

The City Record

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Official Proceedings City Council

Cleveland, Ohio
Monday, October 21, 2024

The meeting of the Council was called to order at 7:03 p.m. with the President of Council, Blaine A. Griffin, in the Chair.

Council Members present: Kevin Conwell, Deborah A. Gray, Blaine A. Griffin, Anthony T. Hairston, Kris Harsh, Stephanie D. Howse-Jones, Joseph T. Jones, Brian Kazy, Danny Kelly, Rebecca Maurer, Kerry McCormack, Michael D. Polensek, Jasmin Santana, Charles Slife, Jenny Spencer, Richard A. Starr.

Also present were: Mayor Bibb; Chiefs Davy, Epstein, Griffin, Johnson, Pomerantz, Teeuwen; Directors Cole, Crowe, DeRosa, Drummond, Francis, Hernandez, Keane, Margolius, Martin O'Toole, McNair, McNamara, Mitchell, Pan Huang, Shute-Woodson, Williams.

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 Starr, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Kazy.

Communications

File No. 1152-2024

From Director Martin Keane, Department of Public Utilities, City of Cleveland. Notice of grant acceptance from the U.S. Environmental Protection Agency for the Division of Water Pollution Control for sewer work on East 115th Street, in the amount of \$959,752 (Ord No. 1141-2016). Received.

File No. 1153-2024

From Director Martin Keane, Department of Public Utilities, City of Cleveland. Notice of grant acceptance from the U.S. Environmental Protection Agency for the Division of Water Pollution Control for sewer work on West 70th Street, in the amount of \$959,752 (Ord No. 1026-2023). Received.

From Ohio Division of Liquor Control

File No. 1137-2024

#77971610005. Transfer of Ownership Application, D5A D6. Savour Hospitality LLC, 1360 West Mall Drive (Ward 3). Received.

File No. 1138-2024

#8840831. Transfer of License Application, D1 D2. This Is Our First Rodeo LLC, 2038 West 4th Street (Ward 3). Received.

File No. 1139-2024

#9052382. Transfer of Ownership Application, D1 D2 D3 D3A. True Imagining LLC, 4310-12 Clark Avenue (Ward 3). Received.

File No. 1140-2024

#33335620005. Transfer of Ownership Application, D2 D2X D3 D3A D6. Gray Wolf Tavern, Inc., 4693 State Road (Ward 13). Received.

File No. 1141-2024

#8930502. Transfer of Ownership Application, D1 D2 D3 D3A D6. Tiffnnic LLC, 4716 State Road (Ward 13). Received.

Appointments

File No. 1147-2024

From Council President Blaine A. Griffin. Recommending the re-appointments of Council Member Anthony T. Hairston and of Joseph Titran to the Community Reinvestment Area Housing Council, pursuant to Section 3735.69 of the Ohio Revised Code, to terms ending in December 2026. Without objection, the appointments are approved.

Ordinances and Resolutions

First Reading Emergency Ordinances Read in Full and Passed

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

These ordinances were read for the first time on Monday, October 21, 2024, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

Click on an ordinance below to read it:

[Ord. No. 1148-2024](#)

[Ord. No. 1149-2024](#)

[Ord. No. 1150-2024](#)

[Ord. No. 1151-2024](#)

[Ord. No. 1154-2024](#)

Ordinance No. 1148-2024**By Council Members:** Jones

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the public purpose of providing a community programming promotion project through the use of Ward 1 Casino Revenue Funds.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with the Famicos Foundation for the public purpose of providing a community programming promotion project to provide community event and city department information through the use of Ward 1 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$50,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 1	\$50,000.00	G22526

Section 3. That the Law Department has reviewed and approved this proposal on October 17, 2024. The Department has reviewed and approved the proposal on October 16, 2024. Project shall begin as of November 1, 2023.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. 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 by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1149-2024**By Council Members:** Polensek

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with LMB Consulting LLC for Commercial Revitalization Services for East 185th Street through the use of Ward 8 Casino Revenue Funds.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with LMB Consulting LLC for Commercial Revitalization Services for East 185th Street through the use of Ward 8 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$40,560.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 8	\$40,560.00	G24690

Section 3. That the Law Department has reviewed and approved this proposal on October 17, 2024. The Department has reviewed and approved the proposal on October 19, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. 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 by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1150-2024**By Council Members:** Bishop

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with NuPoint Community Development Corporation for the public purpose of providing the Food Card Distribution Program through the use of Ward 2 Casino Revenue Funds.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with the NuPoint Community Development Corporation for the public purpose of providing the Food Card Distribution Program through the use of Ward 2 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$5,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 2	\$5,000.00	G24691

Section 3. That the Law Department has reviewed and approved this proposal on October 18, 2024. The Department has reviewed and approved the proposal on October 16, 2024. Project shall begin as of November 1, 2023.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. 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 by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1151-2024**By Council Members:** Griffin

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Fairfax Renaissance Development Corporation for the public purpose of providing the Food Card Distribution Program through the use of Ward 6 Casino Revenue Funds.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with the Fairfax Renaissance Development Corporation for the public purpose of providing the Food Card Distribution Program through the use of Ward 6 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$25,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 6	\$25,000.00	G24685

Section 3. That the Law Department has reviewed and approved this proposal on October 18, 2024. The Department has reviewed and approved the proposal on October 16, 2024. Project shall begin as of November 1, 2023.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. 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 by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1154-2024**By Council Members:** Kazy

An emergency ordinance authorizing the Director of the Department of Public Safety to enter into agreement with Jefferson-Puritas West Park Development Corporation for the Safety Series 2024 through the use of Ward 16 Casino Revenue Funds.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of the Department of Public Safety is hereby authorized to enter into agreement with the Jefferson-Puritas West Park Development Corporation for the 2024 Safety Series for a community expo promoting public safety in Ward 16 through the use of Ward 16 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$20,000.00 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 16	\$20,000.00	G24684

Section 3. That the Law Department has reviewed and approved this proposal on October 18, 2024. The Department has reviewed and approved the proposal on October 17, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

Section 5. 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 by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read second time.

Read third time in full. Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinances and Resolutions

First Reading Emergency Ordinances Referred

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading.

If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

These ordinances were read for the first time on Monday, October 21, 2024, and referred to the appropriate City departments and Council Committees for review.

Click on an ordinance below to read it:

[Ord. No. 1142-2024](#)

[Ord. No. 1143-2024](#)

[Ord. No. 1144-2024](#)

[Ord. No. 1145-2024](#)

[Ord. No. 1146-2024](#)

Ordinance No. 1142-2024

By Council Members: Conwell, Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Community Development to enter into a development agreement with Bequest Builders Inc., or its designee, relating to the sale and redevelopment of City-owned properties currently in the City's Land Reutilization Program which are located in the Glenville Circle North neighborhood; and authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use.

WHEREAS, the City of Cleveland adopted and implemented procedures under Chapter 5722 of the Ohio Revised Code to facilitate reutilization of nonproductive lands situated within the City of Cleveland; and

WHEREAS, real property acquired under the City's Land Reutilization Program is acquired, held, administered and disposed of by the City of Cleveland through its Department of Community Development under the terms of Chapter 5722 of the Ohio Revised Code and Section 183.021 of the Codified Ordinances of the City of Cleveland, 1976; and

WHEREAS, the Director of Community Development has requested the sale of City-owned properties currently in the City's Land Reutilization Program to Bequest Builders Inc., or its designee (the "Redeveloper"), no longer needed for public use and located in the Glenville Circle North neighborhood for the purpose of developing single-family housing units in this Glenville neighborhood; 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 enter into a development agreement with the Redeveloper relating to the acquisition, disposition, and private redevelopment of City-owned properties which are currently in the Land Reutilization Program and located in Glenville Circle North neighborhood for the purpose of developing single-family housing units in this Glenville neighborhood.

Section 2. That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following properties, Permanent Parcel Nos. 120-02-097, 120-03-034, 120-03-035, 120-03-080, 120-03-082, 120-03-124, 120-06-042, 120-07-074, 120-08-054, 120-08-079, 120-08-080, 120-09-001, 120-09-004, 120-09-056, 120-09-060, 120-09-078, 120-10-047, 120-10-072, 120-10-116, 120-10-119, and 120-10-125, which are more fully described by their legal descriptions placed in File No. 1142-2024-A are located in the

Glenville Circle North neighborhood and currently in the Land Reutilization Program and are no longer needed for public use.

Section 3. That by and at the direction of the Board of Control, the Mayor and the Commissioner of Purchases and Supplies are authorized to sell the above-described properties to the Redeveloper at a price not less than fair market value as determined by the Board of Control, taking into account all restrictions, reversionary interests, and similar encumbrances as may be placed by the City of Cleveland in the deeds of conveyance.

Section 4. That the conveyances shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including the development agreement, and restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the City's interests and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

Section 5. That the Director of Community Development is authorized to enter into any related agreements or execute any documents necessary to effectuate this ordinance.

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

Referred to Directors of Community Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 1143-2024

By Council Members: Conwell and Griffin (by departmental request)

An emergency ordinance to amend Sections 241.05 and 241.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended, relating to food shop licenses, fees, and categories.

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 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 228-2024, passed March 18, 2024, is amended to read as follows:

Section 241.05 Food Shop Licenses and Fees

(a) No food shop shall be operated without the person, firm, association, or corporation conducting the business first applying for and obtaining an annual license. All fees and charges assessed under this section shall be paid to the Commissioner of Assessments and Licenses.

(b) The provisions of RC Chapters 3715 and 3717 pertaining to the licensing, administration and enforcement of food safety programs by the local licensing authority are adopted and incorporated herein by the City of Cleveland.

(c) The holder of a food service operation license as defined by state law shall not be required to obtain a retail food establishment license except when the activities of a retail food establishment and a food service operation are carried on within the same facility by the same person or entity, then the determination of what license applies shall be made according to the primary business of the person or entity as determined by the licensor, the City of Cleveland Director of Public Health, as described in RC 3717.44.

(d) Each application to the Commissioner of Assessments and Licenses for a mobile food service operation license required under RC 3717.43 shall be accompanied by a combined license and inspection fee as follows:

2023	
Risk Level	Fee
Mobile	\$365.00

2024

Risk Level	Fee
FSO Mobile	\$360.00
RFE Mobile (High Risk)	\$360.00
RFE Mobile (Low Risk)	\$180.00

<u>2025</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Mobile FSO</u>	<u>\$376.00</u>
<u>Mobile RFE (High Risk)</u>	<u>\$376.00</u>
<u>Mobile RFE (Low Risk)</u>	<u>\$188.00</u>

(e) Each application to the Commissioner of Assessments and Licenses for a vending food service operation license required under RC 3717.43 shall be accompanied by a combined license and inspection fee as follows:

<u>2023</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Vending</u>	<u>\$16.28</u>

<u>2024</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Vending</u>	<u>\$17.40</u>

<u>2025</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Vending</u>	<u>\$17.80</u>

(f) Each application to the Commissioner of Assessments and Licenses for a temporary commercial food service operation and temporary non-commercial food service operation license required under RC 3717.43 shall be accompanied by a combined license and inspection fee as follows:

<u>2023</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>5-day temporary</u>	<u>\$100.00</u>
<u>5-day temporary (non-commercial)</u>	<u>\$50.00</u>

2024	
Risk Level	Fee
5-day temporary	\$110.00
5-day temporary (non-commercial)	\$55.00

2025	
Risk Level	Fee
<u>5-day temporary</u>	<u>\$120.00</u>
<u>5-day temporary (non-commercial)</u>	<u>\$60.00</u>

(g) The Commissioner of Assessments and Licenses may also collect fees for collection and bacteriological examination of samples taken from a food shop in an amount equal to the cost of such collection and examination as determined by the Director of Public Health.

(h) Except for plans pertaining to mobile or temporary food service operations or vending devices, the Commissioner of Assessments and Licenses shall collect fees in the amounts stated below, for plan reviews of food shops prior to submission of plans to the Department of Public Health:

2023 Plan Review Fee	Commercial	Non-Commercial
New Operations	\$450.00	\$225.00
Extensive Alteration	\$225.00	\$112.50

2024 Plan Review Fee	Commercial	Non-Commercial
New Operations	\$500.00	\$250.00
Extensive Alteration	\$250.00	\$125.00

2025 Plan Review Fee	Commercial	Non-Commercial
<u>New Operations</u>	<u>\$500.00</u>	<u>\$250.00</u>
<u>Extensive Alteration</u>	<u>\$250.00</u>	<u>\$125.00</u>

(i) The Commissioner of Assessments and Licenses shall submit all applications for a food shop license to the Director of Public Health for approval or disapproval of the application.

(j) The Commissioner of Assessments and Licenses is authorized to collect license fees for retail food establishments and food service operations and deposit the fees into a fund created under RC 3717.25 and 3717.45.

(k) For purposes of this section, non-commercial organizations are defined as organizations such as churches, or non-profit organizations operated exclusively for charitable purposes as defined in RC 5739.02(B)(12), provided that displayed foods are not displayed for more than seven (7) consecutive days or more than fifty-two (52) separate days per year.

(l) For a food service operation, a penalty of twenty five percent (25%) of any license fee required by this section must be paid before the issuance of the license if the required license fee is not paid on or before the date it is due.

Section 2. That Section 241.05 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 228-2024, passed March 18, 2024, is repealed.

