relief from Section 349.01(f) which states that a supermarket having over 4,000 square feet of gross floor area must have one parking space per 150 square feet of gross floor area. A 1,200 square foot addition requires an additional 8 accessory off-street parking spaces. No parking spaces are proposed to be added to already non-conforming number of parking spots. (Filed October 5, 2015)

Calendar No. 15-227: 9990 Euclid Avenue (Ward 6)

Cleveland Clinic, owner, proposes to reconfigure, restripe and reduce the parking spaces in proposed valet parking lot from 10' x 18' to 8.5' x 18' in an F5 General Retail Business District. The owner appeals for relief from Section 325.03 which states that the required area of a parking space is 180 square feet and compact parking spaces of 153 square feet are proposed for the entire parking lot. (Filed October 5, 2015)

**POSTPONED FROM
OCTOBER 5, 2015**

Calendar No. 15-189: 14217 Glendale Avenue (Ward 2)

Bernard Kerley, owner, proposes to install an 8' high wood, shadow box fence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 358.04(a) which states that fences in the actual front yards and in actual side street yards shall not exceed 4 feet in height and shall be at least 50% open except that in an actual side street yard, a fence that is set back at least 4 feet may be open or solid. Fences in actual

rear yards and in actual interior side yards shall not exceed 6 feet in height. (Filed August 31, 2015)

Calendar No. 15-190: 14221 Glendale Avenue (Ward 2)

Bernard Kerley, owner, proposes to install an 8' high wood, shadow box fence in an A1 One-Family Residential District. The owner appeals for relief from the strict application of Section 358.04(a) which states that fences in the actual front yards and in actual side street yards shall not exceed 4 feet in height and shall be at least 50% open except that in an actual side street yard, a fence that is set back at least 4 feet may be open or solid. Fences in actual rear yards and in actual interior side yards shall not exceed 6 feet in height. (Filed August 31, 2015 - Testimony Taken)

First postponement made at the request of the appellant to allow for time to meet with the City Planner and the Councilman to come up with a creative solution to save the 8 foot fence already installed.

**POSTPONED FROM
SEPTEMBER 28, 2015**

Calendar No. 15-136: 1762 East 89th Street (Ward 7)

Tina Humphrey, owner, proposes to establish use as a daycare in a C1 Multi-Family Residential District. The owner appeals for relief from Section 337.08(e) which states that a daycare use must be located at least 15 feet away from an adjoining premises not used for a similar purpose. (Filed June 10, 2015)

Calendar No. 15-137: 1760 East 89th Street (Ward 7)

Tina Humphrey, owner, proposes to establish use as a playground for a daycare in a C1 Multi-Family Residential District. The owner appeals for relief from Section 337.08 which states that a daycare playground is not permitted as a primary use in a Multi-Family Residential District. (Filed June 10, 2015 - Testimony Taken)

Third postponement made at the request of the appellant due to a medical issue. Second postponement made at the request of the appellant due to a family emergency. First postponement made at the request of the Board in order for the appellant to speak to the Councilman, the neighbors, development corporation and work on consolidating the lots.

Secretary

**REPORT OF THE BOARD
OF ZONING APPEALS**

MONDAY, OCTOBER 12, 2015

At the meeting of the Board of Zoning Appeals on Monday, October 12, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 15-121: 9100 St. Clair Avenue
Beverly Galloway, owner, proposes to establish use as entertainment

center with 62 space accessory parking lot in a C2 Local Retail Business District and add a 1,450 square foot addition.

Calendar No. 15-194: 2512 West 7th Street

Gustave Molnar, owner, proposes to erect a 24' x 37' and three story frame fee simple single family residence with attached garage in a B1 Two-Family Residential District.

Calendar No. 15-195: 2514 West 7th Street

Gustave Molnar, owner, proposes to erect a 24' x 37' and three story frame fee simple single family residence with attached garage in a B1 Two-Family Residential District.

Calendar No. 15-196: 704 University Court

Gustave Molnar, owner, proposes to erect a 28' x 28' and three story frame fee simple single family residence with attached garage in a B1 Two-Family Residential District.

Calendar No. 15-197: 706 University Court

Gustave Molnar, owner, proposes to erect a 28' x 28' and three story frame fee simple single family residence with attached garage in a B1 Two-Family Residential District.

Calendar No. 15-199: 5701 Memphis Avenue

Dina Walsh, owner, proposes to reface an existing 6' x 7' cabinet sign and replace it with a 6' x 2' backlit changeable letter sign with electronic message center in a C1 Local Retail Business District.

Calendar No. 15-200: 12727 Buckeye Road

Bernice Lennox, owner, proposes to change the use of a mixed use building to an assisted living for the aged home in a C2 Residence-Office District.

Calendar No. 15-209: 4960 Pearl Road

F & M. Inc., owner, proposes to resurface and improve parking lot in a C1 Local Retail Business District

Calendar No. 15-210: 4928 Fulton Road

F & M. Inc., owner, proposes to resurface and improve parking lot in a C1 Local Retail Business District.

The following appeals were **DENIED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following case was **POSTPONED:**

Calendar No. 15-198: 731 East 152nd Street
Arelia Dalton. Postponed to November 2, 2015.

The following cases were heard by the Board of Zoning Appeals on Monday, October 5, 2015 and the decisions were adopted and approved on Monday, October 12, 2015:

The following appeals were **APPROVED**:

Calendar No. 15-191: 11901 Oakfield Avenue

Thea Bowman Center, owner, proposes to change use from church and daycare to a community center in a B1 Two-Family Residential District.

Calendar No. 15-192: 2027 West 11th Street

Property Eleven LLC, owner, proposes to make interior alterations to existing two family residence including removing an existing one-story addition and reconstructing the 2nd floor and roof of eastern third of building in a C1 Multi-Family Residential District.

Calendar No. 15-193: 13811 Enterprise Avenue

Marlow DT LLC, owner, proposes to install approximately 395 linear feet of 6 foot high chain link fence with 3 strands of barbed and 2 slide gates in the actual front yard and in the actual side street yard in a B1 Semi-Industry District.

Calendar No. 15-201: 2654 West 18th Place

Ohio Awning LLC proposes to construct a parking lot in a C1 Multi-Family Residential District.

Calendar No. 15-202: 2648 Scranton Road

Ohio Awning LLC proposes to construct a parking lot in a C2 Local Retail Business District.

