

The City Record

Official Publication of the Council of the City of Cleveland



January the Twenty-Eighth, 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	601 Lakeside Avenue, Room 220	44114
17	Martin J. Keane	15907 Colletta Lane	44111

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

MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff
 Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer
 Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs
 Martin J. Flask, Executive Assistant to the Mayor of Special Projects
 Monyka S. Price, Executive Assistant to the Mayor, Chief of Education
 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 – Robert Vilkas, Chief Architect, Manager
 Engineering and Construction – Richard J. Switalski, Manager
 Real Estate – James DeRosa, Commissioner

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

DEPT. OF LAW – Barbara A. Langhenry, Director, Gary D. Singletary, Chief Counsel,

Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,
 Victor R. Perez, Chief Assistant Prosecutor, Room 106: John Skrtic, Law Librarian,
 Room 100

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

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

DEPT. OF PUBLIC UTILITIES – Sharon Dumas, Interim Director, 1201 Lakeside Avenue

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

DEPT. OF PORT CONTROL – Ricky D. Smith, Director, Cleveland Hopkins

International Airport, 5300 Riverside Drive
DIVISIONS:
 Burke Lakefront Airport – Khalid Bahhur, Commissioner
 Cleveland Hopkins International Airport – Fred Szabo, Commissioner

DEPT. OF PUBLIC WORKS – Michael Cox, Director

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

DEPT. OF PUBLIC HEALTH – Toinette Parrilla, Director, 75 Erieview Plaza

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director

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

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

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

DEPT. OF HUMAN RESOURCES – Deborah Southerington, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Tracey A. Nichols, Director, Room 210

DEPT. OF AGING – Jane Fumich, Director, Room 122

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director, Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Eugene R. Miller (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Gary Johnson, Sr., Daniel McNea, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Peter Whitt.

CIVIL SERVICE COMMISSION – Room 119, Robert Bennett, President; Michael L. Nelson, Sr., Vice-President; Lucille Ambroz, Secretary; Members: Pastor Gregory Jordan, Michael Flickinger.

SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Kevin J. Kelley; Betsy Hruby, Asst. Sec'y.; Sharon Dumas, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Elizabeth Kukla, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, Joseph F. Denk, Chairman; Howard Bradley, Patrick M. Gallagher, Robert Maschke, Halim M. Saab, P.E., Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.F. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Barbara A. Langhenry, President; Finance Director Sharon Dumas, Secretary; Council President Kevin J. Kelley.

BOARD OF SIDEWALK APPEALS – Capital Projects Director Matthew Spronz, Law Director Barbara A. Langhenry; Council Member Kenneth L. Johnson.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Barbara A. Langhenry; Utilities Director Paul Bender; Council President Kevin J. Kelley.

CITY PLANNING COMMISSION – Room 501 – Freddy L. Collier, Jr., Director; Anthony J. Coyne, Chairman; David H. Bowen, Lillian Kuri, Lawrence A. Lumpkin, Gloria Jean Pinkney, Norman Krumholz, Council Member Phyllis E. Cleveland.

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

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman; Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Barbara A. Langhenry; Chairman; Finance Director Sharon Dumas; Council President Kevin J. Kelley; Councilman Kevin Kelley.

POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, Vermel Whalen, Nancy Cronin, Elvin Vauss.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Freddy L. Collier, Jr., Allan Dreyer, Giancarlo Calicchia, Council Member Terrell H. Pruitt, Robert Strickland, Julie Trott, Robert Vilkas, Donald Petit, Interim Secretary.

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

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

Judge Courtroom
 Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A
 Judge Pinkey S. Carr – Courtroom 12B
 Judge Marilyn B. Cassidy – Courtroom 13A
 Judge Michelle Denise Earley – Courtroom 12C
 Judge Emanuella Groves – Courtroom 14B
 Judge Anita Laster Mays – Courtroom 14C
 Judge Lauren C. Moore – Courtroom 14A
 Judge Charles L. Patton, Jr. – Courtroom 13D
 Judge Raymond L. Pianka (Housing Court Judge) – Courtroom 13B
 Judge Angela R. Stokes – Courtroom 15C
 Judge Pauline H. Tarver – Courtroom 13C
 Judge Ed Wade – Courtroom 12A
 Judge Joseph J. Zone – Courtroom 14D
 Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Gregory A. Sims – Chief Bailiff, Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate.

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WEDNESDAY, JANUARY 28, 2015

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CITY COUNCIL

MONDAY, JANUARY 26, 2015

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PATRICIA J. BRITT
City Clerk, Clerk of Council
216 City Hall

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

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

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

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

File No. 63-15.
Bradley J. Engelhart, Battalion
Chief of Fire. Received.

File No. 64-15.
William F. Gorey, III, Battalion
Chief of Fire. Received.

File No. 65-15.
James D. Thomas, Battalion Chief
of Fire. Received.

COMMUNICATIONS

File No. 66-15.
From Director Toinette Parrilla,
Department of Public Health, City
of Cleveland. Notification of accep-
tance of a grant of \$600.00 from the
SID Network of Ohio, for Safe Sleep
"Baby Shower" events in three city
neighborhoods with the highest
infant mortality rates. Received.

File No. 94-15.
From Greg Baron, Director of
Real Estate Development, Detroit
Shoreway Community Development
Organization. Notice of intent to
apply to Ohio Housing Finance
Agency's low income tax credit pro-
gram for the development of The
Lofts at Lion Mills, at 3256 West
25th Street in Cleveland, Ohio.
Received.

File No. 95-15.
From Greg Baron, Director of
Real Estate Development, Detroit
Shoreway Community Development
Organization. Notice of intent to
apply to Ohio Housing Finance
Agency's low income tax credit pro-
gram for the development of Aspen
Place, at the northeast corner of
West 61st Street and Lorain Avenue
in Cleveland, Ohio. Received.

FROM OHIO DIVISION OF LIQUOR CONTROL

File No. 67-15.
RE: #7748295. Transfer of Owner-
ship Application, C1 C2. SAS Gro-
cery, Inc., 6506 Fleet Avenue (Ward
12). Received.

File No. 68-15.
RE: #8429701. Transfer of Owner-
ship Application, C2 C2X. Speedy
Harvard, LLC, 4025 East 131st Street
(Ward 2). Received.

File No. 69-15.
RE: #6483990. Transfer of Loca-
tion Application, D2 D2X D3 D3A.
Odeon Concert Club, LLC, 1295 Old
River Road (Ward 3). Received.

File No. 70-15.
RE: #9555232. Transfer of Owner-
ship Application, C1 C2 D6. West
Side Mini Mart, LLC, 3778 West
117th Street (Ward 11). Received.

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2015-2017

MONDAY — Alternating

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

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

MONDAY

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

TUESDAY

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

TUESDAY — Alternating

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

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

WEDNESDAY — Alternating

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

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

OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, January 26, 2015

The meeting of the Council was
called to order at 7:04 p.m. with the
President of Council, Kevin J. Kel-
ley, in the Chair.

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

Also present were: Mayor Frank
G. Jackson, Chief of Staff Ken Sil-
liman, Chief Operating Officer Dar-
nell Brown, Chief of Government
Affairs Valarie J. McCall, Chief of
Regional Development Edward W.
Rybka, Chief of Education Monyka
S. Price, Chief of Sustainability Jeni-
ta McGowan, Chief of Public Affairs
Natoya Walker-Minor, and Directors
Langhenry, Smith, Spronz, Parrilla,
Cox, Rush, O'Leary, Southerington,
Nichols, Griffin, Fumich, Ambroz
and Burrows.