Section 3. That Section 241.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 81-2024, passed January 22, 2024, is amended to read as follows:

Section 241.35 Categories and Fees

(a) Each application to the Commissioner of Assessments and Licenses for a food service operation license required under RC 3717.43, or for a retail food establishment license required under RC 3717.23 shall be accompanied by a combined license and inspection fee as follows:

(1) Commercial food service operations and retail food establishments less than twenty-five thousand (25,000) square feet of floor space:

2023	
Risk Level	Fee
Level I	\$194.00
Level II	\$214.00
Level III	\$382.00
Level IV	\$478.00

2024	
Risk Level	Fee
Level I	\$230.00
Level II	\$256.00
Level III	\$476.00
Level IV	\$598.00

<u>2025</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Level I</u>	<u>\$216.00</u>
<u>Level II</u>	<u>\$240.00</u>
<u>Level III</u>	<u>\$434.00</u>
<u>Level IV</u>	<u>\$544.00</u>

(2) Commercial food service operations and retail food establishments greater than twenty-five thousand (25,000) square feet of floor space:

2023	
Risk Level	Fee
Level I	\$266.00
Level II	\$280.00
Level III	\$914.00
Level IV	\$968.00

<u>2024</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Level I</u>	<u>\$324.00</u>
<u>Level II</u>	<u>\$340.00</u>
<u>Level III</u>	<u>\$1,164.00</u>
<u>Level IV</u>	<u>\$1,234.00</u>

<u>2025</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Level I</u>	<u>\$300.00</u>
<u>Level II</u>	<u>\$314.00</u>
<u>Level III</u>	<u>\$1,048.00</u>
<u>Level IV</u>	<u>\$1,110.00</u>

(3) Non-commercial food service operations and non-commercial retail food establishments less than twenty-five thousand (25,000) square feet of floor space:

2023

Risk Level	Fee
Level I	\$97.00
Level II	\$107.00
Level III	\$191.00
Level IV	\$239.00

2024	
Risk Level	Fee
Level I	\$115.00
Level II	\$128.00
Level III	\$238.00
Level IV	\$299.00

<u>2025</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Level I</u>	<u>\$108.00</u>
<u>Level II</u>	<u>\$120.00</u>
<u>Level III</u>	<u>\$217.00</u>
<u>Level IV</u>	<u>\$272.00</u>

(4) Non-commercial food service operations and non-commercial retail food establishments greater than twenty-five thousand (25,000) square feet of floor space:

2023	
Risk Level	Fee
Level I	\$133.00
Level II	\$140.00
Level III	\$457.00
Level IV	\$484.00

2024	
Risk Level	Fee
Level I	\$162.00
Level II	\$170.00
Level III	\$582.00

Level IV	\$617.00
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<u>2025</u>	
<u>Risk Level</u>	<u>Fee</u>
<u>Level I</u>	<u>\$150.00</u>
<u>Level II</u>	<u>\$157.00</u>
<u>Level III</u>	<u>\$524.00</u>
<u>Level IV</u>	<u>\$555.00</u>

(b) The risk level categories described herein shall have the meaning established in any rules promulgated under RC Chapters 3715 and 3717.

Section 4. That Section 241.35 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 81-2024, passed January 22, 2024, is repealed.

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 Health; Finance; and Law; Committees on Health, Human Services and the Arts; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 1144-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance to amend Sections 381.051, 381.052, 381.053, 381.054, and 381.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, relating to fees for various fire permits, special inspection and testing fees, and fees for certificates of qualification.

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 Sections 381.051, 381.052, 381.053, 381.054, and 381.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, are amended to read as follows:

Section 381.051 Fees for Permits for Fire Protection Systems

(a) The fees for permits to install, enlarge or alter a fire protection system are established as follows:

(1) *Automatic Sprinkler Review:* The fee for the sprinkler review is based on the number of sprinkler heads in the system.

Sprinkler Heads	Fee
1 to 20	\$65.00 <u>\$150.00</u>
21 to 200	\$135.00 <u>\$200.00 plus \$1.00 per head over 21</u>
201 to 400	\$195.00 <u>\$250.00 plus \$1.00 per head over 201</u>
401 to 600	\$260.00 <u>\$300.00 plus \$1.00 per head over 401</u>
Over 600	\$325.00, plus \$0.25 per head over 600 <u>\$350.00 plus \$1.00 per head over 600</u>

For hydraulically-designed systems, multiply the above fee by one and one-half (1-1/2). For systems with a fire pump, add ~~sixty-five dollars (\$65.00)~~ three hundred dollars (\$300.00). Standpipes using the same supply as sprinkler systems with fire pumps are included in the sprinkler system fee.

(2) *Standpipe Review*: Three hundred dollars (\$300.00). Sixty-five dollars (\$65.00); with a fire pump or pumps, one hundred thirty dollars (\$130.00).

(3) *Underground Fire Main/Yard Hydrant System*: One hundred dollars (\$100.00) plus \$25.00 per hydrant over 3. Sixty-five dollars (\$65.00).

(4) *Alternative Automatic Fire extinguishing system*. One hundred dollars (\$100.00) per system plus \$0.05 per square foot over 5,000 square feet. Associated alarm devices fee will be charged per sections 9 and 10.

(4)(5) *Carbon Dioxide Suppression System*: Pre-engineered system, ~~sixty-five dollars (\$65.00)~~ one hundred dollars (\$100.00) per system. Engineered system, one (1) to one hundred seventy-five (175) pounds of agent, ~~sixty-five dollars (\$65.00)~~ one hundred dollars (\$100.00). Over one hundred seventy-five (175) pounds of agent, ~~sixty-five dollars (\$65.00) plus thirty cents (\$0.30)~~ one hundred dollars (\$100.00) plus fifty cents (\$0.50) per pound.

(5)(6) *Halon Suppression Clean Agent System*: Up to thirty- five (35) pounds of agent, ~~sixty-five dollars (\$65.00)~~ one hundred dollars (\$100.00). Over thirty-five (35) pounds of agent, ~~sixty-five dollars (\$65.00) plus thirty cents (\$0.30)~~ one hundred dollars (\$100.00) plus fifty cents (\$0.50) per pound.

(6)(7) *Dry Chemical Suppression System*: Up to thirty (30) pounds of agent, ~~forty five dollars and fifty cents (\$45.50)~~ fifty dollars (\$50.00). Over thirty (30) pounds of agent, ~~sixty-five dollars (\$65.00) plus thirty cents (\$0.30)~~ one hundred dollars (\$100.00) plus fifty cents (\$0.50) per pound.

(7)(8) *Wet Chemical Suppression System*: Up to three (3) gallons of agent, ~~forty five dollars and fifty cents (\$45.50)~~ one hundred dollars (\$100.00). Over three (3) gallons of agent, ~~sixty-five dollars (\$65.00) plus two dollars and fifty cents (\$2.50)~~ one hundred dollars (\$100.00) plus five dollars (\$5.00) per gallon.

(8)(9) *Automatic Fire Alarm Systems*: The fee for an automatic alarm system is based on the number of sending, signaling and detecting devices in the system. Add ~~one hundred thirty dollars (\$130.00)~~ one hundred fifty dollars (\$150.00) for a smoke control or removal system.

Devices	Fee
1 - 25	\$65.00 <u>\$200.00</u>
Over 25	\$65.00, plus \$0.65 per device over 25 <u>\$300.00, plus \$1.50 per device over 25</u>

(9)(10) *Manual Fire Alarm Systems*: The fee for a manual fire alarm system is based on the number of sending and signaling devices.

Devices	Fee
1 - 10	\$65.00 <u>\$150.00</u>
Over 10	\$65.00, plus \$1.00 per device over 10 <u>\$150.00, plus \$2.00 per device over 10</u>

(b) The services provided for the fees established by this section shall include review of the permit application, review of the plans, and the issuance of a permit. The services shall also include the presence of a representative of the Division of Fire at the testing of the system for a single day not exceeding ~~eight (8)~~ four (4) hours. If the testing extends beyond a single day due to continuation of the acceptance test, failure of the system, or any other cause whatsoever, then an additional fee of ~~one hundred thirty dollars (\$130.00)~~ one hundred fifty dollars (\$150.00) plus fifty dollars (\$50.00) per each additional day shall be paid for the presence of a representative of the Division of Fire at each additional day of testing or fraction of a day. After hours inspection fees will be based on current overtime rate, minimum of four (4) hours per inspection.

Section 381.052 Fees for Permits for Storage Tanks

(a) The following fees are hereby established to install, remove, repair or alter tanks for the storage of hazardous substances:

(1) To install outdoor above-ground or buried tanks inside street or alley lines or tanks inside buildings for storing any substance or combustible liquid other than water:

Gallon Capacity	Fee (Each Tank)
Gallon Capacity	Fee (Each Tank)
Up to 1,000	\$65.00 <u>\$100.00</u>
Over 1,000 to 3,000	\$100.00 <u>\$125.00</u>
Over 3,000 to 12,000	\$130.00 <u>\$150.00</u>
Over 12,000 to 20,000	\$195.00 <u>\$200.00</u>
Over 20,000 to 50,000	\$260.00 <u>\$300.00</u>
Over 50,000 to 100,000	\$325.00 <u>\$350.00</u>
Over 100,000	\$390.00 <u>\$500.00</u>

(2) To install tanks inside buildings other than high hazard occupancy use group classification for storing hazardous substances:

Gallon Capacity	Fee (Each Tank)
Up to 1,000	\$65.00 <u>\$100.00</u>
Over 1,000 to 3,000	\$100.00 <u>\$125.00</u>
Over 3,000 to 12,000	\$130.00 <u>\$150.00</u>

Over 12,000 to 25,000	\$195.00 <u>\$200.00</u>
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(3) To install new piping for existing tanks. Fee: ~~sixty-five dollars (\$65.00)~~ one hundred dollars (\$100.00).

(4) To remove, abandon, place temporarily out of service or otherwise dispose of a tank. Fee: ~~sixty-five dollars (\$65.00)~~ one hundred fifty dollars (\$150.00).

(5) To reline an underground liquid petroleum tank. Fee: ~~sixty-five dollars (\$65.00)~~ one hundred dollars (\$100.00).

(b) The fees established by this section shall include review of the permit application, review of the plans, and the issuance of a permit. The fees established shall also include the presence of a representative of the Division of Fire at the testing of the tank or piping, if applicable, for a single day not exceeding ~~eight (8)~~ four (4) hours. If the testing extends beyond a single day due to continuation of the acceptance test, failure of the tank or the piping, or any other cause whatsoever, then an additional fee of ~~one hundred thirty dollars (\$130.00)~~ one hundred fifty dollars (\$150.00) plus fifty dollars (\$50.00) for each additional day shall be paid for the presence of a representative of the Division of Fire at each additional day of testing or fraction of a day. After hours inspection fees shall be based on current overtime rate, minimum of four (4) hours per inspection.

Section 381.053 Fees for Permits for Hazardous Substances and Explosives

(a) The fee for a permit to store, use or handle a hazardous substance other than an explosive shall be ~~sixty-five dollars (\$65.00)~~. ~~Each permit shall be issued for a period of not to exceed three (3) years~~ one hundred dollars (\$100.00) for 1 year and in a fixed facility one hundred fifty dollars (\$150.00) per 3 years. In the event that a permit to handle a hazardous substance other than an explosive is issued for a period of five (5) days or less, the permit fee shall be ~~twenty dollars (\$20.00)~~ twenty-five dollars (\$25.00).

(b) The fee for a permit to store, use, sell, give away, transport or dispose of an explosive shall be ~~seventy-five dollars (\$75.00)~~ one hundred fifty dollars (\$150.00) per event. The permit shall be issued for a period of not to exceed one (1) year.

(c) The fee for a permit to exhibit and/or store pyro (fireworks), flame, and lasers shall be one hundred fifty dollars (\$150.00) per event.

Section 381.054 Special Inspection and Testing Fees

(a) The fee shall be ~~thirty-two dollars and fifty cents (\$32.50)~~ one hundred dollars (\$100.00) for the Division of Fire to conduct an initial inspection of any facility requiring a fire inspection for a license, such as child care facilities, residential care facilities, board and care facilities, half-way houses, group homes, convalescent

facilities, and alcohol and drug facilities. The fee for each re-inspection shall be one-hundred dollars (\$100.00) per license inspection.

(b) The fee for the Division of Fire to conduct a flow test of a dry standpipe having no permanent water supply shall be ~~three hundred dollars (\$300.00)~~ four hundred fifty dollars (\$450.00) and shall include up to three (3) risers. For each additional riser, there shall be a cost of one hundred dollars (\$100.00) per riser.