The following appeal was **DENIED**:

Calendar No. 15-67: 5405 Storer Avenue

Eric Poole, owner, proposes to change use to a pet store/kennel on a parcel located in a B1 General Retail Business District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

On August 19, 2015, Cleveland City Council passed Ordinance No. 842-15 authorizing the submission to the electors of the City of Cleveland of a proposal to amend the Charter of the City of Cleveland by amending existing Sections 131 and 133. The language that will appear on the ballot for the November 3, 2015 election is as follows:

ISSUE 20 PROPOSED CHARTER AMENDMENT CITY OF CLEVELAND A majority affirmative

vote is necessary for passage.

Shall Sections 131 and 133 of the Charter of the City of Cleveland be amended to provide that: 1) when any position in the classified service is to be filled, except for in the general labor class, the Civil Service Commission shall certify to the appointing authority the names and addresses of the ten candidates that are highest on the eligible list for the class or grade to which the position belongs; 2) the appointing authority shall appoint to that position one of the ten persons whose names are certified for that position; 3) when the eligible list contains less than ten names, then all of the names shall be certified and the appointing authority may appoint one person for that position; 4) a person certified from the eligible list more than four times to the same appointing authority for a position of the same or similar classification may be omitted from future certification, but certification for a temporary appointment shall not be counted as one of the certifications; and 5) when vacancies are filled by promotion, the Commission shall certify the names and addresses of the three candidates standing highest on the eligible list for the class or grade to which the promotional position belongs and the appointing authority shall appoint one of the three persons whose names are certified and that less than three shall constitute an eligible list for promotions?

For more information, go to www.clevelandcitycouncil.org.

October 7, 2015 and October 14, 2015.

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, OCTOBER 28, 2015

File No. 121-15 — Labor and Materials for The Maintenance, Repair or Replacement of Test Equipment and Training as Necessary, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 655-15, passed by the Council of the City of Cleveland, June 8, 2015.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, OCTOBER 15, 2015 AT 1:00 P.M. THE TOM L. JOHNSON BUILDING, CONFERENCE ROOM A, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 122-15 — Ductile Iron Pipe and Fittings, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, OCTOBER 15, 2015 AT 11:00 A.M. THE DISTRIBUTION & MAINTENANCE FACILITY, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

File No. 123-15 — Adjustable Valve Boxes and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, OCTOBER 15, 2015 AT 10:00 A.M. THE DISTRIBUTION & MAINTENANCE FACILITY, PIPE REPAIR CONFERENCE ROOM, 4600 HARVARD AVENUE, CLEVELAND, OHIO 44105.

File No. 124-15 — Rockwell Avenue Area Sewer Rehabilitation and Replacement Project (Re-Bid), for the Division of Water Pollution Control, Department of Public Utilities, as authorized by

Ordinance No. 991-14, passed by the Council of the City of Cleveland, November 17, 2014.

***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, OCTOBER 15, 2015 AT 9:30 A.M. DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

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

October 7, 2015 and October 14, 2015

WEDNESDAY, NOVEMBER 4, 2015

File No. 125-15 — Purchase of Kodak Ngenuity 9090DC Color Scanners (Re-bid) for the Cleveland Municipal Courts, Department of Finance, as authorized by Section 181.101 (A) (16)& (22) of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING MONDAY, OCTOBER 26, 2015 AT 10:30 A.M. THE CLEVELAND MUNICIPAL CLERK OF COURTS, JUSTICE CENTER, LEVEL 2, 1200 ONTARIO STREET, CLEVELAND, OHIO 44114.

October 14, 2015 and October 21, 2015

THURSDAY, NOVEMBER 5, 2015

File No. 126-15 2015 — West Side Market Parking Lot Improvements 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. 733-14, passed by the Council of the City of Cleveland, June 9, 2014.

***THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF 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, OCTOBER 22, 2015 AT 2:00 P.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

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

File No. 127-15 — TV 20 Broadcast Studio Improvements 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. 733-14, passed by the Council of the City of Cleveland, June 9, 2014.

***THERE WILL BE A NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF TWENTY FIVE DOLLARS (\$25.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR 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, OCTOBER 22, 2015 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 517A, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

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

October 14, 2015 and October 21, 2015

ADOPTED RESOLUTIONS AND ORDINANCES

Res. No. 1244-15.
By Council Member Cleveland.
An emergency resolution objecting to the transfer of location of a D1, D2 and D6 Liquor Permit to 3145 East 79th Street.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D1, D2 and D6 Liquor Permit from Dorothy Lucille Fort, DBA Sportsman Beverage, 9808 Cedar Avenue, 1st floor and basement, Cleveland, Ohio 44106, Permanent Number 2827155 to Jacqueline Fort, DBA Jacqueline Beverages, 3145 East 79th Street, Cleveland, Ohio 44104, Permanent Number 2827101; and

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

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a D1, D2 and D6 Liquor Permit from Dorothy Lucille Fort, DBA Sportsman Beverage, 9808 Cedar Avenue, 1st floor and basement, Cleveland, Ohio 44106, Permanent Number 2827155 to Jacqueline Fort, DBA Jacqueline Beverages, 3145 East 79th Street, Cleveland, Ohio 44104, Permanent Number 2827101; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 5, 2015.
Effective October 8, 2015.

Res. No. 1252-15.
By Council Member Dow.
An emergency resolution objecting to the transfer of location of a D1, D2, D3, D3A and D6 Liquor Permit to 5000 Euclid Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D1, D2, D3, D3A and D6 Liquor Permit from Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street and patio, Cleveland, Ohio 44115, Permanent Number 2293436 to Zombie Encore, LLC, 5000 Euclid Avenue, Cleveland, Ohio 44103, Permanent Number 9954050; and

Whereas, the granting of this application for a liquor permit to this high

crime area, which is already saturated with other liquor outlets, is contrary to the best interests of the entire community; and

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

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

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

Whereas, the place for which the permit is sought is so located with respect to the neighborhood that it substantially interferes with public

decency, sobriety, peace or good order; and

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

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

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

Section 1. That Council does hereby record its objection to the transfer of location of a D1, D2, D3, D3A and D6 Liquor Permit from Downunder Entertainment, LLC, DBA Peabodys Entertainment, 2045 East 21st Street and patio, Cleveland, Ohio 44115, Permanent Number 2293436 to Zombie Encore, LLC, 5000 Euclid Avenue,

Cleveland, Ohio 44103, Permanent Number 9954050; and requests the Superintendent of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

Adopted October 5, 2015.
Effective October 8, 2015.