Council Members, Administration,
Staff, and those in the audience rose
for a moment of silent reflection,
and the Pledge of Allegiance.

MOTION

On the motion of Council Member
Polensek, the reading of the min-
utes of the last meeting was dis-
pensated with and the journal
approved. Seconded by Council Mem-
ber Conwell.

OATHS OF OFFICE

File No. 61-15.
John P. Coughlin, Battalion Chief
of Fire. Received.

File No. 62-15.
Vince J. Diteodoro, Battalion
Chief of Fire. Received.

File No. 71-15.

RE: #0909290. Transfer of Ownership Application, C1 C2. Brahamani Food, LLC, 5741 Memphis Avenue (Ward 13). Received.

File No. 72-15.

RE: #7735578. Transfer of Ownership Application, D1 D2 D3 D3A D6. Santorini Taverna, LLC, 1382 West 9th Street (Ward 3). Received.

CONDOLENCE RESOLUTIONS

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

Res. No. 98-15—Henrietta (Jackson) Patrick.

Res. No. 99-15—Polly Powell.

Res. No. 100-15—Jerry M. Walker, Jr.

Res. No. 101-15—Larry R. Lane.

Res. No. 102-15—Charlie Stephen McDowell, Sr.

Res. No. 103-15—Alec Fedikovich.

Res. No. 104-15—Oleatha Wilson.

Res. No. 105-15—Artelia Jones.

Res. No. 108-15—James D. Ireland, III.

Res. No. 109-15—Lera Pauline Ruffin.

RECOGNITION RESOLUTIONS

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

Res. No. 106-15—White House Initiative on Asian Americans and Pacific Islanders Region 5 AAPI Community Listening Session.

Res. No. 107-15—Radihka Reddy.

FIRST READING EMERGENCY ORDINANCES REFERRED**Ord. No. 75-15.**

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 835-14, passed September 29, 2014, relating to a permit to encroach into the public right-of-way of East 9th Street, Superior Avenue, and Walnut Avenue by installing, using, and maintaining permanent streetscape improvements.

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

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

Section 1. That the title and Section 1 of Ordinance No. 835-14, passed September 29, 2014, are amended to read as follows:

Authorizing the Director of Capital Projects to issue a permit to **1717 East 9th LLC** to encroach into the public right-of-way of East 9th Street, Superior Avenue, and Walnut Avenue by installing, using, and maintaining permanent streetscape improvements.

Section 1. That the Director of Capital Projects is authorized to issue a permit, revocable at the will of Council, to **1717 East 9th LLC**, 4420 Sherwin Road, Willoughby, Ohio 44094 ("Permittee"), to encroach into the public right-of-way of East 9th Street, Superior Avenue, and Walnut Avenue by installing, using, and maintaining permanent streetscape improvements including, but not limited to, curbed tree pits and grates, irrigation lines

and appurtenances, fencing for outdoor dining area, lighted planters and electrical ducts, "Column"-style pedestrian lights and electrical ducts, 8" by 36" bollards, ramp and railing, at the following location:

Encroachment Permit Area
1717 East 9th Street
Cleveland, Ohio

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Two Acre Lot No. 167, said premises being more particularly bounded and described as follows:

BEGINNING at the intersection of the northeasterly line of East 9th Street (formerly Erie Street), 99 feet wide, and the southeasterly line of Superior Avenue N. E., 132 feet wide;

Course No. 1: thence South 33°-59'-50" East along the northeasterly line of East 9th Street, a distance of 132.83 feet to its intersection with the northwesterly line of Walnut Avenue N. E., 66 feet wide;

Course No. 2: thence North 55°-53'-43" East along the northwesterly line of Walnut Avenue N. E., a distance of 137.00 feet to a point;

Course No. 3: thence South 34°-06'-17" East, a distance of 15.00 feet to a point;

Course No. 4: thence South 55°-53'-43" West, a distance of 130.78 feet to a point of curvature;

Course No. 5: thence northwesterly along the arc of a curve deflecting to the right, a distance of 31.38 feet to a point of tangency, said curve having a radius of 20.00 feet, a central angle of 89°-53'-33", a tangent distance of 19.96 feet, and a chord which bears North 79°-03'-04" West, 28.26 feet;

Course No. 6: thence North 33°-59'-50" West, a distance of 128.81 feet to a point of curvature;

Course No. 7: thence northeasterly along the arc of a curve deflecting to the right, a distance of 42.51 feet to a point of tangency, said curve having a radius of 27.00 feet, a central angle of 90°-12'-10", a tangent distance of 27.10 feet, and a chord which bears North 10°-54'-05" East, 38.25 feet;

Course No. 8: thence North 55°-48'-00" East, a distance of 143.65 feet to a point;

Course No. 9: thence South 34°-12'-00" East, a distance of 28.00 feet to a point on the southeasterly line of Superior Avenue N. E.;

Course No. 10: thence South 55°-48'-00" West along the southeasterly line of said Superior Avenue N. E., a distance of 157.00 feet to the place of beginning, said premises containing 0.198 acre of land more or less, as prepared in June of 2014 by Robert A. Dorner, Registered Professional Land Surveyor No. 6943 on behalf of McSteen & Associates, Inc. under Project No. 14-080 and being subject to all legal highways and easements of record.

The basis of bearings for this survey is North 55°-48'-00" East as the centerline of Superior Avenue N. E., as evidenced by monuments found, and is the same bearing as found in Volume 365 of Maps, Pages 78 and 79 of Cuyahoga County Records.

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

Section 2. That the existing title and Section 1 of Ordinance No. 835-14, passed September 29, 2014, are repealed.

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

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees in Municipal Services and Properties, Development Planning and Sustainability.

Ord. No. 76-15.

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 41 under the Title I of the Housing and Community Development Act of 1974, for the 2015 Federal HOME Investment Partnerships Act Program, Emergency Solutions Grant Program, and the Housing Opportunities for Persons with AIDS 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 Community Development is authorized to apply for and accept grants from the U. S. Department of Housing and Urban Development (HUD) in the following approximate amounts: \$19,786,712 to conduct the 2015 Year 41 Community Development Block Grant (CDBG) Program; \$3,343,204 to conduct the Federal HOME Investment Partnerships Act (HOME) Program; \$1,669,417 to conduct the Emergency Solutions Grant (ESG) Program; and \$950,680 for the Housing Opportunities for Persons with AIDS (HOPWA) Program, for the purposes and uses set forth in the budgets and in compliance with the requirements of Title I of the Housing and Community Development Act of 1974 and applicable rules and regulations. That the Director of Community Development 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 set forth in the budgets for the grants.

Section 2. That the budget allocations for the grants, placed in File No. 76-15-A, made a part hereof as if fully rewritten herein, are approved in all respects.

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

Ord. No. 77-15.

By Council Member Kelley (by departmental request).

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

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Ohio Patrolmen's Benevolent Association (OPBA) Security Officers, under the terms contained in File No. 77-15-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 14 of Ordinance No. 385-14, passed March 31, 2014, is amended to read as follows:

Section 14. Ohio Patrolmen's Benevolent Association. (Security Officers). That 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	Security Officer.....	\$13.88	\$21.53

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

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

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

Ord. No. 78-15.

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

An emergency ordinance authorizing the Director of Community Development to be a co-applicant and co-Grantee with Cuyahoga Metropolitan Housing Authority which will allow CMHA to accept HUD funding to implement the Choice Neighborhoods Implementation Grant.