Section 381.06 Fees for Certificates of Qualification

(a) Every standpipe installation, yard hydrant system, automatic sprinkler installation, or installation of other automatic fire extinguishing equipment, electrically operated interior fire alarm system and automatic fire detecting system, shall be under the responsible charge of the owner or other person designated by the owner, who is familiar with the operation of the systems in his or her charge. The person shall see that the systems are maintained in a serviceable condition. No person shall be in charge of any system or installation unless he or she applies for and receives ~~holds~~ a certificate of qualification issued by the Fire Chief and pays a fee of ~~thirty-five dollars (\$35.00) for any initial certificate or annual renewal of a certificate~~ fifty dollars (\$50.00) for any initial certificate or annual renewal of a certificate. The following categories require a Certificate of Qualification permit:

(1) Liquid Petroleum Gas (LPG)

(2) Fire Protection Systems

- A. Sprinkler
- B. Standpipe
- C. Fire Pump
- D. Yard Hydrant
- E. Fire Alarm
- F. Smoke Control System
- G. Other Automatic Protection System

(b) Additional fees:

(1)FPS initial inspection fees for Fire Alarm and Wet based systems:

<u>Category</u>	<u>Fee</u>
<u>Less than 2,500 square feet</u>	<u>\$100.00</u>
<u>2,501 – 5,000 square feet</u>	<u>\$125.00</u>
<u>5,001 – 10,000 square feet</u>	<u>\$150.00</u>
<u>10,001 – 12,000 square feet</u>	<u>\$175.00</u>
<u>12,001 – 20,000 square feet</u>	<u>\$200.00</u>
<u>20,001 – 40,000 square feet</u>	<u>\$225.00</u>

<u>40,001 – 60,000 square feet</u>	<u>\$250.00</u>
<u>60,001 – 100,000 square feet</u>	<u>\$275.00</u>
<u>100,001 – 125,000 square feet</u>	<u>\$300.00</u>
<u>125,001 and over</u>	<u>\$300.00 + \$15.00 per additional 5,000 square feet</u>

(2) Additional Inspection/Specialty fees:

<u>Category</u>	<u>Fee</u>
<u>New Cell Towers with utility building</u>	<u>\$150.00</u>
<u>New Cell Towers</u>	<u>\$100.00</u>
<u>Cellular Antennas replacement</u>	<u>\$50.00</u>
<u>New Fire Alarm test</u>	<u>\$150.00</u>
<u>Fire Control Panel Replacement</u>	<u>\$150.00</u>
<u>Sprinkler Panel</u>	<u>\$150.00</u>
<u>Kitchen Hood</u>	<u>\$150.00</u>
<u>Underground Fire Main</u>	<u>\$150.00</u>
<u>Hazardous Escort During business hours</u>	<u>\$100.00</u>
<u>Hazardous Escort after hours</u>	<u>\$334.32/4 hour minimum – \$83.58 per additional hour</u>
<u>Communication Permit (Annual)</u>	<u>\$100.00</u>
<u>FPS Contractor fee (Annual)</u>	<u>\$100.00</u>
<u>Festival Permit</u>	<u>\$150.00/Year</u>
<u>Festival Inspection fee</u>	<u>\$334.32/4 hour minimum – \$83.58 per additional hour</u>

(3) Additional Inspection/Specialty fees:

<u>Category</u>	<u>Fee</u>
<u>BUSTR (Underground Tank Inspection)</u>	<u>\$100/hr.</u>
<u>Knox Box Permit</u>	<u>\$50.00</u>

(4) HAZMAT Response fees:

<u>Category</u>	<u>Fee</u>
<u>HAZMAT Response fee billed to spiller</u>	<u>\$400.00/4hrs. - \$100.00/man hr. after the initial 4 hours</u>
<u>HAZMAT Specialist</u>	<u>\$334.32/4 hour minimum – \$83.58 per additional hour</u>

(c) Replacement costs: any damaged supplies or equipment will be billed to the spiller.

(d) By the discretion of the Fire Chief, any permit fees may be waived on a case-by-case basis.

Section 2. That existing Sections 381.051, 381.052, 381.053, 381.054, and 381.06 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 2393-02, passed February 3, 2003, 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 Public Safety; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 1145-2024

By Council Members: Polensek, Bishop and Griffin (by departmental request)

An emergency ordinance giving consent of the City of Cleveland to the Director of Transportation of the State of Ohio for resurfacing a portion of Villaview Road; authorizing the Director of Capital Projects to employ one or more professional consultants to design the improvement; to apply for and accept any gifts or grants from any public or private entity; authorizing any relative agreements; and causing payment of the City's share to the State for the cost of the improvement.

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 Director of the Ohio Department of Transportation (the "State" or "ODOT") to construct the following improvement under plans, specifications, and estimates approved by the State: Resurfacing Villaview Road from East 161st Street to East 200th Street, PID 120677 (the "Improvement").

Section 2. That the City shall cooperate with the State in the development and construction of the Improvement and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Improvement. The City agrees to participate in the cost of the Improvement by assuming and contributing the entire cost and expense of the Improvement, less the amount of federal funds set aside by the Director of Transportation for the financing of the Improvement from funds allocated by the Federal Highway Administration, United States Department of Transportation. The City agrees to assume and bear one hundred percent (100%) of the cost of preliminary engineering, right-of-way and environmental documentation. The City agrees to assume and contribute one hundred percent (100%) of the cost of any items included in the construction contract at the request of the City, which are determined by the State not eligible or made necessary by the Improvement. The City further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the City. The City shall contribute its share of the cost of these items in accordance with other sections in this ordinance. The share of the cost of the City is estimated in the amount of \$654,484, but the estimated amount is to be adjusted in order that the City's ultimate share of the Improvement shall correspond with the percentages of actual costs when the actual costs are determined.

Section 3. That the City agrees that if Federal funds are used to pay the cost of any consultant contract, the City shall comply with 23 CFR part 172 in the selection of its

consultant and administration of the consultant contract. Further, the City agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Improvement. The City agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 4. That the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City in order to provide professional services necessary to implement the Improvement.

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

Section 5. Authority to Sign. That the City authorizes the Director of Capital Projects to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the Improvement; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project. Upon request of ODOT, the Director of Capital Projects is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 6. Utilities and Right-of-Way Statement. The City agrees to acquire and/or make available to ODOT, under current State and Federal regulations, all necessary right-of-way required for the Improvement. The City also understands that right-of-way costs include eligible utility costs. The City agrees that all utility accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR part 645 and the ODOT Utilities Manual.

Section 7. Maintenance. Upon completion of the Improvement, and unless otherwise agreed, the City shall: (1) provide adequate maintenance for the Improvement under all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Improvement; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

Section 8. That this Council requests the State to proceed with the Improvement.

Section 9. That the Director of Capital Projects is authorized to apply for and accept any gifts or grants for this purpose from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

Section 10. That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement.

Section 11. That the Director of Capital Projects is authorized to enter into any agreements necessary to implement the Improvement.

Section 12. That the Clerk of Council is authorized and directed to transmit to the State three (3) certified copies of this ordinance immediately on its taking effect, and it shall become the basis for proceeding with the Improvement.

Section 13. That this Council authorizes payment to the State of the City's share of the Improvement from Fund Nos. 20 SF 573, 20 SF 579, 20 SF 586, 20 SF 592, 20 SF 597, 20 SF 702, 20 SF 712, 20 SF 718, 20 SF 722, from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose, or any cash gifts, grants, or cash contributions received from public or private entities are received. (RQS 0103, RLA 2024-97)

Section 14. 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; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinance No. 1146-2024

By Council Members: Conwell, Bishop and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Capital Projects to enter into one or more agreements with the City of East Cleveland authorizing the City of East Cleveland to construct improvements on Woodlawn Avenue as Phase One of the Circle East Transformational Project located in the Cities of East Cleveland and Cleveland; and to cause payment of Cleveland's share.

WHEREAS, the Circle East Transformational Project are improvements to Woodlawn Avenue, Penrose Avenue, Lakeview Avenue, and Forest Hill Avenue and is located in the Cities of East Cleveland and Cleveland (the "Project"); and

WHEREAS, Phase One of the Project is to construct sidewalks, driveway aprons, lighting, and landscape improvements on Woodlawn Avenue in the Cities of East Cleveland and Cleveland; and

WHEREAS, the Project is located in both cities, and the City of East Cleveland is making the improvement, which includes Phase One; and

WHEREAS, it is the obligation of the City of Cleveland to pay our share of the cost for the improvement that is located in 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 the Director of Capital Projects is authorized to enter into one or more agreements with the City of East Cleveland authorizing the City of East Cleveland to construct sidewalks, driveway aprons, lighting, and landscape improvements on Woodlawn Avenue for the portion of the Project that is located in the City of Cleveland ("Phase One Improvement"). The agreement or agreements shall authorize Cleveland to make a payment to the City of East Cleveland.

Section 2. That the Director of Capital Projects agrees to pay one hundred percent (100%) of the cost of any additional improvements beyond the scope of the Improvement that the City of Cleveland requests be completed on Cleveland's portion of Woodland Avenue throughout the duration of the project.

Section 3. That this Council authorizes payment to the City of East Cleveland for the cost of Cleveland's share of constructing Phase One Improvements from Fund Nos. 20 SF 567, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, 20 SF 597, 20 SF 598, 20 SF 702, 20 SF 712, 20 SF 718, 20 SF 722, and from the fund or funds to which are credited the

proceeds from the sale of future bonds, if issued for this purpose. (RQS 0103, RLA 2024-102)

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 Capital Projects; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Ordinances and Resolutions

Second Reading Emergency Ordinances Passed

An ordinance is a City law written and enacted by City Council. Ordinances govern the actions, responsibilities and tax dollars of residents, businesses, organizations, city departments and visitors in Cleveland. Ordinances can be written and passed to address issues about housing, safety, public services, employment, the City budget and economic development. Many ordinances authorize the City to spend money on contracts and projects that support the mission of the City of Cleveland.

Ordinances are effective 30 days after passage. Emergency ordinances take effect immediately upon the Mayor's signature or 10 days after passage.

Under the Charter, legislation cannot be passed until it has been read on three separate days, unless this requirement is dispensed with by a two-thirds vote of the Council. This is known as passing legislation "under suspension." Ordinances may be passed under suspension after either the first or second reading. If not passed under suspension after the first reading, the legislation is then sent to the appropriate City departments for review.

After departmental review, the ordinance is returned to Council for consideration in a public hearing before the appropriate Council Committee(s). Council Members and City departments can recommend changes, or amendments, to the legislation during the hearing process. After the review is complete and any amendments have been made, the legislation is read a second time at a Council meeting. A second reading allows Council Members and the public to hear what changes have been made to the law. Amendments cannot be made after the second reading of the legislation.

These ordinances were read for the second time on Monday, October 21, 2024, the rules were suspended, and the legislation was passed by an affirmative two-thirds vote of all members elected to Council.

Click on an ordinance below to read it:

[Ord. No. 989-2024](#)

[Ord. No. 1016-2024](#)

[Ord. No. 1011-2024](#)

[Ord. No. 1049-2024](#)

[Ord. No. 1012-2024](#)

[Ord. No. 1068-2024](#)

[Ord. No. 1013-2024](#)

[Ord. No. 1069-2024](#)

[Ord. No. 1015-2024](#)

[Ord. No. 1078-2024](#)

Ordinance No. 989-2024

By Council Members: Maurer, Bishop and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Works to enter into one or more agreements with the State of Ohio, Department of Transportation to provide general routine maintenance and repair of a portion of State Route 176, for a period of one year.

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1011-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to cause payment to Cuyahoga County for services rendered through the County Department of Public Safety & Justice Services, to reimburse the County for the City's share of costs for maintaining and use of five Motorola NG9-1-1 workstations and other related expenses.

Approved by the Directors of Public Safety; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1012-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to cause payment to Cuyahoga County for services rendered through the County Medical Examiner's Office to reimburse the County for the City's share of costs for maintaining and use of the Automated Fingerprint Identification System.

Approved by the Directors of Public Safety; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1013-2024

By Council Members: Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Mayor and the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by 1030 East 62nd LLC, and/or its designee, located at 1030 East 62nd Street for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code for the 1030 East 62nd Redevelopment Project.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1015-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Public Safety to enter into various written standard purchase and requirement contracts for the necessary items of one fire alarm system, including labor and materials for the installation of the new system and removal and abatement of the current fire system, if necessary, for the Division of Fire, Department of Public Safety.

Approved by the Directors of Public Safety; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1016-2024

By Council Members: Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into contract with 1030 East 62nd Street LLC, or its designee, to provide economic development assistance to partially finance the project costs for the development of the 1030 East 62nd Street project and other associated costs necessary to redevelop the property.

Approved by the Directors of Economic Development; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1049-2024

By Council Members: Polensek and Griffin (by departmental request)

An emergency ordinance to amend the title and Section 1 of Ordinance No. 525-2024, passed May 20, 2024, relating to a professional services contract to develop and implement young adult violence interventions and prevention programs and strategies, for the Community Relations Board.

Approved by the Directors of Community Relations Board; Finance; and Law; Committees on Safety; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1068-2024

By Council Members: McCormack, Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into an Enterprise Zone Agreement with Erieview Holdings LLC, Erieview Tower Residential LLC, Erieview Galleria LLC, Erieview Tower LLC, and/or designee, to provide for tax abatement for certain real property improvements for the revitalization of the Tower, Galleria, and Parking Garage located at 100 Erieview Street/1301 East 9th Street in the Cleveland Area Enterprise Zone.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1069-2024

By Council Members: McCormack, Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Erieview Holdings LLC, Erieview Tower LLC, Erieview Galleria LLC, Erieview Tower Residential LLC, and/or designee, to assist with the financing of the Tower, Galleria, and Parking Garage Project to be located at 100 Erieview Tower/1301 East 9th Street, Cleveland, Ohio; to provide for payments to the Cleveland Metropolitan School District; and to declare certain improvements to real property to be a public purpose.

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the second whereas clause, line 1, strike “ordinance authority” and insert “Ordinance No. 1029-2023, passed October 23, 2023”.
2. In Section 1 at the end, strike “(insert legals)” and insert the following legal descriptions:

EXHIBIT “A”

Legal Description

PARCEL 1

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being Unit No. 2A in the Erieview Commercial Condominium, whose drawings are recorded in Volume 156 of Condominium Maps, Pages 70-82 of Cuyahoga County Records and amended in Volume 167 of Condominium Maps, Pages 66 through 70 of Cuyahoga County Records, and as further described by the Declaration of Condominium Ownership (and the Bylaws attached thereto) recorded March 1, 2006 as Instrument No. 200603010282 of Cuyahoga County Records as amended by the First Amendment to Declaration of Condominium Ownership for the Erieview Commercial Condominium recorded February 23, 2015 as Instrument No. 201502230141 of Cuyahoga County Records (the "Declaration"), together with respective undivided interest in and to all the common elements appurtenant to each of said units as is set forth in the declaration, as the same may be amended from time to time, which undivided interests shall automatically change in accordance with the amendments to the declaration as the same are filed of record pursuant to the provisions of said amendments, and which undivided interests shall attach to the common elements in the percentages set forth in such amendments to the declaration, which percentages shall automatically be deemed to be conveyed effective on the recording of each such amendment to the declaration as though conveyed hereby, be the same more or less, and any amendments thereto.