Ord. No. 849-15.

By Council Member Brady.

An ordinance establishing the Variety Design Review District along the south side of Lorain Ave. between W. 123rd Street and W. 129th Street. As shown shaded on the attached Map. (Map Change No. 2511).

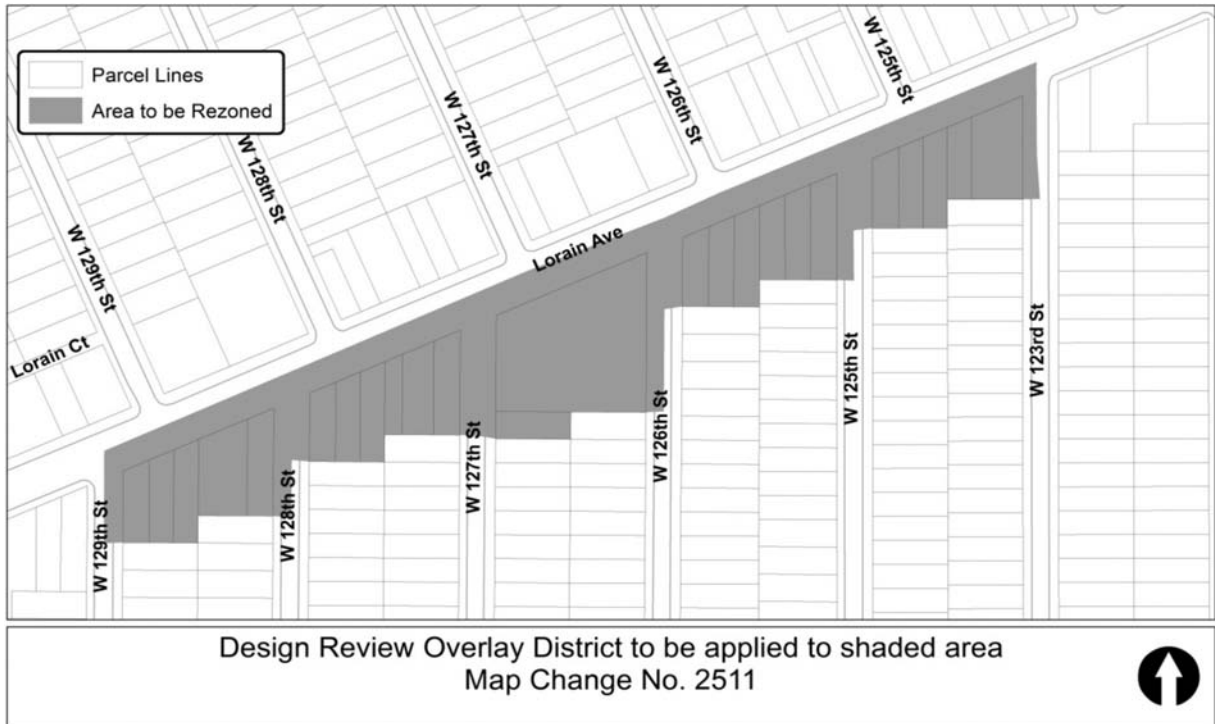
Whereas, the City Planning Commission has determined that the proposed Variety Design Review District meets the criteria for designation outlined in Section 341.04 of Chapter 341 of the Codified Ordinances of the City of Cleveland, Ohio, now, therefore

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

Section 1. That the Variety Design Review District is hereby established and includes lands located along the south side of Lorain Avenue between West 123rd Street and West 129th Street as shown shaded on the attached map.

Section 2. That the designation of the area described in Section 1 hereof as the Variety Design Review District shall be identified as Map Change Number 2511, and shall be made upon the Building Zone Maps of the City of Cleveland and on file in the office of the City Planning Commission by the appropriate person designated for such purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Passed October 5, 2015.
Effective November 4, 2015.

Ord. No. 850-15.

By Council Member Brady.

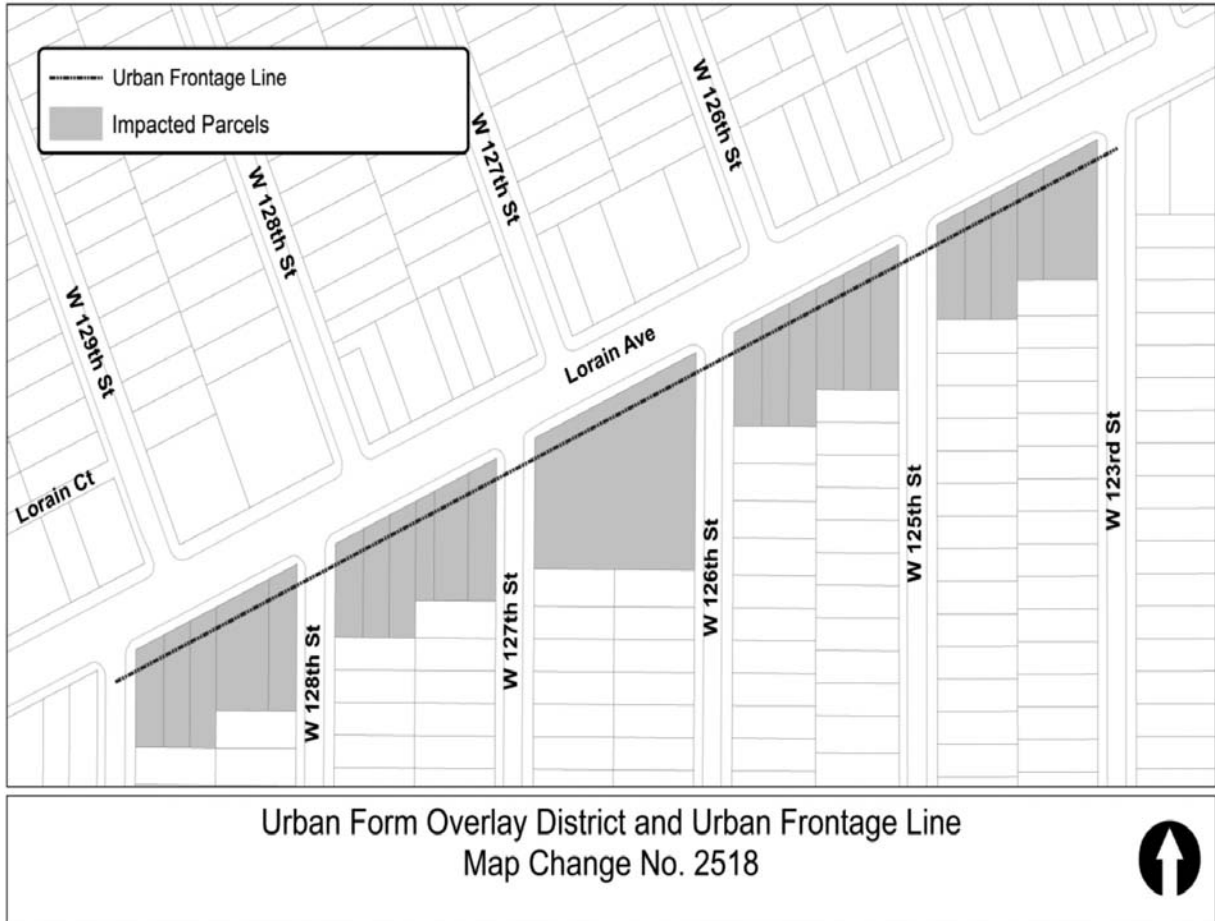
An ordinance establishing an Urban Form Overlay District along the south side of Lorain Avenue between West 123rd Street and West 129th Street and West 129th Street (Map Change No. 2518).