Whereas, the Department of Community Development is authorized to be a co-applicant and co-Grantee with the Cuyahoga Metropolitan Housing Authority ("CMHA"), the Lead Applicant, to receive United States Department of Housing and Urban Development's ("HUD") Choice Neighborhood Implementation ("CNI") grant funds in an amount up to \$30,000,000; and

Whereas, as part of HUD's grant-funding process under the CNI grant, HUD requires a local city to be listed on the application as a co-applicant and to be obligated as a co-Grantee under the CNI Grant Agreement; and

Whereas, only the Lead Applicant is authorized to receive the CNI grant proceeds; and

Whereas, the CNI grant supports locally driven solutions for transforming distressed neighborhoods using place-based strategies to address housing, neighborhoods, and people; and

Whereas, one of CMHA's initiatives under CNI grant will be to redevelop the Cedar Estates through these funds and other leveraged funding sources; and

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

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

Section 1. That The Director of Community Development is authorized to be a co-applicant and co-Grantee with CMHA and to enter into a Choice

Neighborhoods Implementation Grant Agreement with HUD that will allow CMHA to receive up to \$30,000,000 in CNI grant funding from HUD.

Section 2. That the Director of Community Development is authorized to enter into a separate agreement with CMHA regarding the implementation of the CNI grant program.

Section 3. That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 78-15-A, is 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 4. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Community Development, Finance, Law; Committees on Development Planning and Sustainability, Finance.

Ord. No. 79-15.

By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the Director of Finance to enter into one or more contracts by way of concession for the provision of not to exceed one hundred and twenty pay telephones at various City facilities, but excluding the rights-of-way of the City, for a term of two years with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1967, to the contrary, the Director of Finance is authorized to enter into one or more contracts by way of concession, on the basis of competitive proposals to be selected by the Board of Control, for the provision of not to exceed one hundred and twenty pay telephones at various City facilities, but excluding any of the rights-of-way of the City. The facilities may include Cleveland Hopkins International Airport, Public Hall, Public Auditorium, City Hall, City jails, and other City facilities, or any combination of these facilities, as deemed most advantageous in the opinion of the Director of Finance. The contract or contracts authorized by this ordinance shall be for a term of not to exceed two years, with two one-year options to renew. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Finance, without the necessity of obtaining additional authority of this Council. The contract or contracts shall be prepared by the Director of Law, and approved and certified by the Director of Finance.

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 Finance, Law; Committee on Finance.

Ord. No. 80-15.
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 concession stands at Gordon Park and Brookside Park, for the Department of Public Works, for a period not to exceed 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 notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Works is authorized to enter into one or more Concession Agreements on the basis of competitive proposals for the operation of concession stands at Gordon Park and Brookside Park. The selection of the concessionaire or concessionaires shall be made by the Board of Control on the nomination of the Director of Public Works. The concession fee to be paid to the City shall be fixed by the Board of Control. Each Concession Agreement shall not exceed a term of three years.

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

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

Ord. No. 81-15.
By Council Member Kelley (by departmental request).

An emergency ordinance authorizing the purchase by one or more requirement contracts of computer hardware and software, including printers, ancillary accessories, parts, supplies, peripheral devices, and labor and materials for installation if necessary, and maintenance, support, and training, for the various divisions of City government, for a period of three years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.

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

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

Section 1. That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of three years, with two one-year options to renew, of the necessary items of hardware and software, including printers, ancillary accessories, parts, supplies, peripheral devices, and labor and materials for installation if necessary, and maintenance, support, and training, in the approximate amount as purchased

during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Finance without the necessity of obtaining additional authority of this Council.

Section 2. 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 the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance. (RQN 1511, RL 2015-1)

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents 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 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. 96-15.
By Council Members K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance to amend Section 8 of Ordinance No. 1061-14, passed September 15, 2014; to add new Section 9; and renumber existing Section 9 to new Section 10, relating to funding for the traffic signalization improvements and utility relocations necessary for the redevelopment of Public Square.

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 Section 8 of Ordinance No. 1061-14, passed September 15, 2014, is amended to read as follows:

Section 8. That, **excluding the cost of the traffic signalization improvements and utility relocations identified in Section 9**, the cost to the City for the Improvement and property

acquisition authorized in this ordinance shall not exceed \$10,000,000 and shall be paid from the fund or funds to which are credited any gifts or grants received under this ordinance and from the fund or funds approved by the Director of Finance.

Section 2. That existing Section 8 of Ordinance No. 1061-14, passed September 15, 2014, is repealed.

Section 3. That Ordinance No. 1061-14, passed September 15, 2014, is supplemented by adding new Section 9 to read as follows:

Section 9. That the cost to the City for the traffic signalization improvement and utility relocations necessary to implement this ordinance, shall not exceed \$5,015,000, and shall be paid from Fund Nos. 11 SF 006, 52 SF 001, 54 SF 001, 58 SF 001, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, 20 SF 546, 20 SF 554, 20 SF 563, and shall be paid from the fund or funds to which are credited any gifts or grants received under this ordinance and from the fund or funds approved by the Director of Finance. (RQS 7001, RL 2015-12)

Section 4. That existing Section 9 of Ordinance No. 1061-14, passed September 15, 2014, is renumbered to new **"Section 10"**.

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

Referred to Directors of Public Works, Capital Projects, City Planning Commission, Finance, Law; Committees on Municipal Services and Properties, Development Planning and Sustainability, Finance.

Ord. No. 97-15.
By Council Members K. Johnson, Brancatelli and Kelley (by departmental request).

An emergency ordinance giving consent to the County of Cuyahoga to construct a pedestrian and bicycle bridge which will connect Mall C to the North Coast Harbor District as identified in Ordinance No. 1061-14, passed September 15, 2014; authorizing the Director of Public Works to lease the bridge from the County for a period up to thirty years; authorizing the Director of Public Works, or other directors as necessary, to execute various deeds of easement and various temporary deeds of easement granting to various entities certain easement rights in property associated with the bridge; declaring the easement rights not needed for the City's public use; and authorizing a cooperative agreement and other agreements.

Whereas, the City of Cleveland requires certain public improvement property currently known as the pedestrian and bicycle bridge which will connect Mall C to the North Coast Harbor District as identified in Ordinance No. 1061-14, passed September 15, 2014 (the "Bridge"), for the public purpose of providing a walkway; and

Whereas, the County of Cuyahoga ("County") has proposed to lease the Bridge to the City of Cleveland; and

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

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

Section 1. That it is declared to be in the public interest that the consent of the City of Cleveland is given to the County to construct the Bridge under plans, specifications, and estimates approved by the City.

Section 2. That the City proposes to cooperate with the County by leasing the Bridge.

Section 3. That the Director of Public Works is authorized to lease the Bridge from the County, for a period not to exceed thirty (30) years ("Lease").

Section 4. That the rent for the Lease authorized by this ordinance shall be \$10,000,000, payable under terms negotiated by the parties, and other valuable consideration, which is determined to be fair market value, exclusive of utilities.

Section 5. That the costs of the Lease shall be paid from the fund or funds to which are credited the proceeds of the sale of bonds authorized by Ordinance No. 1630-14, passed January 12, 2015, and issued for this purpose.

Section 6. That the Lease shall be prepared by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City, including but not limited to, requiring any pre-paid rent be refunded to the City if the bridge is not timely constructed and the leasehold does not go into effect in a timely fashion.

Section 7. That, notwithstanding and as an exception to the provisions of Chapters 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that easement interests needed to effectuate this ordinance are not needed for the City's public use.

Section 8. That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to convey the above-described easement interests and temporary easements to the appropriate entities subject to any conditions stated in this ordinance at a price to be determined by the Board of Control.

Section 9. That the purpose of the easements shall be to effectuate this ordinance.