Together with and subject to all the rights, duties, easements, reservations, limitations, rights-of-way, conditions and restrictions contained in the Declarations, amendments thereto, the allotted drawings and Bylaws referred to above and incorporated herein as though set forth in full

Together with the following:

PARCEL 2 (Easements)

a. Appurtenant Easements established in the Deed from the City of Cleveland, to Erieview Corporation, filed for record in Volume 10671, Page 577 on February 7, 1963 of Cuyahoga County Records, as modified by Easement Modification Agreement filed for record in Volume 15499, Page 499 on November 17, 1981 of Cuyahoga County Records

b. Appurtenant Easements established in the Deed from the City of Cleveland to Erieview Corporation, filed for record in Volume 11622, Page 43 on June 21, 1965 of Cuyahoga County Records

c. Appurtenant Easements established in the modification of Judgment Entry and Grant of Easement Rights, between Erieview Associates, Medical Mutual of Cleveland, Inc., and the City of Cleveland, filed for record in Volume 15493, Page 617 on October 22, 1981 of Cuyahoga County Records.

Tax I.D./Key No. 101-34-302

Commonly known as 1301 East Ninth Street, Cleveland, OH 44114

“Exhibit "A "

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being:

Tract A: (Fee Simple)

Parcel No. 1 (Residences):

Units 1-17, 1-18, 1-19, 1-20, 1-21, 1-22, 1-23, 1-24, 1-25, 1-26, 1-27, and 1-28, respectively, in the Erieview Commercial Condominium, whose Drawings are shown in the Erieview Commercial Condominium Second Amendment Plat recorded as AFN 202401220350 of Cuyahoga County Records, and as further described by the Declaration of Condominium Ownership (and the Bylaws attached thereto) recorded March 1, 2006 as AFN 200603010282 of Cuyahoga County Records (the “Declaration”), whose Drawings are shown in Condominium Plat 156, Page 70, as amended by the First Amendment to the Declaration recorded February 23, 2015 as AFN 201502230141 of Cuyahoga County Records, whose Drawings are shown in Volume 167 of Condominium Maps, Page 66, and further amended by the Second Amendment to the Declaration recorded January 22, 2024 as AFN 202401220349 of Cuyahoga County Records; and

Parcel No. 2 (Hotel):

Units 1-0, 1-4, 1-5, 1-6, 1-7, 1-8, 1-9, 1-10, 1-11, 1-12, 1-38 and 1-41, respectively, in the Erieview Commercial Condominium, whose Drawings are shown in the Erieview Commercial Condominium Second Amendment Plat recorded as AFN 202401220350 of Cuyahoga County Records, and as further described by the Declaration of Condominium Ownership (and the Bylaws attached thereto) recorded March 1, 2006 as AFN 200603010282 of Cuyahoga County Records (the “Declaration”), whose Drawings are shown in Condominium Plat 156, Page 70, as amended by the First Amendment to the Declaration recorded February 23, 2015 as AFN 201502230141 of Cuyahoga County Records, whose Drawings are shown in Volume 167 of Condominium Maps, Page 66, and further amended by the Second Amendment to the Declaration recorded January 22, 2024 as AFN 202401220349 of Cuyahoga County Records; and

Together with respective Undivided Interest in and to all the Common Elements appurtenant to each of said Units as is set forth in the Declaration, as the same may be amended from time to time, which Undivided Interests shall automatically change in accordance with the Amendments to the Declaration as the same are filed of record pursuant to the provisions of said Amendments, and which Undivided Interests shall attach to the Common Elements in the percentages set forth in such Amendments to the Declaration, which percentages shall automatically be deemed to be conveyed effective on the recording of each such Amendment to the Declaration as though conveyed hereby, be the same more or less.

Tract B: (Easement)Parcel No. 1

Appurtenant easements established in the Deed from the City of Cleveland, to Erieview Corporation, filed for record in Volume 10671, Page 577 on February 7, 1963 of Cuyahoga County Records, as modified by Easement Modification Agreement filed for record in recorded in Volume 15499, Page 499 on November 17, 1981 of Cuyahoga County Records.

Parcel No. 2

Appurtenant easements established in the Deed from the City of Cleveland to Erieview Corporation, filed for recorded in Volume 11622, Page 43 on June 21, 1965 of Cuyahoga County Records.

Parcel No. 3

Appurtenant easements established in the Modification of Judgment Entry and Grant of Easement Rights, between Erieview Associates, Medical Mutual of Cleveland, Inc., and the City of Cleveland, filed for record in Volume 15493, Page 617 on October 22, 1981 of Cuyahoga County Records.

The following Tax Parcel Numbers are shown for information only (split from 101-34-

301 and 101-34-304):

Tract A, Parcel No. 1, Unit 1-17 101-34-324
Tract A, Parcel No. 1, Unit 1-18 101-34-325
Tract A, Parcel No. 1, Unit 1-19 101-34-326
Tract A, Parcel No. 1, Unit 1-20 101-34-327
Tract A, Parcel No. 1, Unit 1-21 101-34-328
Tract A, Parcel No. 1, Unit 1-22 101-34-329
Tract A, Parcel No. 1, Unit 1-23 101-34-330
Tract A, Parcel No. 1, Unit 1-24 101-34-331
Tract A, Parcel No. 1, Unit 1-25 101-34-332
Tract A, Parcel No. 1, Unit 1-26 101-34-333
Tract A, Parcel No. 1, Unit 1-27 101-34-334
Tract A, Parcel No. 1, Unit 1-28 101-34-335
Tract A, Parcel No. 2, Unit 1-0 101-34-306
Tract A, Parcel No. 2, Unit 1-4 101-34-311
Tract A, Parcel No. 2, Unit 1-5 101-34-312
Tract A, Parcel No. 2, Unit 1-6 101-34-313
Tract A, Parcel No. 2, Unit 1-7 101-34-314
Tract A, Parcel No. 2, Unit 1-8 101-34-315
Tract A, Parcel No. 2, Unit 1-9 101-34-316
Tract A, Parcel No. 2, Unit 1-10 101-34-317
Tract A, Parcel No. 2, Unit 1-11 101-34-318
Tract A, Parcel No. 2, Unit 1-12 101-34-319
Tract A, Parcel No. 2, Unit 1-38 101-34-345
Tract A, Parcel No. 2, Unit 1-41 101-34-348

Exhibit "A "

Situated in the City of Cleveland, County of Cuyahoga, and State of Ohio and known as being:

Parcel No. 1: (Fee Simple)

A. Units 1-1A, 1-1B, 1-2 through 1-3, 1-13 through 1-16, 1-29 through 1-37, and 1-39 and 1-40, respectively, in the Erieview Commercial Condominium, whose Drawings are shown in the Erieview Commercial Condominium Second Amendment Plat recorded as AFN 202401220350 of Cuyahoga County Records, and as further described by the Declaration of Condominium Ownership (and the Bylaws attached thereto) recorded March 1, 2006 as AFN 200603010282 of Cuyahoga County Records (the "Declaration"), whose Drawings are shown in Condominium Plat 156, Page 70, as amended by the First Amendment to the Declaration recorded February 23, 2015 as AFN 201502230141 of Cuyahoga County Records, whose Drawings are shown in Volume 167 of Condominium Maps, Page 66, and further amended by the Second Amendment to the Declaration recorded January 22, 2024 as AFN 202401220349 of Cuyahoga County Records; and

B. Unit 3 in the Erieview Commercial Condominium, whose Drawings are recorded in Volume 156 of Condominium Maps, Pages 70-82 of Cuyahoga County Records, and as further described by the Declaration of Condominium Ownership (and the Bylaws attached thereto) recorded March 1, 2006 as AFN 200603010282 of Cuyahoga County Records (the “Declaration”), as amended by the First Amendment to the Declaration recorded February 23, 2015 as AFN 201502230141 of Cuyahoga County Records, whose Drawings are shown in Volume 167 of Condominium Maps, Page 66 of Cuyahoga County Records.

together with respective Undivided Interest in and to all the Common Elements appurtenant to each of said Units as is set forth in the Declaration, as the same may be amended from time to time, which Undivided Interests shall automatically change in accordance with the Amendments to the Declaration as the same are filed of record pursuant to the provisions of said Amendments, and which Undivided Interests shall attach to the Common Elements in the percentages set forth in such Amendments to the Declaration, which percentages shall automatically be deemed to be conveyed effective on the recording of each such Amendment to the Declaration as though conveyed hereby, be the same more or less.

Parcel No. 2: (Easements)

A. Appurtenant easements established in the Deed from the City of Cleveland, to Erieview Corporation, filed for record in Volume 10671, Page 577 on February 7, 1963 of Cuyahoga County Records, as modified by Easement Modification Agreement filed for record in recorded in Volume 15499, Page 499 on November 17, 1981 of Cuyahoga County Records.

B. Appurtenant easements established in the Deed from the City of Cleveland to Erieview Corporation, filed for recorded in Volume 11622, Page 43 on June 21, 1965 of Cuyahoga County Records.

C. Appurtenant easements established in the Modification of Judgment Entry and Grant of Easement Rights, between Erieview Associates, Medical Mutual of Cleveland, Inc., and the City of Cleveland, filed for record in Volume 15493, Page 617 on October 22, 1981 of Cuyahoga County Records.

The following are shown for information only:

Parcel No. 1A

Tax Identification Numbers (split from 101-34-301 and 101-34-304)

Unit 1-1A 101-34-307

Unit 1-1B 101-34-308

Unit 1-2 101-34-309

Unit 1-3 101-34-310

Unit 1-13 101-34-320

Unit 1-14 101-34-321
Unit 1-15 101-34-322
Unit 1-16 101-34-323
Unit 1-29 101-34-336
Unit 1-30 101-34-337
Unit 1-31 101-34-338
Unit 1-32 101-34-339
Unit 1-33 101-34-340
Unit 1-34 101-34-341
Unit 1-35 101-34-342
Unit 1-36 101-34-343
Unit 1-37 101-34-344
Unit 1-39 101-34-346
Unit 1-40 101-34-347

Parcel 1B
Tax Identification Number
101-34-303”.

Approved by the Directors of Economic Development; City Planning Commission; Finance; and Law; Committees on Development Planning and Sustainability; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Ordinance No. 1078-2024**By Council Members:** McCormack

An emergency ordinance authorizing the Director of the Department of Public Works, Division of Recreation to enter into a grant agreement with Ohio City Incorporated to provide program support for Near West Recreation youth programs.

Approved by the Directors of Public Works; Finance; and Law; Committees on Municipal Services and Properties; and Finance, Diversity, Equity and Inclusion.

Motion by Council Member Starr to suspend the rules, Charter, and statutory provisions and place on final passage. Seconded by Council Member Kazy.

The rules were suspended. Yeas 16. Nays 0.

Read third time in full.

Passed. Yeas 16. Nays 0.

Voting Yea: Conwell, Gray, Griffin, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, Maurer, McCormack, Polensek, Santana, Slife, Spencer, Starr.

Voting Nay: None.

Absent: Bishop.

Official Proceedings Adjournment City Council

Cleveland, Ohio
Monday, October 21, 2024

MOTION

On the motion of Council Member Starr, the absence of Council Member Kevin L. Bishop is hereby authorized. Seconded by Council Member Kazy.

The Council Meeting adjourned at 8:02 p.m. to meet on Monday, October 28, 2024, at 7:00 p.m. in the Council Chamber.

Patricia J. Britt
City Clerk, Clerk of Council

Council Committee Meetings

Monday, October 21, 2024

9:30 a.m.

Municipal Services and Properties Committee

Present: Bishop, Chair; Starr, Vice Chair; Hairston, Jones, Kelly, Maurer

Authorized Absence: Kazy

Also Present: Harsh

11:00 a.m.

Committee of the Whole

Operational Review – Urban Analytics and Innovation

Present: Griffin, Chair; Bishop, Gray, Hairston, Harsh, Howse-Jones, Jones, Kazy, Kelly, McCormack, Polensek, Slife, Spencer

Authorized Absence: Conwell, Maurer, Santana, Starr

2:00 p.m.

Finance, Diversity, Equity and Inclusion Committee

Present: Griffin, Chair; McCormack, Vice Chair; Bishop, Conwell, Hairston, Kazy, Polensek, Spencer

Authorized Absence: Santana

Tuesday, October 22, 2024

9:30 a.m.

Committee of the Whole

Operational Review – Departments of Community Development & Economic Development

Present: Griffin, Chair; Gray, Hairston, Harsh, Howse-Jones, Jones, Kelly, McCormack, Santana, Spencer, Starr

Authorized Absence: Bishop, Conwell, Kazy, Maurer, Polensek, Slife

1:00 p.m.

Committee of the Whole

Operational Review – Cleveland City Council

Present: Griffin, Chair; Hairston, Harsh, Howse-Jones, Jones, Kelly, Maurer, McCormack, Polensek, Santana, Starr

Authorized Absence: Bishop, Conwell, Gray, Kazy, Slife, Spencer

Wednesday, October 23, 2024

10:00 a.m.

Committee of the Whole

Operational Review – Department of Public Safety

Present: Griffin, Chair; Bishop, Conwell, Gray, Harsh, Howse-Jones, Jones, Kelly, Polensek, Slife, Starr

Authorized Absence: Hairston, Kazy, Maurer, McCormack, Santana, Spencer

Thursday, October 24, 2024

10:00 a.m.

Utilities Committee

Present: Kazy, Chair; Spencer, Vice Chair; Bishop, Gray, Harsh, Kelly, Polensek

Board of Control

Wednesday, October 23, 2024

The meeting of the Board of Control convened in the Mayor's office on Wednesday, October 23, 2024, at 3:05 p.m. with Director Michele Comer presiding.

Members Present: Acting Director Comer, Director Keane, Acting Directors Kramer, Laird, Carlton, Directors Hernandez, Cole, McNair, Acting Director Cisler, Director Martin O'Toole

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Others Present: James DeRosa, Director
Mayor's Office of Capital Projects

Tyson Mitchell, Director
Office of Equal Opportunity

Steven Decker, Deputy Commissioner
Division of Purchases & Supplies

John Fahsbender, Program Manager, Brownfields & Special
Projects
Economic Development

Natane Deruytter, Sites Specialist
Economic Development

Tomasz Kacki, Paralegal
Law Department

On motions, the resolutions attached were adopted, except as may be otherwise noted. There being no further business, the meeting was adjourned at 3:11 p.m.