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

Section 1. That the lands located along the south side of Lorain Avenue between West 123rd Street and West 129th Street as shown shaded on the attached map are hereby designated as an Urban Form Overlay District and establish an Urban Frontage Line as shown within the shaded area.

Section 2. That the overlay designation of lands described in Section 1 shall be identified as Map Change No. 2518, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Passed October 5, 2015.
Effective November 4, 2015.

Ord. No. 851-15.

By Council Member Kazy.

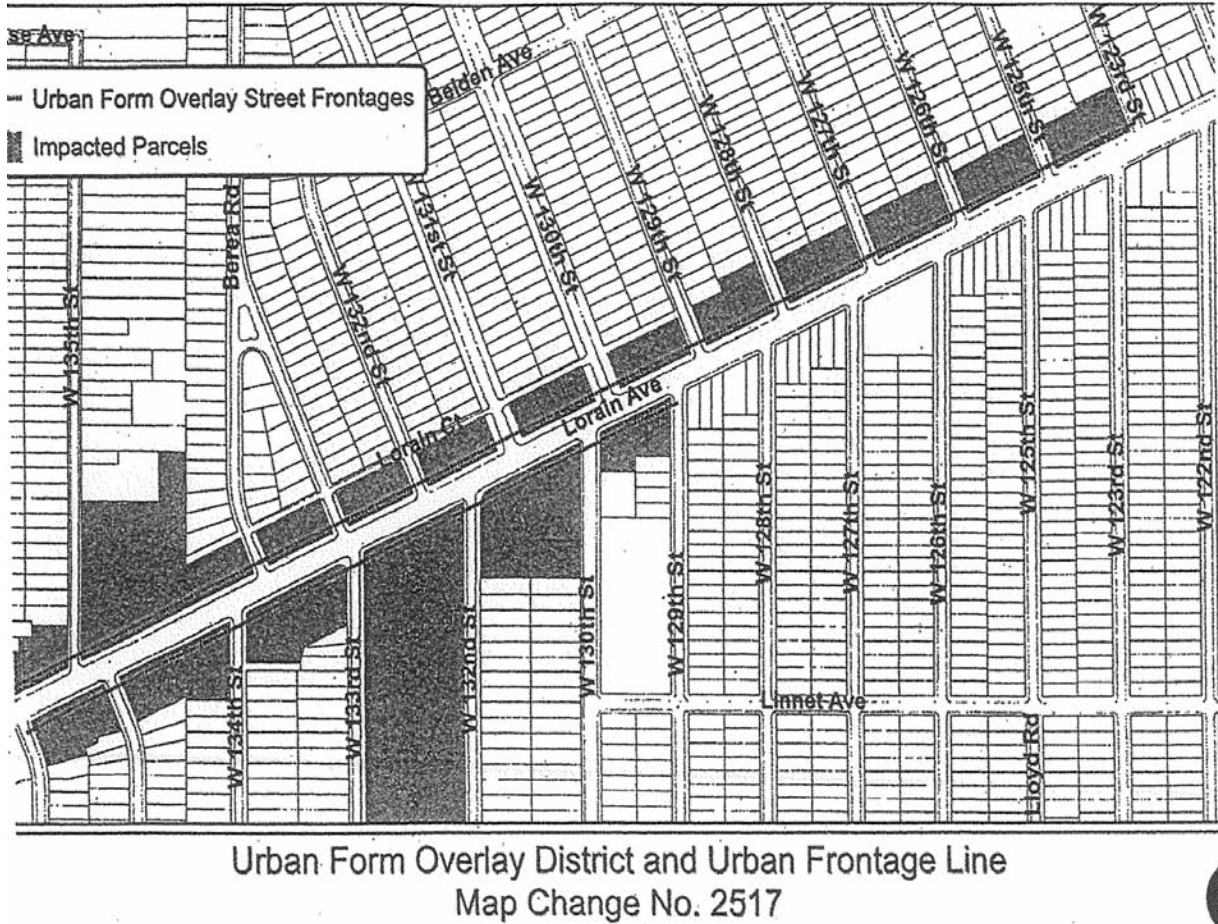
An ordinance establishing an Urban Form Overlay District on the north side of Lorain Avenue between West 123rd Street and West 136th Street and the south side of Lorain Avenue between West 129th Street and West 136th Street. (Map Change No. 2517).

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

Section 1. That the lands located on the north side of Lorain Avenue between West 123rd Street and West 136th Street and the south side of Lorain Avenue between West 129th Street and West 136th Street as shown shaded and outlined on the attached map are hereby designated as an Urban Form Overlay District and establish an Urban Frontage Line as shown within the shaded area.