Section 10. That the duration of the easements shall be permanent; that the duration of the temporary easements shall be as the Director of Public Works determines are necessary; that the easements and temporary easements may include reasonable right of entry rights to the City; that the easements and temporary easements shall not be assignable without the consent of the Director of Public Works; that the easements and temporary easements shall require reasonable insurance, if applicable, and that the associated entity shall pay any applicable taxes and assessments.

Section 11. That the conveyances referred to above shall be made by official deeds of easement and official deeds of temporary easement prepared by the Director of Law and executed by the Director of Public Works, or other directors as necessary, on behalf of the City of Cleveland. The deeds of easement and the deeds of temporary easement shall contain any additional terms and conditions as are required to protect the interest of the City. The Directors of Public Works and Law, or other directors as necessary, are authorized to

execute any other documents, including without limitation, contracts for right of entry, as may be necessary to effect this ordinance.

Section 12. That the Director of Public Works is authorized to enter into one or more agreements with various entities or execute documents or certificates, or take any action which may be necessary or appropriate to effectuate this ordinance and to protect the City's interest. The agreements, may include but are not limited to, agreements with the County and/or the Group Plan Commission regarding a cooperative agreement and/or maintenance of the Bridge during the term of the Lease and the assignment to County of certain air and property rights granted by Consolidated Rail Corporation to the City on June 23, 1987 as needed to effect this ordinance.

Section 13. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

FIRST READING EMERGENCY RESOLUTIONS REFERRED

Res. No. 73-15.

By Council Member Reed.

An emergency resolution supporting a proposal that the State Board of Education ban discrimination against public and charter school teachers and school personnel because of sexual orientation.

Whereas, to prevent discrimination against public and charter school teachers and school personnel because of sexual orientation, Ohio state school board member Stephanie Todd has again asked the State Board of Education to support adding sexual orientation to the state school board's list of protected classes in school employment; and

Whereas, last April, 2014, the state board of education rejected the proposal; however, in December, Ms. Todd renewed her request that the state board consider adding the anti-discrimination proposal to state operating standards for schools; and

Whereas, today teachers that are gay, bisexual or transgender may be fired for their sexual orientation; and

Whereas, this Council believes that it is unfair to discriminate on the basis of sexual orientation and that such a protection is necessary in state schools' operation standards; and

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

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

Section 1. That this Council supports a proposal that the State Board of Education ban discrimination against public and charter school teachers and school personnel because of sexual orientation.

Section 2. That the Clerk of Council is directed to forward a copy of this resolution to the Ohio State Board of Education and the LGBT Community Center of Greater Cleveland.

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.

Referred to Director of Law; Committee on Finance.

Res. No. 74-15.

By Council Member Cimperman.

An emergency resolution Declaring this Council's support of the Emerald Development and Economic Network, Inc.'s (EDEN, Inc.'s) application to the Ohio Housing Finance Agency for low-income housing tax credits and additional project funding for the EDEN Scattered Site Preservation Initiative Phase II project.

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

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

Whereas, EDEN Scattered Site Preservation Initiative Phase II involves the substantial renovation of up to 75 units of affordable housing, including up to 30 units in the City of Cleveland and the remaining in surrounding suburbs; and

Whereas, the project is made up of a variety of housing types, including single-family and small multi-family buildings with one to four bedroom layouts designed to include a variety of local families; and

Whereas, EDEN, Inc. has provided affordable housing to individuals with a mental illness or a family member with a mental illness since the early 1990's, and this project is designed to continue to serve this population after renovation; and

Whereas, this Council supports EDEN Inc.'s funding application to the Ohio Housing Finance Agency for project funding, including 2015 Low Income Housing Tax Credits, Housing Development Assistance Program funds, and Housing Loan Program funds; and

Whereas, Cleveland City Council remains committed to a continued partnership with EDEN, Inc. and the development of EDEN Scattered Site Preservation Initiative Phase II project, as we work together to meet the affordable housing needs of our community members with a mental illness; and

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

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

Section 1. That this Council supports the Emerald Development and Economic Network, Inc.'s (EDEN, Inc.'s) application to the Ohio Housing Finance Agency for low-income housing tax credits and additional

project funding for the EDEN Scattered Site Preservation Initiative Phase II project.

Section 2. That the Clerk of Council is hereby directed to transmit a copy of this resolution to Diana Holly, Asset Manager, EDEN, Inc.

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

Referred to Director of Law; Committee on Finance.

Res. No. 92-15.

By Council Member Cimperman.

An emergency resolution supporting Welcome House's application to the Ohio Housing Finance Agency for low-income housing tax credits and additional project funding for the proposed redevelopment of the Cuyahoga County Archives Building, located in the Ohio City neighborhood at 2905 Franklin Boulevard, into affordable housing for residents with developmental disabilities.

Whereas, Welcome House, Inc., a provider of housing and services to individuals with developmental disabilities throughout Cuyahoga County, has acquired the Rhodes House and Annex on Franklin Boulevard from Cuyahoga County and plans to convert it into twenty-four apartments for young adults with developmental disabilities who are aging out of the County's programs in their foster care system; and

Whereas, there is insufficient supportive housing for this needy population, and this project will help these young adults become independent and productive members of our community; and

Whereas, Welcome House's project will inject over \$5 million of investment into Ohio City and create approximately twenty permanent jobs in addition to construction jobs; and

Whereas, the City of Cleveland supports the collaboration between Welcome House, the Cuyahoga County Board of Developmental Disabilities, the Alcohol, Drug Addiction, and Mental Health Services (ADAMHS) Board, and the Department of Children and Family Services; and

Whereas, the City of Cleveland respects the work of Welcome House in providing residential services to individuals with developmental disabilities and welcomes Welcome House to the City of Cleveland and Ohio City community; and

Whereas, this Council understands the great benefit of this project, and enthusiastically supports Welcome House's plans; and

Whereas, this Council supports Welcome House's funding application to the Ohio Housing Finance Agency for project funding, including Low-Income Housing Tax Credits, Cleveland Housing Trust funds, and Affordable Housing Program funds; and

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

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

Section 1. That this Council supports Welcome House's application to the Ohio Housing Finance Agency for low-income housing tax credits and additional project funding for the proposed redevelopment of the Cuyahoga County Archives Building, located in the Ohio City neighborhood at 2905 Franklin Boulevard, into affordable housing for residents with developmental disabilities.

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.

Referred to Director of Law; Committee on Finance.

FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED

Ord. No. 82-15.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for the St. Malachi's Church run, on March 14, 2015, sponsored by Hermes Sports & Events, Inc.

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 St. Malachi's Church run, on March 14, 2015, start: Veterans Memorial Bridge; Veterans Bridge east to West 6th Street; West 6th north to St. Clair Avenue; St. Clair east to Ontario Avenue; Ontario north to Lakeside Avenue; Lakeside west to West 3rd Street; West 3rd north to Erieside Avenue; Erieside east to North Marginal Road; North Marginal east to Burke Airport Loop Drive; turn around, North Marginal west to Erieside; Erieside west to West 3rd; West 3rd south to Lakeside; Lakeside west to West 9th Street; West 9th south to Superior Avenue; Superior west to West 25th Street; West 25th north to Washington Avenue; Washington east to Center Street; Center north 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.

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

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

Ord. No. 83-15.

By Council Member Cimperman.

An emergency ordinance consenting and approving the issuance of a permit for The National Multiple Sclerosis Society walk, on April 18, 2015, sponsored by The National Multiple Sclerosis Society.