Jeffrey B. Marks
Secretary – Board of Control

Resolution No. 550-24

Adopted 10/23/24

By Director Francis

BE IT RESOLVED by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 1258-2023, passed by the Council of the City of Cleveland on November 27, 2023, the firm of Anthony Allega Cement Contractor, Inc. ("Consultant") is selected upon the nomination of the Director of Port Control from a list of qualified firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide the professional design/build services necessary to design and construct the Temporary Tenant Structure project at Cleveland Hopkins International Airport, for the Department of Port Control.

BE IT FURTHER RESOLVED that the Director of Port Control is authorized to enter into a written contract with Consultant for the above-mentioned services, based upon its August 9, 2024 proposal, which contract shall be prepared by the Director of Law, shall provide that the compensation to Consultant for the services authorized shall not exceed \$2,390,686.35, and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

BE IT FURTHER RESOLVED by the Board of Control of the City of Cleveland that the employment of the following sub-consultants by Consultant is approved:

<u>Subconsultants</u>	<u>Certification</u>	<u>Amount</u>
Cook Paving & Construction	FBE	\$63,700.00
Lakeland Electric	CSB	\$176,500.00
Qual-Air HVAC, Inc.	FBE	\$80,000.00
RM Riggle Enterprises, Inc.	CSB	\$82,550.00
Robinson Builders	MBE	\$388,802.00
Somat Engineering	CSB	\$30,000.00
Wilson Concrete Trucking	MBE	\$11,520.00
Osborn Engineering	Non-certified	\$122,700.00
ACM Construction Management	Non-certified	\$25,625.00

Yeas: Acting Director Comer, Director Keane, Acting Directors Kramer, Laird, Carlton, Directors Hernandez, Cole, McNair, Acting Director Cisler, Director Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 551-24

Adopted 10/23/24

By Director DeRosa

BE IT RESOLVED BY THE BOARD OF CONTROL OF THE CITY OF CLEVELAND that the bid of

Northeast Ohio Trenching Service, Inc.,

for the public improvement of the Ridge Road Transfer Station Site Drainage Improvements, Base Bid Items A-D and Alternates 1 and 2 and Contingency Allowances, for the Division of Architecture and Site Development, Office of Capital Projects, received on September 13, 2024, under the authority of Ordinance No. 642-2024, passed July 10, 2024, for a gross price for the improvement in the aggregate amount of \$721,171.00 is affirmed and approved as the lowest responsible bid, and the Director of Capital Projects is requested to enter into contract with the bidder.

BE IT FURTHER RESOLVED, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Northeast Ohio Trenching Service, Inc., is hereby approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE</u>	<u>Amount</u>
North Coast Paving Co.	CSB/LPE	\$51,910.00
Timeline Photography LLC	FBE/CSB/LPE	\$1,400.00
*RAR Contracting Co., Inc. 60% Concrete Ready Mix/Aggregates	MBE/CSB/LPE	\$9,300.00

Yeas: Acting Director Comer, Director Keane, Acting Directors Kramer, Laird, Carlton, Directors Hernandez, Cole, McNair, Acting Director Cisler, Director Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 552-24

Adopted 10/23/24

By Director Williams

REQUIREMENT CONTRACT

BE IT RESOLVED by the **BOARD of CONTROL of the CITY of CLEVELAND** that the bid of

Kokosing Materials, Inc.

for an estimated quantity of recycled / virgin asphalt concrete, all items, for the Division of Streets, Department of Public Works, for a period of one-year, beginning with the date of execution of a contract, with two, one-year options to renew, received on September 12, 2024, under the authority of Ord. No. 162-2024, passed by Cleveland City Council on April 1, 2024, which on the basis of the estimated quantity would amount to \$7,149,100.00 (Net), is affirmed and approved as the lowest and best bid, and the Director of Public Works is requested to enter into a **REQUIREMENT** contract for the goods and/or services, necessary for the specified items.

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.

BE IT FURTHER RESOLVED by the Board of Control that the employment of the following subcontractors by Kokosing Materials Inc., is hereby approved:

<u>Subcontractor</u>	<u>CSB/MBE/FBE</u>	<u>Amount</u>
Rack Transport, LLC.	CSB	\$1,793,736.60
RAR Contracting Co, Inc.	CSB/MBE/LPE	TBD

Yeas: Acting Director Comer, Director Keane, Acting Directors Kramer, Laird, Carlton, Directors Hernandez, Cole, McNair, Acting Director Cisler, Director Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 553-24

Adopted 10/23/24

By Director Hernandez

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. 107-20-052 located at 9204 Edmunds Avenue; and

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

WHEREAS, LVL Up Ohio, LLC has proposed to the City to purchase and develop the parcel for yard expansion; and

WHEREAS, the following conditions exist:

1. The member of Council from Ward 7 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 LVL Up Ohio, LLC for the sale and development of Permanent Parcel No. 107-20-052 located at 9204 Edmunds Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

BE IT FURTHER RESOLVED THAT the consideration for the sale of the parcel shall be \$4,200.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Program.

Yeas: Acting Director Comer, Director Keane, Acting Directors Kramer, Laird, Carlton, Directors Hernandez, Cole, McNair, Acting Director Cisler, Director Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Resolution No. 554-24

Adopted 10/23/24

By Director McNair

WHEREAS, that under the authority of division (b)(2) and (4) of Section 183.021 of Codified Ordinances of the City of Cleveland (1976) ("C.O."), the Commissioner of Purchases and Supplies, when directed by the Director of Economic Development, is authorized to sell property in the Industrial-Commercial Land Bank at a purchase price determined to be fair market value by the Board of Control;

WHEREAS, the City and Project New Vision, LLC ("New Vision") have agreed to enter an Option Agreement to Acquire Real Property (the "Agreement"), under which the City will grant New Vision a one-year option to purchase multiple parcels, as listed in attached table, totaling approximately 13 acres (the "Parcels"), currently held in the Industrial-Commercial Land Bank, for an option fee of \$12,500;

WHEREAS, New Vision desires to purchase an option to acquire the parcels to assemble a development site on Opportunity Corridor, where it plans to build multiple buildings for industrial and commercial development;

WHEREAS, should New Vision exercise the option and acquire the parcels, the Agreement provides that the purchase price would equal the appraised value, as determined by a City-approved appraiser;

WHEREAS, the Agreement will supplement an incentive package being discussed between New Vision by the City; now therefore,

BE IT RESOLVED by the Board of Control of the City of Cleveland that under C.O. division (b)(2) and (4) of Section 183.021, the option price of \$12,500 for Permanent Parcel Numbers listed in the attached Parcel List, is determined to be fair market value.

List of Parcels in New Vision, LLC Option Agreement

126-27-014	126-27-082	126-28-011
126-27-016	126-27-088	126-28-012
126-27-017	126-27-089	126-28-013
126-27-018	126-27-090	126-28-018
126-27-019	126-27-091	126-28-019
126-27-020	126-27-092	126-28-023
126-27-021	126-27-093	126-28-024
126-27-022	126-27-094	126-28-025
126-27-045	126-27-095	126-28-026
126-27-046	126-27-096	126-27-013
126-27-051	126-27-097	126-27-015
126-27-052	126-27-098	126-27-086
126-27-053	126-27-099	126-27-087
126-27-055	126-27-100	126-28-014
126-27-057	126-27-101	126-28-022
126-27-064	126-27-102	126-27-049
126-27-065	126-27-103	126-27-050
126-27-073	126-27-104	126-27-054
126-27-074	126-28-003	126-27-061
126-27-075	126-28-004	126-27-062
126-27-076	126-28-005	126-27-083
126-27-078	126-28-006	126-27-084
126-27-079	126-28-007	126-27-085
126-27-080	126-28-008	126-27-141
126-27-081	126-28-009	

Yeas: Acting Director Comer, Director Keane, Acting Directors Kramer, Laird, Carlton, Directors Hernandez, Cole, McNair, Acting Director Cisler, Director Martin O'Toole

Nays: None

Absent: Mayor Bibb, Interim Director Hartley, Director Margolius

Report of the Board of Zoning Appeals

Monday, October 21, 2024

At the meeting of the Board of Zoning Appeals on Monday, October 21, 2024, the following appeals were scheduled for hearing before the Board and;

The following appeals were **APPROVED:** **None**

The following appeals were **DENIED:**

Calendar No. 24-089: 4843 Wendell Avenue

Shelter The People Cleveland, owner, proposes to establish use as a church, nonprofit charitable offices and assembly space in a B1 Two-Family Residential District.

The following appeals were **WITHDRAWN:**

Calendar No. 24-145: 3934 West 117th Street

Annie's Properties LLC, owner, proposes to install an eight-foot-tall fence in a C1 General Retail Business District.

The following appeals were **DISMISSED:** **None**

The following cases were **REMANDED:** **None**

The following cases were **POSTPONED:**

Calendar No. 21-108: TMS Enterprises

6806 Harvard Avenue. November 4, 2024.

Calendar No. 24-152: The Ujamma Collective LLC

6802 Harvard Avenue. December 16, 2024.

Calendar No. 24-175: Michael Vadini

11006 Edgewater Drive. November 25, 2024.

The following cases were heard by the Board of Zoning Appeals on Monday October 14, 2024, and the decisions were adopted and approved on Monday, October 21, 2024:

Calendar No. 22-232: 12503 Kinsman Avenue (Granted conditionally)

Davi & King, LLC proposes to establish use as a carryout restaurant in a B1 Two-Family Residential District.

Calendar No. 24-161: 2881 East 91st Street

City of Cleveland, owner, proposes to install 726 linear feet of six-feet-tall chain link fence in a C1 Multi-Family Residential District.

Calendar No. 24-166: 14214 Parkdale Avenue (A)

PPG Industries Ohio Inc., owner, proposes to install 8-feet-tall ornamental fence in One-Family Residential District.

Calendar No. 24-167: 3779 West 143 Street (B) (aka PPN 022-02-001)

PPG Industries Ohio Inc., owner, proposes to install 8-feet-tall ornamental fence in One-Family Residential District.

Calendar No. 24-168: 3779 West 143 Street (C) (aka PPN 022-02-062)

PPG Industries Ohio Inc., owner, proposes to install 8-feet-tall ornamental fence in One-Family Residential District.

Calendar No. 24-169: 3779 West 143 Street (D) (aka PPN. 022-02-061)

PPG Industries Ohio Inc., owner, proposes to install 8-feet-tall ornamental fence in One-Family Residential District.

Agenda of the Board of Building Standards and Building Appeals

Wednesday, August 28, 2024

Board of Building Standards and Building Appeals
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST
BBSA@clevelandohio.gov

NOTE: This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

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For instructions to join the call you can go to here: <https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App>

Email: cdavis@clevelandohio.gov to receive the calendar invite (This invite is for testament/witness purposes only)

PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:

https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

BUILDING:

Docket A-28-24	2720 Van Aken Boulevard	WARD: 4 (Deborah A. Gray)
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Bonwit Teller LLC, Owners of the B Business-Offices, Laboratories, Adult School; Two-Story Masonry Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 9, 2024; the appellant is requesting time to complete abatement of the violations.

Docket A-29-24	6330 Lorain Avenue	WARD: 15 (Jenny Spencer)
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John/Katherine Carey, Owners of the Two and a Half-Story; Masonry walls/Wood floors Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR**

MAINTENANCE, dated December 27, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-31-24

6404 Lorain Avenue

WARD: 15
(Jenny Spencer)

Edifice Properties LLC, Owner of the Two and a Half-Story; Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 2, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-68-24

4501 Bush Avenue

WARD: 14
(Jasmin Santana)

Mark Houser, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Six Dwelling Units; One-Story Masonry walls/Wood Floors Frame Structure, appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE** dated February 27, 2024; appellant is requesting for time to complete the abatement of the violations.

Docket A-84-24

9705 Loretta Avenue

WARD: 11
(Danny Kelly)

Pooks & Pops LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Two-Story Masonry Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE** dated March 19, 2024; appellant is requesting for time to complete the abatement of the violation.

Docket A-88-24

16702 Miles Avenue

WARD: 1
(Joseph T. Jones)

Maurice Grays, Owner of the F-2 Factory-Low Hazard (Non-combustibles) Two-Story Masonry walls/Wood floors Two-Story Frame Structure, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS** dated April 23, 2024; appellant is requesting for time to complete the abatement of the violation.

HOUSING:

Docket A-21-24

4617 Woburn Avenue

WARD: 13
(Kris Harsh)

Kenneth Passerallo, Owner of the Two Dwelling Unit;s Two- Family Residence; Two and a Half-Story Frame Property appeals from a **NOTICE OF VIOLATION- HAZARDOUS CONDITIONS**, dated January 16, 2024; the appellant is requesting time to complete abatement of the violations.

**Docket A-65-24 13701 West Avenue WARD: 16
(Brian Kazy)**

Lucinda M. Reese, Owner of the One Dwelling Unit; Single Family Residence; One-Story Garage-Detached; Wood Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE**, dated February 20, 2024; appellant is requesting for time to complete the abatement of the violations.

**Docket A-66-24 12413-15 Gruss Avenue WARD: 8
(Michael D. Polensek)**

Peggy Henderson -Trustee, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Wood Frame/Siding/Masonry Veneer Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE** dated February 28, 2024; appellant is requesting for time to complete the abatement of the violations.

**Docket A-67-24 2107 West 78th Street WARD: 15
(Jenny Spencer)**

Sara Rodriguez, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-SHED & FIRE DAMAGE** dated February 13, 2024; appellant is requesting for time to complete the abatement of the violations.

**Docket A-69-24 6811 Bonna Avenue WARD: 7
(Stephanie D. Howse-Jones)**

Prestige Capital Ventures LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE** dated February 12, 2024; appellant is requesting for time to complete the abatement of the violations.