Section 2. That the overlay designation of lands described in Section 1 shall be identified as Map Change No. 2517, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Passed October 5, 2015.
Effective November 4, 2015.

Ord. No. 852-15.

By Council Member Cimperman.

An ordinance changing the Use District of parcels south of Abbey Ave and north of Willey Ave between W. 19th Street and Scranton Road to a Townhouse, or Local Retail district, changing the Area District to J, and changing the Height to 2 as identified on the attached map (Map Change No. 2519).

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

Section 1. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Abbey Ave and W. 19th Street;

Thence southerly along the centerline of W. 19th Street to its intersection with the centerline of Freeman Ave.;

Thence easterly along the centerline of Freeman Ave and its easterly prolongation to its intersection with the centerline of the Cleveland, New York, Chicago & St. Louis Rail line ROW;

Thence northerly along said centerline to its intersection with the centerline of Abbey Ave.;

Thence easterly along said centerline to the point of beginning;

And as identified on the attached map is changed to a 'Local Retail' District, a 'J' Area District and a '2' Height District.

Section 2. That the Use District of lands bounded and described as follows:

Beginning at the intersection of Freeman Ave and W. 19th Street;

Thence southerly along the centerline of W. 19th Street to its intersection with the centerline of the Cleveland, New York, Chicago & St. Louis Rail line ROW;

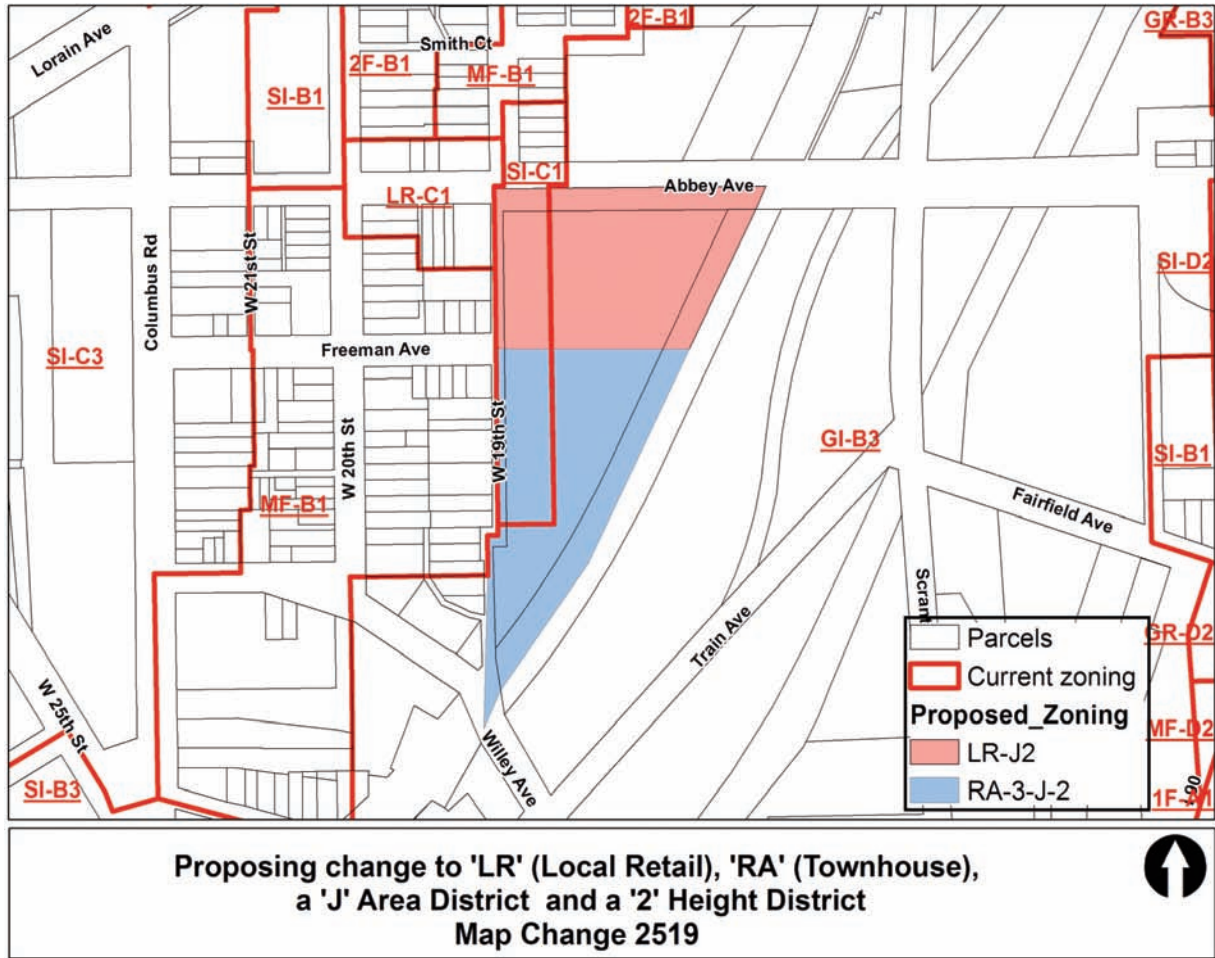
Thence northerly along said centerline to its intersection with the easterly prolongation of Freeman Ave centerline;

Thence easterly along said easterly prolongation to the point of beginning;

And as identified on the attached map is changed to a 'Townhouse 3' District, a 'J' Area District and a '2' Height District.

Section 3. That the change of zoning of lands described in Section 1 through 2 shall be identified as Map Change No. 2519, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 4. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Passed October 5, 2015.
 Effective November 4, 2015.

Ord. No. 853-15.

By Council Member Cimperman.

An ordinance changing the Use, Area and Height Districts of lands on the northeast corner of Abbey Avenue and West 19th Street to Open Space Recreation, a 'B' Area District and a '1' Height District (Map Change No. 2480).