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 National Multiple Sclerosis Society walk, on April 18, 2015, start: Great Lakes Science Center, Erieside Avenue; Erieside east to East 9th Street; East 9th south to Huron Road; Huron west to Superior Avenue; Superior across to West 6th Street; West 6th north to St. Clair Avenue; St. Clair east to West 3rd Street; West 3rd north to Alfred Lerner Way/Erieside Avenue; Finish at the Great Lakes Science Center, Erieside Avenue; 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.

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

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

FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED

Res. No. 84-15.

By Council Member J. Johnson.

An emergency resolution objecting to the transfer of location of a D5 and D6 Liquor Permit to 5379 St. Clair Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D5 and D6 Liquor Permit from Jozo & Branka, Inc., DBA Croatian Home Bar, 6314 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 4403355 to Mrki Enterprises, LLC, DBA Mrkis Place, 5379 St. Clair Avenue, 1st

floor and patio, Cleveland, Ohio 44103, Permanent Number 6202749; 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 D5 and D6 Liquor Permit from Jozo & Branka, Inc., DBA Croatian Home Bar, 6314 St. Clair Avenue, Cleveland, Ohio 44103, Permanent Number 4403355 to Mrki Enterprises, LLC, DBA Mrkis Place, 5379 St. Clair Avenue, 1st floor and patio, Cleveland, Ohio 44103, Permanent Number 6202749; 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

**Res. No. 85-15.
By Council Member Cimperman.
An emergency resolution objecting to the transfer of location of a D2, D2X, D3 and D3A Liquor Permit to 1295 Old River Road.**

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of location of a D2, D2X, D3 and D3A Liquor Permit from HMR of Ohio, Inc., 1228 West 6th Street, 1st floor, basement and patio, Mezzanine and Courtyard, 1228 West 6th Street Cleveland, Ohio 44113, Permanent Number 3464783 to Odeon Concert Club, LLC, DBA The Odeon, 1295 Old River Road, Cleveland, Ohio 44113, Permanent Number 6483990; 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 D2, D2X, D3 and D3A Liquor Permit from HMR of Ohio, Inc., 1228 West 6th Street, 1st floor, basement and patio, Mezzanine and Courtyard, 1228 West 6th Street Cleveland, Ohio 44113, Permanent Number 3464783 to Odeon Concert Club, LLC, DBA The Odeon, 1295 Old River Road, Cleveland, Ohio 44113, Permanent Number 6483990; 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 16. Nays 0. Read second time. Read third time in full. Adopted. Yeas 16. Nays 0.

**Res. No. 86-15.
By Council Member Cimperman.
An emergency resolution withdrawing objection to a New C1 Liquor Permit at 3230 West 65th Street and repealing Resolution No. 1136-14, objecting to said permit.**

Whereas, this Council objected to a New C1 Liquor Permit to Bargains 3 & 5, Inc., DBA Paradise Supermarket, 3230 West 65th Street, Cleveland, Ohio 44102 by Resolution No. 1136-14 adopted by the Council on September 8, 2014; and

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

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

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

Section 1. That objection to a New C1 Liquor Permit to Bargains 3 & 5, Inc., DBA Paradise Supermarket, 3230 West 65th Street, Cleveland, Ohio 44102, Permanent Number 0446400, be and the same is hereby withdrawn and Resolution No. 1136-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

**Res. No. 87-15.
By Council Member Cimperman.
An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 1261-65 West 6th Street, 1st floor and patio and repealing Resolution No. 1024-14, objecting to said renewal.**

Whereas, this Council objected to the renewal of a D5 and D6 Liquor Permit to W. 6th Restaurant Group, Ltd., DBA Barley House Cleveland, 1261-65 West 6th Street, 1st floor and patio, Cleveland, Ohio 44113, Permanent Number 9330015 by Resolution No. 1024-14, adopted by the Council on August 20, 2014; and

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

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

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

Section 1. That objection to the renewal of a D5 and D6 Liquor Permit to W. 6th Restaurant Group, Ltd., DBA Barley House Cleveland, 1261-65 West 6th Street, 1st floor and patio, Cleveland, Ohio 44113, Permanent Number 9330015, be and the same is hereby withdrawn and Resolution No. 1024-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

Res. No. 88-15.

By Council Member Conwell.

An emergency resolution withdrawing objection to the transfer of stock of a C2 and C2X Liquor Permit at 863-71 East 93rd Street, 1st floor and repealing Resolution No. 1490-14, objecting to said transfer.

Whereas, this Council objected to the transfer of stock of a C2 and C2X Liquor Permit to Samia, Inc., DBA Convenience Deli, 863-71 East 93rd Street, 1st floor, Cleveland, Ohio 44108, Permanent No. 7702571 by Resolution No. 1490-14 adopted by the Council on November 10, 2014; and

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

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

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

Section 1. That objection to a C2 and C2X Liquor Permit to Samia, Inc., DBA Convenience Deli, 863-71 East 93rd Street, 1st floor, Cleveland, Ohio 44108, Permanent No. 7702571, be and the same is hereby withdrawn and Resolution No. 1490-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

Res. No. 89-15.

By Council Member Cimperman.

An emergency resolution withdrawing objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit at 1301 East 9th Street, BU 600 North Courtyard and repealing Resolution No. 1475-14, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to Usha Babu, LLC, DBA Café Sausalito, 1301 East 9th Street, BU 600 North Courtyard, Cleveland, Ohio 44114, Permanent Number 9177065 by Resolution No. 1475-14 adopted by the Council on November 10, 2014; and

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

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

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

Section 1. That objection to the transfer of ownership of a D1, D2, D3, D3A and D6 Liquor Permit to Usha Babu, LLC, DBA Café Sausalito, 1301 East 9th Street, BU 600 North Courtyard, Cleveland, Ohio 44114, Permanent Number 9177065, be and the same is hereby withdrawn and Resolution No. 1475-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

Res. No. 90-15.

By Council Member Zone.

An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 2044 West 65th Street and repealing Resolution No. 1535-14, objecting to said permit.

Whereas, this Council objected to a transfer of ownership of a C1 and C2 Liquor Permit to West 65th Street Food & More, LLC, DBA West 65th Market, 2044 West 65th Street, Cleveland, Ohio 44102, Permanent Number 9555106 by Resolution No. 1535-14 adopted by the Council on November 17, 2014; and

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

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

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

Section 1. That objection to the transfer of ownership of a C1 and C2 Liquor Permit to West 65th Street Food & More, LLC, DBA West 65th Market, 2044 West 65th Street, Cleveland, Ohio 44102, Permanent Number 9555106, be and the same is hereby withdrawn and Resolution No. 1535-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

Res. No. 91-15.

By Council Member Conwell.

An emergency resolution withdrawing objection to the renewal of a C2 and C2X Liquor Permit at 1163 East 123rd Street and repealing Resolution No. 861-14, objecting to said renewal.

Whereas, this Council objected to the renewal of a C2 and C2X Liquor Permit to 123 Food Mart, Inc., DBA USA Food Mart, 1163 East 123rd Street, Cleveland, Ohio 44108, Permanent Number 6549205 by Resolution No. 861-14, adopted by the Council on July 16, 2014; and

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

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

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

Section 1. That objection to the renewal of a C2 and C2X Liquor Permit to 123 Food Mart, Inc., DBA USA Food Mart, 1163 East 123rd Street, Cleveland, Ohio 44108, Permanent Number 6549205, be and the same is hereby withdrawn and Resolution No. 861-14, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate permit thereof.

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

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

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

Res. No. 93-15.
By Council Member Brancatelli.
An emergency resolution Objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 6506 Fleet Avenue.