**Docket A-70-24 15616 Parkgrove Avenue WARD: 8
(Michael D. Polensek)**

Gwendolyn Griffin, Owner of the Two Dwelling Units; Two-Family Residence; One-Story Garage-Detached; Wood Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE & CONDEMNATION-MAIN STRUCTURE**, dated March 1, 2024; appellant is requesting for time to complete the abatement of the violations.

**Docket A-73-24 12520 Parkhill Avenue WARD: 4
(Deborah A. Gray)**

Delroy Reid, Owner of the Two Dwelling Units; Two-Family Residence; One-Story Garage-Detached Wood Frame Property, appeals from a **NOTICE OF VIOLATION –**

CONDEMNATION-GARAGE & CONDEMNATION-MAIN STRUCTURE, dated March 8, 2024; appellant is requesting for time to complete the abatement of the violation.

Docket A-74-24

3287 West 84th Street

WARD: 14
(Jasmin Santana)

Bryan K. Wilson, Owner of the Two Dwelling Units; Two-Family Residence; One and a Half-Story Frame Property, appeals from **NOTICE OF VIOLATION – CONDEMNATION-GARAGE & CONDEMNATION-MAIN STRUCTURE**, dated November 22, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-75-24

1845 West 52nd Street

WARD: 15
(Jenny Spencer)

Vladmir Lendel-Trustee, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame One-Story Garage-Detached; Wood Frame Property, appeals from **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE, CONDEMNATION-GARAGE & CONDEMNATION-SHED**, dated March 12, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-76-24

12507 Astor Avenue

WARD: 16
(Brian Kazy)

Lofty Holding 12507 Astor Ave DAO LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, & NO PERMIT**, dated January 25, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-78-24

14209 Carrydale Avenue

WARD: 16
(Brian Kazy)

Kyle Dixon, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property, appeals from **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 25, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-79-24

732 East 163rd Street

WARD: 8
(Michael D. Polensek)

Willie Gibson, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property, appeals from **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated October 4, 2023; appellant is requesting for time to complete abatement of the violations.

Docket A-80-24 3282 West 38th Street WARD: 14
(Jasmin Santana)

Ashdod Heights LLC, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Frame Property, appeals from **NOTICE OF VIOLATION – STOP WORK ORDER & NO PERMIT**, dated March 27, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-82-24 1933 Mayview Avenue WARD: 12
(Rebecca Maurer)

Daniel R. Cutlip, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame Property, appeals from **NOTICE OF VIOLATION – RENTAL REGISTRATION**, dated March 15, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-108-24 1714 Treadway Avenue WARD: 12
(Rebecca Maurer)

Anthony Kushlak, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS & VACATE**, dated April 26, 2024, appellant is requesting for time to complete abatement of the violations.

Permit Extension Housing:

Docket A-71-24 867 East 141st Street WARD: 10
(Anthony T. Hairston)

Sheila Davis appeals from Suspended or Abandoned work performed under the following: **Permit(S) B23012620**, issue date July 11, 2023, inspection date March 14, 2024; appellant is requesting for an additional six months.

Docket A-85-24 12413 Chesterfield Avenue WARD: 9
(Kevin Conwell)

Claud D Myrick Bey appeals from Suspended or Abandoned work performed under the following: **Permit(S) H19002111, B19002084** issue date January 15, 2019, inspection date April 12, 2024; appellant is requesting for an additional six months.

Time Extension Housing:

Docket A-64-24 18520 Chickasaw Avenue WARD: 8
(Michael Polensek)

Moya Andolsek, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated June 12, 2023; appellant is requesting for additional time awarded under Docket A-133-23 until April 5, 2024, to complete abatement of the violation.

Docket A-77-24

2407 Colburn Avenue

WARD: 13
(Kris Harsh)

Clinton Straub, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated August 15, 2023; appellant is requesting for additional time awarded under Docket A-229-23 until April 5, 2024, to complete abatement of the violation.

Approval of Resolutions

Docket/s:

A-244-23	Keith Ford
A-245-23	Sold Simple Property, Solutions
A-246-23	Ryan Brouwer
A-392-23	Greg Plute
A-394-23	Veronica Lodge Holdings LLC
A-398-23	Syracuse Management
A-400-23	7006 Detroit Road LLC
A-409-23	Stone International Services
A-410-23	Anastasia/Vladmir Levitansky
A-8-24	1415-1419 West 101 LLC
A-44-24	55 Public Square
A-45-24	Sama Investments LLC
A-48-24	28 Riverside LLC
A-49-24	Hampton House LLC
A-61-24	Lake West Apartments
A-62-24	Parkway Manor Apts.
A-63-24	12022 Mayfield LLC
A-83-24	99 West St. Clair Owner LLC

Approval of Minutes

August 14, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary
Board of Building Standards and Building Appeals

Date: May 2, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, August 28, 2024, at approximately 9:30 a.m.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-21-24	4617 Woburn	J. Barkas
A-28-24	2720 Van Aken	M. Watson
A-29-24	6330 Lorain	J. Dedic
A-31-24	6404 Lorain	J. Dedic
A-68-24	4501 Bush	K. Lanum
A-84-24	9705 Loretta	R. Derrett
A-65-24	13701 West Avenue	C. Davis
A-66-24	12413-15 Gruss	B. McClure
A-67-24	2107 West 78	C. Davis
A-69-24	6811 Bonna	G. Conwell
A-70-24	15616 Parkgrove	J. Corrao
A-73-22	12520 Parkhill	J. Dvorak
A-74-24	3287 West 84	T. Barisic
A-75-24	1845 West 52	Fzekaj
A-76-24	12507 Astor	A. Arnold
A-78-24	14209 Carrydale	C. Davis
A-79-24	732 East 163	B. McClure
A-80-24	3282 West 38	T. Barisic
A-82-24	1933 Mayview	J. Barkas
A-404-23	1501 Euclid	T. Vanover
A-6-24	1986 West 99	T. Vanover
A-71-24	867 East 141	T. Vanover
A-85-24	12413 Chesterfield	T. Vanover
A-64-24	18520 Chickasaw	B. McClure
A-77-24	2407 Colburn	C. Straub
A-88-24	16702 Miles	J. DeJesus

Agenda of the Board of Building Standards and Building Appeals

Wednesday, September 11, 2024

Board of Building Standards and Building Appeals
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST
BBSA@clevelandohio.gov

NOTE: This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

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Email: cdavis@clevelandohio.gov to receive the calendar invite (This invite is for testament/witness purposes only)

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https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

HOUSING:

Docket A-22-24	12500 St. John Avenue	WARD: 11
		(Danny Kelly)

Murad Alqudah, Owner of the One Dwelling Unit; Single-Family Residence; One Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE, CONDEMNATION- SHED & FIRE DAMAGE**, dated January 18, 2024, & January 22, 2024; the appellant is requesting for time to complete abatement of the violations.

Docket A-24-24	3279 West 58th Street	WARD: 3
		(Kerry McCormack)

Nathan Nickschinski, Owner of the Three Dwelling Units; Three-Family Residence Two and a Half Story Frame Property, appeals from a **NOTICE OF VIOLATION –**

CONDEMNATION-MAIN STRUCTURE, dated January 16, 2024; the appellant is requesting time to complete abatement of the violations.

Docket A-26-24 324 East 149th Street WARD: 8
(Michael D. Polensek)

Eileen A. Scott, Owner of the One Dwelling Unit; Single-Family Residence; Two Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 9, 2024; the appellant is requesting time to complete abatement of the violations.

Docket A-30-24 4065 East 79th Street WARD: 12
(Rebecca Maurer)

R&R Luxury Homes LLC, Owner of the Two Dwelling Units; Two Family Residence; Two and a Half Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE**, dated January 12, 2024; the appellant is requesting time to complete abatement of the violations.

BUILDING:

Docket A-166-24 1200 West 76th Street WARD: 15
(Jenny Spencer)

The Shoreway Building, LLC, Owner of the R-2 Residential-Non-transient; Apartments (shared egress); one-Story Wood Frame/Siding/Masonry Veneer Structure, appeals from an **ADJUDICATION ORDER B23009991-FP2 RE: Shoreway Complex B23009991/1200 West 76th Street -Fire Prevention Bureau- 1) OBC 106. GO.05 2) OBC 106. The OFC Section 503**, dated July 26, 2024; appellant is requesting for a variance.

BRIDGE:

Docket A-250-23
86 MLK Blvd Cleveland, OH aka East Boulevard South of Cedar City Bridge
WARD: 3
(Kerry McCormack)

CSX Transportation INC, Owner of the Railroad Bridge Structure- CODE 4:589 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-251-23
85 E 105 Cleveland, OH aka North of St Clair City Bridge
WARD: 3
(Kerry McCormack)

CSX Transportation INC, Owner of the Railroad Bridge Structure- CODE 4:588 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-252-23

64 Quincy Cleveland, OH aka East of East 105th St City Bridge

WARD:6
(Blaine A. Griffin)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:560 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-253-23

61 Neff Cleveland, OH aka North of St Clair City Bridge

WARD: 10
(Anthony T. Hairston)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:555 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-254-23

50 East 140 Cleveland, OH aka At Spinwall South City Bridge

WARD: 3
(Kerry McCormack)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:536 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-255-23

19 Mayfield Cleveland, OH aka East 117th Street City Bridge

WARD: 9
(Kevin Conwell)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:552 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-256-23

26 Berea Cleveland, OH aka West 117 St City Bridge**WARD: 16
(Brian Kazy)**

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:503 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-257-23**29 Buckeye Cleveland, OH aka At Steinway City Bridge****WARD: 6
(Blaine A. Griffin)**

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:509 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-258-23**31 Cedar Cleveland, OH aka At West of Murray Hill City Bridge****WARD: 6
(Blaine A. Griffin)**

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:511 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-259-23**25 Aspinwall Cleveland, OH aka West of East 136 St City Bridge****WARD: 8
(Michael D. Polensek)**

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:502 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-260-23**49 E 140 Cleveland, OH aka At Spinwall North City Bridge****WARD: 3
(Kerry McCormack)**

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:536 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated

August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-261-23

96 East 55 Cleveland, OH aka North of St Clair City Bridge

WARD: 10
(Anthony T. Hairston)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 6:509 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-262-23

3 Coit Cleveland, OH aka East of East 131 St City Bridge

WARD: 8
(Michael D. Polensek.)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:516 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-263-23

4 Euclid Cleveland, OH aka East 18 St City Bridge

WARD 5
(Richard A. Starr)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:537 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-264-23

5 Holton Cleveland, OH aka East of East 91 St City Bridge

WARD: 2
(Kevin L. Bishop)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:543 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-265-23

62 Nottingham Cleveland, OH aka East 185 St City Bridge

WARD:3
(Kerry McCormack)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:556 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Docket A-266-23

82 St Clair Cleveland, OH aka At Woodworth City Bridge

WARD: 9
(Kevin Conwell)

CSX Transportation INC, Owner of the Railroad Bridge Structure-CODE 4:585 appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023. CSX Transportation, Inc.'s request for withdrawal or dismissal of the purported notice of violation (Statement of Appeal pg. 8).

Approval of Resolutions

Docket/s:

A-404-23	Playhouse Square
A-6-24	Sisters Haven
A-21-24	Kenneth Passerallo
A-28-24	Bonwit Teller LLC
A-29-24	John/Katherine Carey
A-31-24	Edifice Properties LLC
A-45-24	Sama Investments LLC
A-64-24	Moya Andolsek
A-65-24	Lucinda M. Reese
A-66-24	Peggy Henderson
A-67-24	Sara Rodriguez
A-68-24	Mark Houser
A-69-24	Prestige Capital Ventures LLC
A-70-24	Gwendolyn Griffin
A-71-24	Sheila Davis
A-73-24	Delroy/Adrienne Reid
A-74-24	Bryan K. Wilson
A-75-24	Walter Lendel
A-76-24	Lofty Holding 12507 Astor Ave DAO
A-77-24	Clinton Straub
A-78-24	Kyle Dixon
A-79-24	Willie Gibson
A-80-24	Ashdod Heights LLC
A-82-24	Daniel Cutlip
A-84-24	Pooks & Pops LLC
A-85-24	Claude D Myrick Bey
A-88-24	Maurice Grays
A-108-24	Anthony Kushlak

Approval of Minutes

August 28, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary
Board of Building Standards and Building Appeals

Date: April 29, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, September 11, 2024, at approximately 9:30 a.m.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-250-23	86 MLK	E. Elmi
A-251-23	85 East 105	E. Elmi
A-252-23	64 Quincy	E. Elmi
A-253-23	61 Neff	E. Elmi
A-254-23	50 East 140	E. Elmi
A-255-23	19 Mayfield	E. Elmi
A-256-23	26 Berea	E. Elmi
A-257-23	29 Buckeye	E. Elmi
A-258-23	31 Cedar	E. Elmi
A-259-23	25 Aspinwall	E. Elmi
A-260-23	49 East 140	E. Elmi
A-261-23	96 East 55	E. Elmi
A-262-23	3 Coit	E. Elmi
A-263-23	4 Euclid	E. Elmi
A-264-23	5 Holton	E. Elmi
A-265-23	62 Nottingham	E. Elmi
A-266-23	82 St. Clair	E. Elmi
A-22-24	12500 St. John	S. Lang/Fzekaj
A-24-24	3279 West 58	T. Barisic
A-26-24	324 East 149	B. McClure
A-27-24	1100 East 174	B. McClure

Agenda of the Board of Building Standards and Building Appeals

Wednesday, September 25, 2024

Board of Building Standards and Building Appeals
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST
BBSA@clevelandohio.gov

NOTE: This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

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For instructions to join the call you can go to here: <https://help.webex.com/en-us/bksp8r/Join-a-Meeting-from-the-Webex-Meetings-Desktop-Appor-Mobile-App>

Email: cdavis@clevelandohio.gov to receive the calendar invite (This invite is for testament/witness purposes only)

PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:

https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

HOUSING:

**Docket A-27-24 1100 East 174th Street WARD: 8
(Rebecca Maurer)**

Dawn Young Jones, Owner of the One-Story Garage - Detached; Wood Frame Structure, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 9, 2024; appellant is requesting for six months to complete abatement of the violations.