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

Section 1. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning at the intersection of Abbey Ave and West 19th Street;

Thence northerly along the centerline of West 19th Street to its intersection with the centerline of Smith Court;

Thence easterly along the centerline of Smith Court to its intersection with the centerline of West 18th Street;

Thence northerly along the centerline of West 18th Street to its intersection with the westerly prolongation of the southerly property line of Sublot No. 83 in the Averell and Brandford's Grove Allotment as recoded in Cuyahoga County Map Records Book 4 Page 3;

Thence easterly along said southerly line to its intersection with the easterly line thereof;

Thence northerly along said easterly line to its intersection with the southerly line of Sublot No. 84 in the Averell and Brandford's Grove Allotment as recoded in Cuyahoga County Map Records Book 4 Page 3;

Thence easterly along said southerly line and easterly prolongation to its intersection with the easterly property line of a parcel of land conveyed to Robert H Eggers by deed dated June 21, 1996 and recorded in Auditor's File Number V96058800002 said parcel also being known as Cuyahoga County's Permanent Parcel Number 004-02-090;

Thence northerly along said easterly line to its intersection with the northerly line thereof;

Thence easterly along said northerly property line to the intersection with the centerline of West 17th Street;

Thence northerly along said centerline to its intersection with a southerly line of a parcel of land conveyed to 2041 WEST LLC by deed dated February 24, 2003 and recorded in Auditor's File Number 200302241485 said parcel also being known as Cuyahoga County's Permanent Parcel Number 004-26-001;

Thence easterly along said southerly line to its intersection with the westerly line thereof;

Thence southerly along said westerly line to its intersection with the south westerly line thereof;

Thence southerly and westerly along said south westerly line to its intersection with the southerly property line thereof;

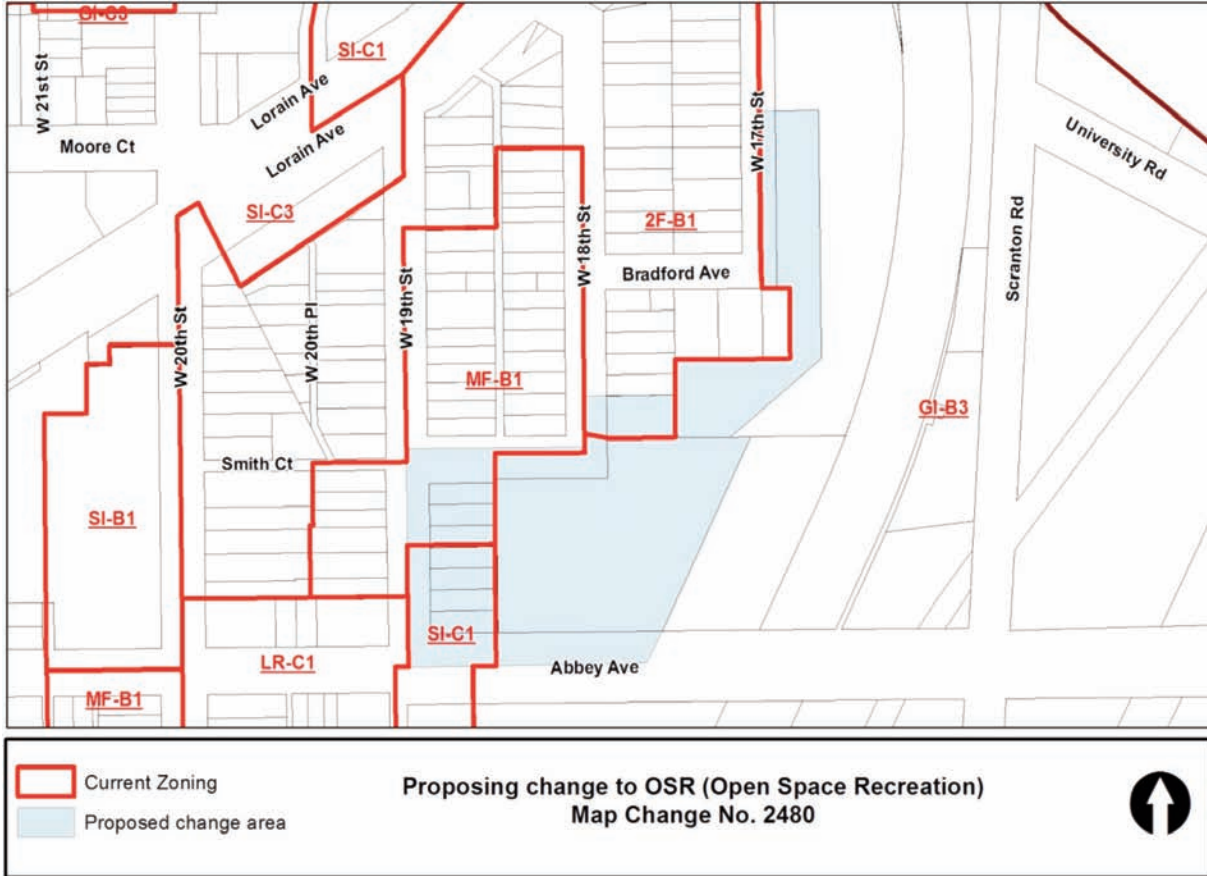
Thence easterly along said southerly line to its intersection with the westerly line of a parcel of land conveyed to 2041 WEST LLC by deed dated February 24, 2003 and recorded in Auditor's File Number 200302241484 said parcel also being known as Cuyahoga County's Permanent Parcel Number 004-26-012;

Thence southerly and westerly along said line to its intersection with the centerline of Abbey Avenue;

Thence westerly along said centerline to the place of origin;
and as shaded on the attached map is changed to Open Space Recreation District, a 'B' Area District and a '1' Height District.

Section 2. That the change of zoning of lands described in Section 1 shall be identified as Map Change No. 2480, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law



Passed October 5, 2015.
Effective November 4, 2015.

Ord. No. 932-15.

By Council Member Brady.

An ordinance changing the Use, Area and Height Districts of lands located on the east side of W. 117th Street north of Lorain Avenue to Local Retail, a 'C' Area District, and a '1' Height District (Map Change No. 2521).