Whereas, Council has been notified by the Division of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from 6506 Fleet Avenue, LLC, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7638470 to SAS Grocery, Inc., DBA Mr. Z, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7748295; and

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

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

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

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

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

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

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

Section 1. That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from 6506 Fleet Avenue, LLC, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7638470 to SAS Grocery, Inc., DBA Mr. Z, 6506 Fleet Avenue, Cleveland, Ohio 44105, Permanent Number 7748295; and requests the Superintendent of the Division of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

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

SECOND READING EMERGENCY ORDINANCES PASSED

Ord. No. 1470-14.

By Council Members Cimperman and Sweeney.

An emergency ordinance authorizing the renewal of Sections 675A.01 through 675A.03 of the Codified Ordinances of Cleveland, Ohio, 1976 with no further set expiration, relating to street performers.

Approved by Directors of Public Safety, Finance, Law; Passage recommended by Committees on Safety, Finance.

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

Ord. No. 1510-14.

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

An emergency ordinance authorizing the Director of Community Relations to apply for and accept a grant from Cuyahoga County Juvenile Court to conduct the 2015 Youth Community Diversion Program.

Approved by Directors of Community Relations Board, Finance, Law; Passage recommended by Committees on Safety, Finance.

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

Ord. No. 1513-14.

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

An emergency ordinance authorizing the Director of Law to apply for and accept a grant from the Cuyahoga County Department of Public Safety and Justice Services for the FY 2014 Cleveland Domestic Violence Program; and to enter into one or more contracts with Cuyahoga County and other entities to implement the program.

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

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

Ord. No. 1536-14.

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

An emergency ordinance to supplement the Codified Ordinances of Cleveland, Ohio, 1976, by enacting new Section 348.01, relating to the Urban Overlay District; and to name Chapter 348 "Form Based Districts".

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

1. In the title, line 4, after "Urban" insert "**Form**".

2. In Section 1, line 3; and in line 4, strike "Overlay (UO)" and insert "**Form Overlay (UF Overlay)**" in both places.

3. In Section 1, at new Section 348.01(a), line 2; in new Section 348.01(b), lines 1, 2 and 4; in new Section 348.01(c), lines 1, 2, and 3; and in new Section 348.01(e), line 2, strike "UO" in all places and insert "**UF Overlay**".

4. In Section 1, at new Section 348.01(e), insert new subdivision (3) to read as follows:

"**(3) Gas station pump islands are prohibited;**"

and to reletter existing subdivisions (3) and (4) to new "**(4)**" and "**(5)**".

5. In Section 1, at new Section 348.01(f) at "Building Configuration", at "Ground floor Non-residential spaces", after "Each space shall provide a main pedestrian entrance to primary street frontage" add "**and shall be recessed so not to swing over the public right-of-way or patio space**".

Amendments agreed to.

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

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

Ord. No. 19-15.

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

An emergency ordinance authorizing the Director of Public Utilities to make alterations and modifications in Contract No. CT 2004 PI 2013-18 with Hooper Corporation for the Lake Road Improvement for Phase 3 of the Substation and Distribution Expansion Project, for the Department of Public Utilities.

Approved by Directors of Public Utilities, Finance, Law; Passage recommended by Committees on Utilities, Finance, when amended, as follows:

1. In Section 1, in the last line, at the end, after "58 SF 230." insert "**(RQS 2004, RL 2014-150)**".

Amendment agreed to.

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

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

MOTION

On the motion of Council Member Polensek, the absence of Council Member TJ Dow is hereby authorized. Seconded by Council Member Conwell.

The Council Meeting adjourned at 7:48 p.m. to meet on Monday, February 2, 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

January 21, 2015

The Regular meeting of the Board of Control convened in the Mayor's office on Wednesday, January 21, 2015 at 10:39 a.m. with Director Langhenry presiding.

Present: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Absent: Mayor Jackson.

Others: Melissa Burrows, Director, Office of Equal Opportunity.

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

Deborah Midgett, Acting Commissioner, Division of Purchases & Supplies.

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

Resolution No. 17-15.

By Interim Director Dumas.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Energy Mechanical Corp. for an estimated quantity of labor and materials for maintenance, repair, enhancement and/or replacement of heating, ventilation and air conditioning systems, bid items 1.01-1.06, 1.08 and 1.09, for the various divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, with two one-year options to renew, received on November 14, 2014 under the authority of Ordinance No. 1340-13, passed November 11, 2013, which on the basis of the estimated quantity would amount to \$1,152,700.00 (2%, 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 goods and/or services necessary for the specified items.

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Energy Mechanical Corp. for the above-mentioned service is approved:

<u>SUBCONTRACTORS</u>	<u>WORK PERCENTAGE</u>
Lakeside Supply Co. (CSB)	\$118,570.00 10.29%

Quest Mechanical Corp. (CSB/FBE)	\$118,570.00 10.29%
Atlas Crane & Rigging, Inc.	\$ 2,500.00 0.22%
Zenith Systems, LLC	\$ 2,500.00 0.22%
Jacco & Associates, Inc.	\$ 2,500.00 0.22%
Facilitec, LLC	\$ 2,500.00 0.22%
Honeywell International, Inc.	\$ 2,500.00 0.22%
Siemens Building Technologies, Inc.	\$ 8,500.00 0.74%
Wadsworth Slawson Northeast	\$ 2,500.00 0.22%

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 18-15.

By Interim Director Dumas.

Be it resolved, by the Board of Control of the City of Cleveland that all bids received on November 14, 2014 or labor and materials for maintenance, repair, enhancement and/or replacement of heating, ventilation and air conditioning systems, bid item 1.07 for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities, under the authority of Ordinance No. 1340-13, passed November 11, 2013, are rejected.

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 19-15.

By Director Smith.

Resolved, by the Board of Control of the City of Cleveland that the bid of Action Automatics, Inc. for an estimated quantity of parts to maintain and repair automatic doors, including labor and installation, if necessary, all items, for the various divisions of the Department of Port Control, for a period of one year beginning with the date of execution of a contract, with one one-year option to renew, received on December 5, 2014, under the authority of Section 181.101(a)(2) of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to \$47,428.50, is affirmed and approved as the lowest and best bid, and the Director of Port Control is requested to enter into a requirement contract for the goods and/or services specified.

The requirement contract shall further provide that the Contractor shall furnish the City's requirements for the goods and/or services,

whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 20-15.

By Director Spronz.

Whereas, Resolution No. 547-14, adopted by this Board of Control on December 10, 2014, under the authority of Ordinance No. 734-14 passed by the Council of the City of Cleveland on June 9, 2014 authorized the Director of Capital Projects to enter into contract with Richard L. Bowen and Associates, Inc. to provide professional architectural/engineering services for the Rehabilitation and New Construction of Public Facilities for Public Works, Public Safety, and Public Health, Design Package 4: New City Kennel in the aggregate amount of \$492,200.00, and approved various sub consultants; and

Whereas, Richard L. Bowen and Associates, Inc. has requested the City's consent to remove and to add certain firms as sub consultants; now therefore,

Be it resolved by the Board of Control of the City of Cleveland, that Resolution No. 547-14, adopted by this Board on December 10, 2014 authorizing the Director of Capital Projects to enter into contract with Richard L. Bowen and Associates, Inc. to provide professional architectural/engineering services for the Rehabilitation and New Construction of Public Facilities for Public Works, Public Safety, and Public Health, Design Package 4: New City Kennel, is amended by deleting "Pardo Consultants Inc." as an approved sub consultant and by adding the following as approved sub consultants:

Sandhu and Associates, Inc.
 CSB/MBE — \$45,000.00 (9.143%)

Coleman Systems, Inc.
 CSB/MBE — \$13,529.00 (2.749%)

Yeas: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

Resolution No. 21-15.