**Docket A-32-24 10530 Woodland Avenue WARD: 6
(Blaine Griffin)**

Joseph C. Beard, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR**

MAINTENANCE, dated January 23, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-33-24

3410 West 94th Street

WARD: 11
(Danny Kelly)

Brenda Lopez, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated February 12, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-33-24 has been **WITHDRAWN** per the appellate request.

Docket A-34-24

3478 West 56th Street

WARD: 14
(Jasmin Santana)

Samuel Mitchell, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – NO PERMIT & HAZARDOUS CONDITIONS**, dated January 10, 2024 & January 11, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-35-24

2048 West 100th Street

WARD: 15
(Jenny Spencer)

Kyngs T8 LLC, Owner of the Two Dwelling Units; Two-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 18, 2024; appellant is requesting for time to complete abatement of the violations.

Docket A-36-24

1345 West Boulevard

WARD: 11
(Danny Kelly)

Muse Spaces LLC, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, RENTAL REGISTRATION & UNAUTHORIZED ILLEGAL USE**, dated February 5, 2024; appellant is requesting for time to complete abatement of the violations.

ADJUDICATION ORDER - BUILDING:

Docket A-167-24

700 Prospect Avenue

WARD: 3
(Kerry McCormack)

K & D Group, Owner of the R-2 Residential-Permanent Housing-Shared Egress High Rise Building appeals from a **NOTICE OF ADJUDICATION ORDER** under **B24006270-01 Item 1. OBC 106.1.1 Information on Construction Documents f. i. OBC 1205.1 ii. OBC 1205.2 Natural Light. Iii. OBC 1205.2.2 Exterior**

Openings B24006270-FP, Item 4 OBC 403.6.1 Fire Service Access Elevator, Item 8. OBC 106 Sheets AS101 and G000 Basement notes illustrate dated July 26, 204, and August 20, 2024; the appellant requesting a variance to the code.

BRIDGE:

Docket A-275-23

2 Broadway Cleveland, OH AKA South of Harvard City Bridge

**WARD: 3
(Kerry McCormack)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:505 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-276-23

1 Broadway Cleveland, OH AKA City Bridge at Jones

**WARD: 3
(Kerry McCormack)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:504 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-277-23

6 Kennedy Cleveland, OH AKA East of East 93rd Street City Bridge

**WARD: 6
(Blaine A. Griffin)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:548 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-278-23

7 Perkins Cleveland, OH AKA At Jones

**WARD: 6
(Kerry McCormack)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of

violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-279-23

8 Platt Cleveland, OH AKA East of 71st Street City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:559 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-280-23

10 Superior Cleveland, OH at East 39th Street City Bridge

WARD: 5
(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:567 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-281-23

9 Street Clair AKA West of East 38th Street City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:563 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-282-23

11 Woodland AKA East of E. 93rd City Bridge

WARD: 5
(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:583 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-283-23**12 Cedar AKA West of Ashland City Bridge****WARD: 5
(Richard A. Starr)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:512 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-284-23**13 East 40th Street AKA South of Payne Avenue****WARD: 5
(Richard A. Starr)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:520 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-285-23**14 East 55th Street AKA Euclid Avenue City Bridge****WARD: 5
(Richard A. Starr)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:522 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-286-23**15 Euclid-East 55 AKA Abandoned Train Station Bridge****WARD: 7
(Stephanie D. Howse-Jones)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-287-23**16 East 79 AKA South of Woodland Avenue City Bridge****WARD: 5**

(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:529 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-288-23

17 Hamilton AKA East of E. 33 City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:540 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-289-23

16 Harvard Avenue AKA East of Jones-East 76 Street City Bridge

WARD: 1
(Joseph T. Jones)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:541 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-290-23

20 Euclid Avenue AKA East 118 Street City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, - Code 4:595 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Approval of Resolutions

Docket/s:

A-22-24	Murad Alqudah
A-24-24	Nathan Nickschinski
A-26-24	Eileen A. Scott
A-30-24	R&R Luxury Homes LLC
A-166-24	The Shoreway Building LLC

Approval of Minutes

September 11, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary
Board of Building Standards and Building Appeals

Date: April 5, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire on Wednesday, September 11, 2024, at approximately 9:30 a.m.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-275-23	2 Broadway	E. Elmi
A-276-23	1 Broadway	E. Elmi
A-277-23	6 Kennedy	E. Elmi
A-278-23	7 Perkins	E. Elmi
A-279-23	8 Platt	E. Elmi
A-280-23	10 Superior	E. Elmi
A-281-23	9 St. Clair	E. Elmi
A-282-23	11 Woodland	E. Elmi
A-283-23	12 Cedar	E. Elmi
A-284-23	13 East 40	E. Elmi
A-285-23	14 East 55	E. Elmi
A-286-23	15 Euclid	E. Elmi
A-287-23	16 Eat 79	E. Elmi
A-288-23	17 Hamilton	E. Elmi
A-289-23	16 Harvard	E. Elmi
A-290-23	20 Euclid	E. Elmi
A-30-24	4065 East 79	R. Catacutan
A-32-24	10530 Woodland	A. Cvitic
A-33-24	3410 West 94	C. Davis
A-34-24	3478 West 56	T. Barisic
A-35-24	2048 West 100	S. Lang
A-36-24	1345 West Boulevard	A. Arnold

Agenda of the Board of Building Standards and Building Appeals

Wednesday, November 6, 2024 - revised

Board of Building Standards and Building Appeals
Cleveland City Hall - Room 514 or via WebEx at 9:30 a.m. EST
BBSA@clevelandohio.gov

NOTE: This is a tentative Agenda and may vary both in scope and order of presentation as time permits and circumstances warrant.

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Email: cdavis@clevelandohio.gov to receive the calendar invite (This invite is for testament/witness purposes only)

PUBLIC HEARINGS WILL BE STREAMED LIVE ON YOUTUBE:

https://www.youtube.com/channel/UCB8ql0Jrhm_pYIR1OLY68bw/

BUILDING:

Docket A-118-24	2527 East 82nd Street	WARD: 6 (Blaine A. Griffin)
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Karder Investments Ltd., Owner of the R-2 Residential-Non-transient; Apartments Shared Egress; Two-Story Masonry Walls/Wood Floors Structure, appeals from a **NOTICE OF VIOLATION – FAILURE TO OBTAIN A LEAD SAFE CERTIFICATE FOR A RESIDENTIAL RENTAL UNIT**, dated April 25, 2024, appellant is requesting six months to complete abatement of the violations.

Docket A-119-24	3328 Euclid Avenue	WARD: 7 (Stephanie D. Howse-Jones)
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Stockbridge Four LLC, Owner of the R-2 Residential-Non-transient; Apartments Shared Egress; Two and Half-Story Masonry Structure, appeals from a **NOTICE OF**

VIOLATION – EXTERIOR MAINTENANCE, dated May 8, 2024, appellant is requesting 90 days to complete abatement of the violations.

Docket A-121-24

11304 Parklawn Avenue

WARD: 9
(Kevin Conwell)

Anz2126 LLC, Owner of the R-2 Residential-Non-transient; Apartments Shared Egress; Two-Story Masonry Structure, appeals from a **NOTICE OF VIOLATION – FAILURE TO OBTAIN A LEAD SAFE CERTIFICATE FOR A RESIDENTIAL RENTAL UNIT**, dated April 25, 2024, the appellant is requesting 90 days to complete abatement of the violations.

Docket A-123-24

11730 Lorain Avenue

WARD: 11
(Danny Kelly)

Khalil Rasheed and Ibraheem Rasheed, Owner of the M-Mercantile-Retail Shops, Carry-Out Food Shops; One-Story Masonry Walls/Wood Floors Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE**, dated May 16, 2024, the appellant is requesting 120 days to complete abatement of the violations.

Docket A-125-24

3904 Martin Luther King Jr. Drive

WARD: 2
(Kevin Bishop)

Pamela Hubbard, Owner of the MXD Mixed Uses-Multiple Uses In One Building; Two-Story Masonry Structure, appeals from a **NOTICE OF VIOLATION – CONDEMNATION – MAIN STRUCTURE**, dated May 1, 2024, the appellant is requesting six months days to complete abatement of the violations.

HOUSING:

Docket A-37-24

3822 Newark Avenue

WARD: 14
(Jasmin Santana)

Jamie Scaggs, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Garage-Detached; Wood Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated January 26, 2024; appellant is requesting six months to complete abatement of the violations.

Docket A-38-24

903 East 146th Street

WARD: 10
(Anthony T. Hairston)

Molmor LLC, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE**, dated January 24, 2024; the appellant is requesting six months to complete abatement of the violations.

Docket A-41-24

3504 Independence Road

WARD: 12
(Rebecca Maurer)

Hype Investing LLC, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE**, dated January 23, 2024; the appellant is requesting eight months to complete abatement of the violations.

Docket A-42-24

3434 West Boulevard

WARD: 11
(Danny Kelly)

3434 West Blvd LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two and Half-Story Wood Frame/Siding/Masonry Veneer Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE & NO PERMIT**, dated January 30, 2024, & February 6, 2024; the appellant is requesting 120 days to complete abatement of the violations.

Docket A-104-24

9707 Pierpont Avenue

WARD: 9
(Kevin Conwell)

Debra Taylor Smith, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**,, dated April 9, 2021, appellant is requesting six months to one year to complete abatement of the violations.

Docket A-107-24

2609 Hood Avenue

WARD: 13
(Kris Harsh)

RDG Properties LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS**, dated April 17, 2024, appellant is requesting for time to complete abatement of the violations.

Docket A-109-24

7305 Montgomery Avenue

WARD: 5
(Richard A. Starr)

Charlene Pruitt, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated April 12, 2024, appellant is requesting time to complete abatement of the violations.

Docket A-114-24

9608 Steinway Avenue

WARD: 4
(Deborah A. Gray)

Kimberly L. Morris, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – HAZARDOUS**

CONDITIONS, NO PERMIT, EXTERIOR MAINTENANCE, INTERIOR MAINTENANCE, dated April 29, 2024 & July 25, 2024, appellant is requesting one year and six months to complete abatement of the violations.

Docket A-115-24 110 02 Notre Dame WARD: 6
(Blaine A. Griffin)

Mark Campbell, Owner of the One Dwelling Unit; Single-Family Residence; One-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE**, dated May 3, 2024, the appellant is requesting 60 days to complete abatement of the violations.

Docket A-116-24 16511 Burnside Avenue WARD: 8
(Michael D. Polensek)

Earl M. Foster, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated April 19, 2024, appellant is requesting 60 days to complete abatement of the violations.

Docket A-117-24 2221 East 76th Street-FRONT WARD: 5
(Richard A. Starr)

Family Dynamics, LLC, Owner of the Three Dwelling Units; Three-Family Residence; Two and Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated March 25, 2024, appellant is requesting six months to complete abatement of the violations.

Docket A-120-24 730 East 96th Street WARD: 10
(Anthony T. Hairston)

Zainab G. Evans, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated March 25, 2024, the appellant is requesting six months to one year to complete abatement of the violations.

Docket A-122-24 10318 Kinsman Road WARD: 4
(Deborah A. Gray)

Curtis Henderson, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated May 10, 2024, the appellant is requesting six months to one year to complete abatement of the violations.

Docket A-124-24 423 West Schaaf Road WARD: 13
(Kris Harsh)

Diane Stuczynski, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated May 2, 2024, the appellant is requesting time to complete abatement of the violations.

ADJUDICATION ORDER - BUILDING:

Docket A-170-24
13913 West Parkway Road
WARD: 13 (Kris Harsh)

Nate Reality LLC, Owner of the S-1 Storage-Moderate Hazard Metal Frame Structure appeals from an **ADJUDICATION ORDER- B24019959-01 OBC 903.2.9** Group S-1 an automatic sprinkler system, dated September 9, 2024; the appellant is requesting for a variance from the requirement.

TIME EXTENSION – HOUSING:

Docket A-39-24 12721 Firsby Avenue WARD: 11
(Danny Kelly)

Stephen Arisco, Owner of the One Dwelling Unit; Single-Family Residence; One and a Half-Story Frame Property, appeals from a **NOTICE OF VIOLATION – INTERIOR MAINTENANCE**, dated September 13, 2023; appellant is requesting for additional time under A-272-23 until February 8, 2024, to complete abatement of the violations.

BRIDGE:

Docket A-327-23
65 Madison Cleveland, OH AKA At West 112 Street City Bridge
WARD: 11
(Danny Kelly)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:562 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-327-23 closed non-compliant without prejudice.

Docket A-328-23
66 Stanton Cleveland, OH AKA East of East 79 Street City Bridge
WARD: 5
(Richard A. Starr)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:565 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-328-23 closed non-compliant without prejudice.

Docket A-329-23

67 Steinway Cleveland, OH AKA East of Buckeye City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:566 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-329-23 closed non-compliant without prejudice.

Docket A-330-23

69 Mayfield Cleveland, OH AKA At East 117 Street City Bridge

WARD: 9
(Kevin Conwell)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:569 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-330-23 closed non-compliant without prejudice.

Docket A-331-23

70 University Cleveland, OH AKA East of Scranton Road City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:570 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-331-23 closed non-compliant without prejudice.

Docket A-332-23**71 West Cleveland, OH AKA South of Baltic Road City Bridge****WARD: 15
(Jenny Spencer)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:571 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-332-23 closed non-compliant without prejudice.

Docket A-333-23**72 West 65 Cleveland, OH AKA South of Clark Avenue City Bridge****WARD:14
(Jasmin Santana)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:573 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3)

Docket A-333-23 closed non-compliant without prejudice.