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

Section 1. That the Use, Area and Height Districts of lands bounded and described as follows:

Beginning at the intersection of Triskett Road and W. 117th Street;

Thence easterly along the centerline of Triskett Road to its intersection with the southerly prolongation of the westerly line of a parcel of land conveyed to Andre T Abrams by deed dated November 3, 1999 and recorded in Auditor's File Number 199911031089 said parcel also being known as Cuyahoga County's Permanent Parcel Number 005-09-108;

Thence northerly along said southerly prolongation and westerly line and its northerly prolongation to its intersection with the northerly line of a parcel of land conveyed to State of Ohio by deed dated October 24, 1975 and recorded in Auditor's File Number V75138850808 said parcel also being known as Cuyahoga County's Permanent Parcel Number 005-09-001;

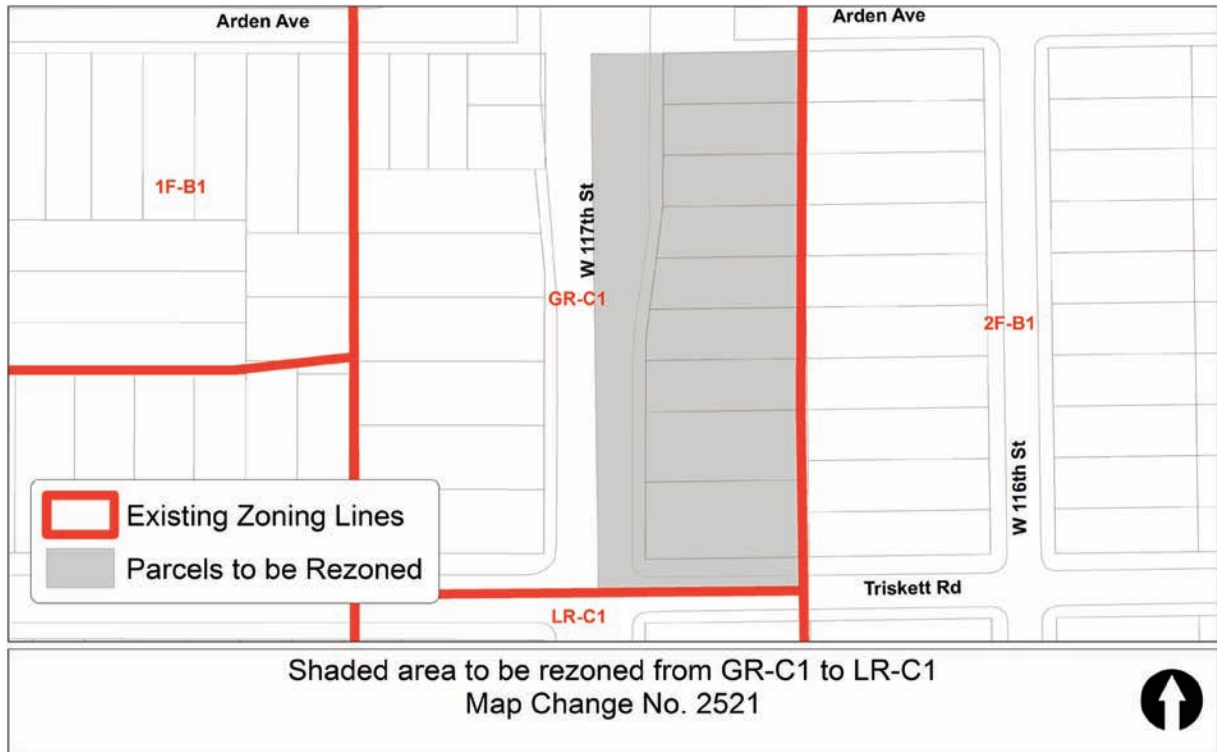
Thence westerly along said northerly line and its westerly prolongation to its intersection with the centerline of W. 117th Street;

Thence southerly along the centerline of W. 117th Street to the place of origin;

and as shaded on the attached map is changed to a Local Retail District, a 'C' Area District and a '1' Height District.

Section 2. That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2521, and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

Section 3. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.



Passed October 5, 2015.
Effective November 4, 2015.

Ord. No. 1098-15.
By Council Members Zone and Kelley (by departmental request).
An emergency ordinance authorizing the Director of Public Safety to accept the donation of three horses from The Friesian Empire and Equine Center, for the Mounted Unit, Division of Police, Department of Public Safety.
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 accept the donation of three horses, valued at \$67,397.00, from The Friesian Empire and Equine Center, for the Mounted Unit, Division of Police, Department of Public Safety.

Section 2. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.
Passed October 5, 2015.
Effective October 8, 2015.

Ord. No. 1166-15.
By Council Member Kelley (by departmental request).
An emergency ordinance approving the collective bargaining agreement with the International Brotherhood of Electrical Workers, AFL-CIO, Local 39; and to amend Section 25 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.

Whereas, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,
Be it ordained by the Council of the City of Cleveland:
Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the International Brotherhood of Electrical Workers, AFL-CIO, Local 39, under the terms contained in File No. 1166-15-A, for the period from April 1, 2013 through March 31, 2016, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

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

Section 2. That Section 25 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

Section 25. International Brotherhood of Electrical Workers, AFL-CIO, Local 39. That the salaries and the compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Apprentice Cable Splicer.....	\$25.01	\$26.94
2. Apprentice Lineman.....	25.20	27.14
3. Cable Foreman.....	35.78	36.35
4. Cable Splicer Helper.....	25.66	26.23
5. Dispatcher Electric System Operator.....	30.70	31.27
6. Electric Meter Industrial Installer	31.59	32.16
7. Electric Meter Instrument Specialist and General Tester.....	31.94	32.52
8. Electric Meter Service Foremen.....	35.78	36.35
9. Electric Meter Service Installer I.....	29.43	30.57
10. Electric Meter Service Installer II	27.42	27.99
11. Electric Meterman Apprentice	24.66	26.54
12. Electric Transmission and Distribution Inspector.....	33.38	34.47
13. Foreman Low Tension.....	35.17	35.75
14. Gas Turbine Mechanic.....	29.43	30.57
15. Gas Turbine Mechanic Apprentice.....	25.01	26.94
16. Intern Apprentice.....	14.86	15.62
17. Junior Electric Switchboard Operator	25.17	25.76
18. Line Clearance Man.....	26.19	26.76
19. Line Foreman.....	35.78	36.35
20. Line Helper Driver.....	19.95	26.23
21. Line Switchman.....	35.33	35.90
22. Leader Lineman Low-Tension.....	33.77	34.34
23. Lineman.....	31.70	32.27
24. Lineman Leader.....	34.48	35.06
25. Low Tension Lineman	29.58	30.15
26. Low Tension Lineman Apprentice	24.72	27.14
27. Low Tension Trouble Lineman.....	33.10	33.67
28. Senior Cable Splicer.....	33.38	33.96
29. Senior Lineman.....	33.38	33.96
30. Telecommunications Technician	33.10	33.67
31. Traffic Signal Control Technician.....	35.03	35.61
32. Traffic Signal Control Technician 2	34.46	35.03
33. Transformer Repairman Foreman.....	35.78	36.35
34. Trouble Lineman.....	34.52	35.09
35. Underground Conduit Foreman	35.78	36.35

Section 3. That existing Section 25 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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

Passed October 5, 2015.