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. 012-09-109 located at 4596 Fulton Road; and

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

Whereas, Cheryl L. Truppo and Arnold J. Truppo, III have proposed to the City to purchase and develop the parcel for yard expansion; and Whereas, the following conditions exist:

1. The member of Council from Ward 13 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 Cheryl L. Truppo and Arnold J. Truppo, III for the sale and development of Permanent Parcel No. 012-09-109 located at 4596 Fulton Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for the sale of the 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: Director Langhenry, Director/Interim Director Dumas, Directors Smith, Cox, Parrilla, McGrath, Acting Director Cosgrove, Directors Southerington, Nichols, Fumich and O'Leary.

Nays: None.

Absent: Mayor Jackson.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

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

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

ROBERT BENNETT,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, FEBRUARY 9, 2015

9:30 A.M.

POSTPONED FROM
JANUARY 26, 2015

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

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

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

2. Section 353.01 which states that in a 2 Height District the maximum height of a building shall not exceed 60 feet and 68 feet and 6 inches are proposed.

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

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

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

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

First postponement made at the request of the City in order to repost an amended adjudication.

SCHEDULE OF THE BOARD OF ZONING APPEALS

TUESDAY, FEBRUARY 17, 2015

9:30 A.M.

Calendar No. 14-254: 1130 Ivanhoe Road (Ward 10)

1130 Ivanhoe Rd. Group LLC., owner, proposes to remove the required seven foot high wall for a legal, non-conforming yard for shredding, storage, and processing of debris and scrap (variance granted in BZA Calendar No. 13-199) and replace with an earthen mound in a B3 Semi-Industry District. The owner appeals for relief from Section 345.04(a)(3) of the Cleveland Codified Ordinances which states that an open yard storage of used materials must be enclosed with a minimum seven foot high solid masonry wall or non-transparent fence. No elevation plan or details on drainage, water runoff control, slope, materials, plantings, or any other characteristic of proposed mound submitted. (Filed December 29, 2014)

POSTPONED FROM JANUARY 5, 2015

Calendar No. 14-205: 5605 Detroit Avenue (Ward 15)

Muhammad Riaz, owner, proposes to change use of a 2 story boarding house to a convenience store with no use on the second floor on a corner parcel located in a C2 Local Retail Business District. The owner appeals for relief from the strict application of Section 352.07(b) of the Cleveland Codified Ordinances which states that a determination by the Board of Zoning Appeals is required prior to issuing a Building Permit or Certificate of Occupancy for any change of use when the proposed site is not in conformance with applicable landscape regulations. Pursuant to Section 352.08-352.12 an eight foot wide landscape transition strip providing 75% year round opacity is required in the rear of the lot where it abuts a Two-Family Residential District and a six foot wide landscape frontage strip providing 50% year round opacity is required where the parking lot abuts West 57th Street and no landscaping is proposed. (Filed October 14, 2014 - No Testimony)

Second postponement made at the request of the appellant. First postponement was made at the request of the councilman for further review.

Calendar No. 14-233: 2501 Thurman Avenue (Ward 3)

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single family townhouse on a parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that off-street parking space shall be properly graded and drained within the lot.

2. Section 349.07(c) which states that a driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion.

3. Section 353.02(b) which states that the maximum height allowed is 35 feet and 40' - 8" are proposed.

4. Section 355.04 (b) which states that the minimum required lot width is 40 feet and 23' - 8" are proposed.

5. Section 355.04(b) which states that the minimum required lot area is 4,800 square feet and 2,508 square feet are proposed.

6. Section 357.08(b)(1) which states that the required rear yard is 40 feet and 20 feet are proposed.

7. Section 357.09(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District and 0' are proposed.

8. Section 357.09(2)(B) which states that the minimum required interior yard is 3 feet and 0' are proposed, nor shall both interior side yards be less than 10' on the same premises and 3 feet are proposed.

9. Section 358.03(a) which states that fence located parallel to a driveway are required to be 75% open and a 4 foot solid masonry fence is proposed. (Filed November 20, 2014)

Calendar No. 14-234: 2503 Thurman Avenue (Ward 3)

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single

family townhouse on a parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that off-street parking space shall be properly graded and drained within the lot.

2. Section 349.07(c) which states that a driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion.

3. Section 353.02(b) which states that the maximum height allowed is 35 feet and 40' - 8" are proposed.

4. Section 355.04(b) which states that the minimum required lot width is 40 feet and 18' - 8" are proposed.

5. Section 355.04(b) which states that the minimum required lot area is 4,800 square feet and 1429 square feet are proposed.

6. Section 357.08(b)(1) which states that the required rear yard is 40 feet and 20 feet are proposed.

7. Section 357.09(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District and 0' are proposed.

8. Section 357.09(2)(B) which states that the minimum required interior yard is 3 feet and 0' are proposed, nor shall both interior side yards be less than 10' on the same premises and 0' feet are proposed.

9. Section 358.03(a) which states that fence located parallel to a driveway are required to be 75% open and a 4 foot solid masonry fence is proposed. (Filed November 20, 2014)

Calendar No. 14-235: 2505 Thurman Avenue (Ward 3)

6603 Cedar Inc., owner, proposes to erect a new 18' - 8" x 38' single family townhouse on a parcel located in a B1 Two-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 349.07(a) which states that off-street parking space shall be properly graded and drained within the lot.

2. Section 349.07(c) which states that a driveway used to provide accessibility to accessory off-street parking spaces shall be arranged to minimize traffic congestion.

3. Section 353.02(b) which states that the maximum height allowed is 35 feet and 40' - 8" are proposed.

4. Section 355.04 (b) which states that the minimum required lot width is 40 feet and 23' - 8" are proposed.

5. Section 355.04(b) which states that the minimum required lot area is 4,800 square feet and 2,508 square feet are proposed.

6. Section 357.08(b)(1) which states that the required rear yard is 40 feet and 20 feet are proposed.

7. Section 357.09(2)(A) which states that no building shall be erected less than 10 feet from a main building on an adjoining lot within a Residence District and 0' are proposed.

8. Section 357.09(2)(B) which states that the minimum required interior yard is 3 feet and 0' are proposed, nor shall both interior side yards be less than 10' on the same premises and 3 feet are proposed.

Section 358.03(a) which states that fence located parallel to a driveway are required to be 75% open and a

4 foot solid masonry fence is proposed. (Filed November 20, 2014)

First postponement made at the request of the development corporation to allow time for a block club meeting.

Calendar No. 14-236: 3401 Denison Avenue (Ward 12)

George Sevastos, owner, proposes to re-establish use as motor vehicle sales in a C1 Multi-Family Residential District. The owner appeals for relief from the following sections of the Cleveland Codified Ordinances:

1. Section 337.07 which states that in a Multi-Family Residential District motor vehicle sales facility is not permitted.

2. Section 352.09 which states that an 8' wide transition strip is required along all sides where the lot abuts a Multi-Family Residential District.

3. Section 349.04(f) which states that the customer parking area must be equal to 25% of the total lot area and none is shown.

4. Section 359.02(a) which states that a nonconforming use that has been discontinued shall not thereafter be returned to such a nonconforming use. (Filed November 21, 2014)

First postponement made at the request of the development corporation to allow for time for a community meeting.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 26, 2015

At the meeting of the Board of Zoning Appeals on Monday, January 26, 2015 the following appeals were scheduled for hearing before the Board.

The following appeals were **APPROVED:**

Calendar No. 14-214: 1020 East 185th Street

William Dagg, owner, proposes to expand existing parking lot on an irregular shaped parcel located in an A1 One-Family Residential District and C1 Local Retail Business District.

Calendar No. 14-250: 1230 West 58th Street

Breakwater Bluffs, LLC., owner, proposes to establish use as a parking and erect a parking garage on a parcel located in a C2 Multi-Family Residential District.

Calendar No. 14-255: 7312 Detroit Avenue

Howard Grandon, owner, proposes to renovate basement and first floor of vacant retail space, in mixed use building containing four dwelling units on the second floor, for establishment of bar/restaurant in a C2 Local Retail Business District and a Pedestrian Retail Overlay District.

Calendar No. 14-256: 13205 Miles Road

Union Miles Development Corp., owner, and Cleveland Housing Network, prospective purchaser, propose to construct a 4 story, 51,390

square foot, 66 unit apartment building with an accessory 21 space parking lot on a 53,775 square foot parcel located in a B1 Local Retail Business District.

The following appeals were **DENIED:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **POSTPONED:**

Calendar No. 13-253: MWTP LLC
4600 West 160th Street. Postponed to March 2, 2015.

Calendar No. 14-248: 3219 Detroit LLC
3219 Detroit Avenue. Postponed to February 9, 2015.

The following appeals were heard at the Board of Zoning Appeals on Tuesday, January 20, 2015, and the decisions were adopted and approved on Monday, January 26, 2015:

The following appeal was **APPROVED:**

Calendar No. 14-240: 5901 Franklin Boulevard

Jon B. Post, owner, proposes to establish use of first floor of front building on lot as an antique shop in a Two Family Residential District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

**DATE OF PUBLIC NOTICE:
JANUARY 6, 2015**

**OHIO ENVIRONMENTAL
PROTECTION AGENCY,
DIVISION OF SURFACE WATER**

NOTICE OF RECEIPT OF 401 APPLICATION AND PUBLIC HEARING

Public notice is hereby given that the Ohio Environmental Protection Agency (Ohio EPA) Division of Surface Water (DSW) has received an application for, and has begun to consider whether to issue or deny, a Clean Water Act Section 401 water quality certification for a project to perform the annual maintenance dredging in the Cleveland Harbor Federal navigation channels. The

application was submitted by the U.S. Army Corps of Engineers (USACE), Buffalo District. This year's dredging will take place within the Cuyahoga River, and in Cleveland Harbor, which is located at the mouth of the Cuyahoga River. The Buffalo District Corps of Engineers Public Notice Number for this project is CLEVELAND-15. The Ohio EPA ID Number for this project is 144574.

As required by the Anti-degradation Rule, 3745-1-05, of the Ohio Administrative Code (OAC), three alternatives have been submitted for the project. The applicant's proposed preferred alternative, if approved, would entail the dredging of an estimated 475,000 cubic yards of material, with placement of 295,000 cubic yards of the dredged material at the existing Cleveland Harbor CDFs and 180,000 cubic yards going to a new open-lake disposal area in Lake Erie (CLA-1). The applicant's proposed minimal degradation alternative, if approved, would entail the dredging of an estimated 225,000 cubic yards of material, with placement of 45,000 cubic yards of the dredged material at the existing Cleveland Harbor CDFs and 180,000 cubic yards going to a new open-lake disposal areas in Lake Erie (CLA-1). The applicant's proposed non-degradation alternative, if approved, would have no direct impacts on waters of the state.

Discharges from the activity, if approved, would result in degradation to, or lowering of, the water quality of the Cuyahoga River and Lake Erie. Ohio EPA will review the application, and decide whether to grant or deny the application, in accordance with OAC Chapters 3745-1 and 3745-32. In accordance with OAC rule 3745-1-05, an anti-degradation review of the application will be conducted before deciding whether to allow a lowering of water quality. All three proposed alternatives will be considered during the review process. No exclusions or waivers, as outlined by OAC rule 3745-1-05, apply or may be granted.

Starting January 6, 2015, copies of the application and technical support information may be inspected on Ohio EPA-DSW website: www.epa.ohio.gov/dsw

Ohio EPA will hold a public information session and public hearing relative to issues of lower water quality on February 24, 2015 at 6:00 p.m. at the Cleveland Metroparks' Watershed Stewardship Center at West Creek, 2277 West Ridgewood Drive, Parma, OH 44134. The public hearing will end when all interested parties have had an opportunity to provide testimony related to the project.

All interested persons are entitled to attend or be represented and give written or oral comments on the proposed project. The purpose of the hearing is to obtain additional information that will be considered by Ohio EPA prior to any further action on the application.

Ohio EPA will continue to accept written comments on the application through the close of business on March 3, 2015. Comments received after this date may not be consid-

ered as part of the official record of the hearing. Anyone may submit written comments or requests to be placed on a mailing list for information by writing to: Ohio EPA-DSW, Attention: Permits Processing Unit, P.O. Box 1049, Columbus, Ohio 43216-1049.

January 14, 2015, January 21, 2015, January 28, 2015,

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Scaled 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."

FRIDAY, FEBRUARY 6, 2015

File No. 10-15 — Auto, Truck and Equipment Glass Replacement and Related Parts, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, JANUARY 30, 2015 AT 10:00 A.M. CLEVELAND CITY HALL, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 15-15 — Purchase of Wood Poles, Crossarms and Accessories, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 129.26 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, JANUARY 29, 2015 AT 11:30 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 16-15 — Labor and Materials to Paint Poles and Other Streetside Elements, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, JANUARY 29, 2015 AT 10:00 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 21, 2015 and January 28, 2015

WEDNESDAY, FEBRUARY 11, 2015

File No. 11-15 — City Wide Tree Removal and Pruning Initiative, for the Division of Park Maintenance, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, JANUARY 30, 2015 AT 11:00 A.M. CLEVELAND CITY HALL, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 21, 2015 and January 28, 2015

THURSDAY, FEBRUARY 12, 2015

File No. 14-15 — Various Meyer Snow Plow and Spreader Equipment Parts and Labor, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Section 131.64 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, JANUARY 30, 2015 AT 10:30 A.M. CLEVELAND CITY HALL, ROOM 8, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 21, 2015 and January 28, 2015

FRIDAY, FEBRUARY 13, 2015

File No. 9-15 — Disposal of Debris at Landfills, for the Division of Water, Department of Public Utilities, as authorized by Ordinance

No. 849-14, passed by the Council of the City of Cleveland, August 20, 2014.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, JANUARY 29, 2015 AT 11:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 12-15 — 2015-2018 Department of Finance Citywide Sales of Scrap Metal Materials, for the various Divisions of City Government, Department of Finance, as authorized by Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, JANUARY 29, 2015 AT 11:00 A.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

January 21, 2015 and January 28, 2015

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File No. 8-15 — Restoration of Pavement for Water Mains and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 315-13, passed by the Council of the City of Cleveland, April 8, 2013.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING THURSDAY, JANUARY 29, 2015 AT 10:00 A.M. CARL B. STOKES PUBLIC UTILITIES BUILDING, 2ND FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

File No. 13-15 — Purchase of Various Types of Safety Equipment Required for OSHA/PERRP Compliance, for the various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1524-14, passed by the Council of the City of Cleveland, November 24, 2014.

THERE WILL BE A **MANDATORY** PRE-BID MEETING TUESDAY, FEBRUARY 10, 2015 AT 3:30 P.M.

THE CLEVELAND CITY HALL, ROOM 514, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

January 21, 2015 and January 28, 2015

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Monday, January 26, 2015 2:00 p.m.

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

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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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