Effective October 8, 2015.

Ord. No. 1207-15.

By Council Member Kelley (by departmental request).

An emergency ordinance approving the collective bargaining agreement with the Communication Workers of America, Local 4340; and to amend Section 23 of Ordinance No. 323-15, passed March 30, 2015, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Communication Workers of America, Local 4340, under the terms contained in File No. 1207-15-A, for the period from April 1, 2013 through March 31, 2016, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

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

Section 2. That Section 23 of Ordinance No. 323-15, passed March 30, 2015, is amended to read as follows:

Section 23. Communication Workers of America, Local 4340. That the salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Emergency Medical Technician Supervisor.....	\$20,092.80	\$64,253.97

Section 3. That existing Section 23 of Ordinance No. 323-15, passed March 30, 2015, is repealed.

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

Passed October 5, 2015.

Effective October 8, 2015.

Ord. No. 1209-15.

By Council Member Kelley.

An emergency ordinance authorizing the Clerk of Council to enter into an agreement with thunder::tech for the professional services necessary to provide website design and development, content management system license and training, and website hosting, support and maintenance for Cleveland City Council.

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 Clerk of Council is authorized to enter into an agreement with thunder::tech for the professional services necessary to provide website design and development, content management system license and training, and website hosting, support and maintenance for Cleveland City Council, as set forth in thunder::tech's 2015 Statement of Work, for a one year term with three one-year options to renew, at the Clerk's discretion.

Section 2. That the cost of all services under this agreement shall not exceed \$75,000 and shall be certified from fund 11-006 and/or 21-006.

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

Passed October 5, 2015.

Effective October 8, 2015.

Ord. No. 1215-15.

By Council Member Kelley.

An emergency ordinance determining the bid of Brothers Printing Co. Inc., for parts: I. letterhead, envelopes and invitations/greeting cards, II. business cards and notepads, III. phone cards, (informational cards), and post cards, IV. newsletters, flyers, palm cards, brochures, and V. booklets and calendars (hereinafter parts I. through V.) the lowest and best bid and authorizing the Clerk of Council to enter into a written requirement contract with Brothers Printing Co. Inc. for the necessary items of parts I. through V. for a period of two years with two one-year options to renew exercisable by the Clerk of Council.

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 it is hereby deter-

mined that the bid of Brothers Printing Co. Inc., for parts: I. letterhead, envelopes and invitations/greeting cards, II. business cards and notepads, III. phone cards, (informational cards), and post cards, IV. newsletters, flyers, palm cards, brochures, and V. booklets and calendars (hereinafter parts I. through V.), received on August 14, 2015, in response to the invitation to bid for various paper products and print services for Cleveland City Council, is the lowest and best bid received after advertising in accordance with the Charter and Codified Ordinances of the City of Cleveland, Ohio, 1976.

Section 2. That the Clerk of Council is hereby authorized to enter into a written requirement contract in accordance with the Charter and the Codified Ordinances of the City of Cleveland, Ohio, 1976, and in accordance with the bid specifications, with Brothers Printing Co. Inc. for a period of two years with two one-year options to renew exercisable by the Clerk of Council for the necessary items of parts I. through V. to be purchased upon a unit basis for Cleveland City Council. The term of the contract will begin on October 22, 2015.

Section 3. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance.

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

Passed October 5, 2015.

Effective October 8, 2015.

Ord. No. 1234-15.

By Council Member Keane.

An emergency ordinance consenting and approving the issuance of a permit for the Hermes Dead Sprint on October 31, 2015, sponsored by Hermes Sports & Events.

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 Hermes Dead Sprint on October 31, 2015, start: Albers Avenue behind West Park Station; Albers east to West 168th Street; West 168th north to Lorain Avenue; Lorain west to Rocky River Drive; Rocky River Drive south to Melgrave Avenue; Melgrave east to West 168th Street; West 168th south to Laverne Avenue; Laverne east to West 162nd Street; West 162nd north to Westdale Avenue; Westdale east to West 157th Street; West 157th north to Chatfield Avenue; Chatfield west to West 165th Street; West 165th north to Bradgate Avenue; Bradgate west to Rocky River Drive; Rocky River Drive north to Albers Avenue—finish line; 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 October 5, 2015.

Effective October 8, 2015.

Ord. No. 1235-15.

By Council Members Cimperman and Zone.

An emergency ordinance consenting and approving the issuance of a permit for the Great Lakes Brewery 5K on October 11, 2015, sponsored by the Great Lakes Brewery.

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 Great Lakes Brewery 5K on October 11, 2015, start: Great Lakes Brewery - Galleria; West 28th Street north to Bridge Avenue; Bridge Avenue west to West 68th Street; turn around and return to finish line; 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 October 5, 2015.
Effective October 8, 2015.

Ord. No. 1236-15.
By Council Member Cimperman.
An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Progressive Arts Alliance, Incorporated for the Art-Integration After-School Workshop Program through the use of Ward 3 Casino Revenue Funds.

Whereas, this ordinance constitutes an emergency measure providing for

the usual daily operation of a municipal department; now, therefore

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

Section 1. That the Director of the Department of Community Development into agreement with Progressive Arts Alliance, Incorporated for the Art-Integration After-School Workshop Program for the public purpose of providing after-school educational activities to city of Cleveland youths through the use of Ward 3 Casino Revenue Funds.

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

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

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

Passed October 5, 2015.
Effective October 8, 2015.

COUNCIL COMMITTEE MEETINGS

Monday October 12, 2015
9:30 a.m.

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

2:00 p.m.

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

Tuesday October 13, 2015
9:30 a.m.

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

Wednesday October 14, 2015
10:00 a.m.

Safety Committee: Present: Zone, Chair; Conwell, Vice Chair; Cimperman, Kazy, Keane, Polensek. *Authorized Absence:* Mitchell.

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O—Ordinance; R—Resolution; F—File
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;
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