Docket A-334-23**73 West 65 Cleveland, OH AKA At Father Caruso City Bridge****WARD: 15
(Jenny Spencer)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:574 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-334-23 closed non-compliant without prejudice.

Docket A-335-23**74 West 76 Cleveland, OH AKA At Northerly End City Bridge****WARD: 15
(Jenny Spencer)**

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:575 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of

the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-335-23 closed non-compliant without prejudice.

Docket A-336-23

75 West 95 Cleveland, OH AKA City Bridge

WARD: 15
(Jenny Spencer)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:576 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-336-23 closed non-compliant without prejudice.

Docket A-338-23

76 West 117 Cleveland, OH AKA North of Berea Road City Bridge

WARD: 16
(Brian Kazy)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:577 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-338-23 closed non-compliant without prejudice.

Docket A-339-23

77 West 117 Cleveland, OH AKA South of Madison Road City Bridge

WARD: 16
(Brian Kazy)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:578 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-339-23 closed non-compliant without prejudice.

Docket A-340-23

78 West 130 Cleveland, OH AKA South of Gilmore Avenue City Bridge

WARD: 3

(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:579 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-340-23 closed non-compliant without prejudice.

Docket A-341-23

79 West 130 Cleveland, OH AKA North of I-480 City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:580 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-341-23 closed non-compliant without prejudice.

Docket A-342-23

80 Willey Cleveland, OH AKA South of Train Avenue City Bridge

WARD: 3
(Kerry McCormack)

Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure-Code 4:582 **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated August 29, 2023; Norfolk Southern Railway Company is requesting for the dismissal of the notice of violation, notwithstanding continues to work with the City of Cleveland to resolve the issue aside from the formal appeal (Statement of Appeal pg. 3).

Docket A-342-23 closed non-compliant without prejudice.

Approval of Resolutions

Docket/s:

A-11-24	Leslie C. King
A-87-24	Que/Wei Truong
A-89-24	Willard K. Nash
A-90-24	Prince Robinson
A-91-24	Shirley Green
A-92-24	Harry & Ralieggh Timmins
A-93-24	A&M Financial Services
A-99-24	Michael Ramirez
A-102-24	Edgewater LLC
A-103-24	Catherine Perciado
A-105-24	Essential Wealth Investors LLC
A-106-24	Heather Carey
A-110-24	A Clean House LLC
A-112-24	Rebecca Adkins
A-113-24	Mae Johnson
A-183-24	1555 E. 118 LLC

Approval of Minutes

October 23, 2024

MEMO

To: Tom Vanover, Commissioner/CBO

From: Carmella Davis, Executive Secretary
Board of Building Standards and Building Appeals

Date: October 7, 2024

Subject: Request for presence at board hearing

The Board of Building Standards and Building Appeals request the presence of a representative for a Public Hearing on the following Docket/s from the Department of Building and Housing, and the presence of a representative from the Division of Fire and/or both on Wednesday, November 6, 2024, at approximately 9:30 a.m.

DOCKET NO.	ADDRESS	INSPECTOR/S
A-37-24	3822 Newark	T. Barisic
A-38-24	903 East 146	K. Lanum
A-39-24	12721 Firsby	K. Lanum
A-41-24	3504 Independence	K. Lanum
A-42-24	3434 West Blvd	C. Davis
A-104-24	9707 Pierpoint	F. Zekaj
A-107-24	2609 Hood	J. Barkas
A-109-24	7305 Montgomery	M. Santillo
A-114-24	9608 Steinway	R. Derrett
A-115-24	11002 Notre Dame	G. Conwell
A-116-24	16511 Burnside	B. McClure
A-117-24	2221 East 76	J. Carrao
A-118-24	2527 East 82	W. Battle
A-119-24	3328 Euclid	K. Lanum
A-120-24	730 East 96	C. Ohmer
A-121-24	11304 Parklawn	W. Battle
A-122-24	10318 Kinsman	A. Arnold
A-123-24	11730 Lorain	C. Davis
A-124-24	423 West Schaaf	S. Lang
A-125-24	3904-06 MLK Jr.	M. Santillo

Report of the Board of Building Standards and Building Appeals

Wednesday, August 28, 2024

As required by the provisions of division (2) of Section 3103.20 of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in the City Records:

Docket A-28-24 – RE: Appeal of Bonwit Teller LLC, Owners of the B Business-Offices, Laboratories, Adult School Two-Story Masonry Frame Structure, located on the premises known as **2720 Van Aken Blvd**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 9, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building & Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-29-24 – RE: Appeal of John/Katherine Carey, Owners of the Two and a Half-Story Masonry walls/Wood floors Frame Structure, located on the premises known as **6330 Lorain Avenue**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated December 27, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building & Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-31-24 – RE: Appeal of Edifice Properties LLC, Owner of the Two and a Half-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **6404 Lorain Avenue**, appeals from **NOTICE OF VIOLATION –**

EXTERIOR MAINTENANCE, dated January 2, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **November 24, 2024**, to abate the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-68-24 – RE: Appeal of Mark Houser, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Six Dwelling Units; One-Story Masonry walls/Wood Floors Frame Structure, located on the premises known as **4501 Bush Avenue**, appeals from a **NOTICE OF VIOLATION – INTERIOR/ EXTERIOR MAINTENANCE** dated February 27, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-84-24 – RE: Appeal of Pooks & Pops LLC, Owner of the R-2 Residential-Non-transient; Apartments (Shared Egress) Two-Story Masonry Frame Structure, located on the premises known as **9705 Loretta Avenue**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE** dated March 19, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **September 28, 2024**, to abate the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-88-24 – RE: Appeal of Maurice Grays, Owner of the F-2 Factory-Low Hazard (Non-combustibles) Two-Story Masonry walls/Wood floors Two-Story Frame Structure, located on the premises known as **16702 Miles Avenue**, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS** dated April 23, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **September 11, 2024**, to obtain all permits and until **September 25, 2024**, to complete the abatement of the violations; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-21-24 – RE: Appeal of Kenneth Passerallo, Owner of the Two Dwelling Units; Two- Family Residence; Two and a Half-Story Frame Property, located on the premises known as **4617 Woburn Avenue**, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS**, dated January 16, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **November 28, 2024**, to complete abatement of the violations; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-65-24 – RE: Appeal of Lucinda M. Reese, Owner of the One Dwelling Unit; Single Family Residence; One-Story Garage-Detached; Wood Frame Property, located on the premises known as **13701 West Avenue**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE**, dated February 20, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **December 28, 2024**, to complete abatement of the violations; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-66-24 – RE: Appeal of Peggy Henderson -Trustee, Owner of the Two Dwelling Units, Two-Family Residence; Two and a Half-Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as **12413-15 Gruss Avenue**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE** dated February 28, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-67-24 – RE: Appeal of Sara Rodriguez, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as **2107 West 78th Street**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-SHED & FIRE DAMAGE** dated February 13, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-69-24 – RE: Appeal of Prestige Capital Ventures LLC, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, located on the premises known as **6811 Bonna Avenue**, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE** dated February 12, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **September 28, 2024**, to complete the abatement of the violations; the property is

REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-70-24 – RE: Appeal of Gwendolyn Griffin, Owner of the Two Dwelling Units; Two-Family Residence; One-Story Garage-Detached; Wood Frame Property, located on the premises known as **15616 Parkgrove Avenue**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE & CONDEMNATION-MAIN STRUCTURE**, dated March 1, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **UPHOLD** the notice as properly issued and to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

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Docket A-73-23 – RE: Appeal of Delroy Reid, Owner of the Two Dwelling Units; Two-Family Residence; One-Story Garage-Detached Wood Frame Property, located on the premises known as **12520 Parkhill Avenue**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE & CONDEMNATION-MAIN STRUCTURE** dated March 8, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **September 28, 2024**, to obtain all permits and until **December 28, 2024**, to complete the abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

* * *

Docket A-74-24 – RE: Appeal of Bryan K. Wilson, Owner of the Two Dwelling Units; Two-Family Residence; One and a Half-Story Frame Property, located on the premises known as **3287 West 84th Street**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-GARAGE & CONDEMNATION-MAIN STRUCTURE**, dated November 22, 2023, of the Director of the Department of

Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

* * *

Docket A-75-24 – RE: Appeal of Vladmir Lendel-Trustee, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame One-Story Garage-Detached; Wood Frame Property, located on the premises known as **1845 West 52nd Street**, appeals from a **NOTICE OF VIOLATION – COMDEMNATION-MAIN STRUCTURE, CONDEMNATION-GARAGE & CONDEMNATION-SHED**, dated March 12, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-76-24 – RE: Appeal of Lofty Holding 12507 Astor Ave DAO LLC, Owner of the Two Dwelling Units; Two- Family Residence; Two-Story Frame Property, located on the premises known as **12507 Astor Avenue**, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, & NO PERMIT**, dated January 25, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-78-24 – RE: Appeal of Kyle Dixon, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as **14209 Carrydale Avenue**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 25, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **November 28, 2024**, to complete the abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-79-24 – RE: Appeal of Willie Gibson, Owner of the Two Dwelling Units; Two- Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property appeals, located on the premises known as **732 East 163rd Street**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated October 4, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **November 28, 2024**, complete abatement of the violation; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-80-24 – RE: Appeal of Ashdod Heights LLC, Owner of the One Dwelling Unit; Single Family Residence; Two-Story Frame Property, located on the premises known as **3282 West 38th Street**, appeals from a **NOTICE OF VIOLATION – STOP WORK ORDER & NO PERMIT**, dated March 27, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **UPHOLD** the notice as properly issued and to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-82-24 – RE: Appeal of Daniel R. Cutlip, Owner of the Two Dwelling Units; Two- Family Residence; Two-Story Frame Property, located on the premises known as **1933 Mayview Avenue**, appeals from a **NOTICE OF VIOLATION – RENTAL REGISTRATION**, dated March 15, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-108-24 – RE: Appeal of Anthony Kushlak, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame Property, located on the premises known as **1714 Treadway Avenue**, appeals from a **NOTICE OF VIOLATION – HAZARDOUS CONDITIONS & VACATE**, dated April 26, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-71-24 – RE: Appeal of Sheila Davis, Owner of the Two Dwelling Units; Two- Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Property, located on the premises known as **867 E. 141st Street**, appeals from a **NOTICE OF Suspended or Abandoned** work performed under the following: **Permit(S) B23012620** issue date July 11, 2023, inspection date March 14, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **October 28, 2024**, complete abatement of the violation; the property is **REMANDED**

to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-85-24 – RE: Appeal of Claud D Myrick Bey, Owner of the One Dwelling Unit; Single Family Residence; One and a Half-Story Frame Property, located on the premises known as **12413 Chesterfield Avenue**, appeals from a **NOTICE OF VIOLATION – Suspended or Abandoned** work performed under the following: **Permit(S) B23012620** issue date July 11, 2023, inspection date March 14, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-64-24 – RE: Appeal of Moya Andolsek, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, located on the premises known as **18520 Chickasaw Avenue**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated June 12, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-77-24 – RE: Appeal of Clinton Straub, Owner of the Two Dwelling Units; Two-Family Residence; Two and a Half-Story Frame Property, located on the premises known as **2407 Colburn Avenue**, appeals from a **NOTICE OF VIOLATION – FIRE DAMAGE**, dated August 15, 2023, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **December 28, 2024**, complete abatement of the violation; the property is REMANDED to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

APPROVAL OF RESOLUTIONS

Separate motions were entered by Maschke and seconded by Denk Jr. for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

DOCKETS:

A-244-23 Keith Ford
A-245-23 Sold Simple Property Solutions
A-246-23 Ryan Brouwer
A-392-23 Greg Plute
A-394-23 Veronica Lodge Holdings LLC
A-398-23 Syracuse Management
A-400-23 7006 Detroit Road LLC
A-409-23 Stone International Services
A-410-23 Anastasia/Vladmir Levitansky
A-8-24 1415-1419 West 101 LLC
A-44-24 55 Public Square
A-45-24 Sama Investments LLC A-48-24 28 Riverside LLC
A-49-24 Hampton House LLC
A-61-24 Lake West Apartments
A-62-24 Parkway Manor Apts.
A-63-24 12022 Mayfield LLC
A-83-24 99 West St. Clair Owner LLC

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

APPROVAL OF MINUTES

Separate motions were entered by Denk Jr. and seconded by Bradley, Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

August 14, 2024

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

Patrick Gallagher
Chairperson

Report of the Board of Building Standards and Building Appeals

Wednesday, September 11, 2024

As required by the provisions of division (2) of Section 3103.20 of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in the City Records:

Docket A-22-24 – RE: Appeal of Murad Alqudah, Owner of the One Dwelling Unit; Single -Family Residence; One-Story Frame Property, located on the premises known as **12500 St. John Avenue**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE, CONDEMNATION- SHED & FIRE DAMAGE**, dated January 18, 2024, and January 22, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until September 11, 2024, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-24-24 – RE: Appeal of Nathan Nickschinski, Owner of the Three Dwelling Units; Three-Family Residence; Two and a Half-Story Frame Property, located on the premises known as **3279 West 58th Street**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated January 16, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **October 1, 2024**, to obtain permits and until **December 1, 2024**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Bradley.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-26-24 – RE: Appeal of Eileen A. Scott, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, located on the premises known as

324 East 149th Street, appeals from **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE, dated January 9, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **October 11, 2024**, to abate the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-30-24 – RE: Appeal of R&R Luxury Homes LLC, Owner of the Two Dwelling Units; Two Family Residence; Two and a Half-Story Frame Property, located on the premises known as **4065 East 79th Street**, appeals from a **NOTICE OF VIOLATION – CONDEMNATION-MAIN STRUCTURE**, dated January 12, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-166-24 – RE: Appeal of The Shoreway Building, LLC, Owner of the R-2 Residential-Non-transient; Apartments (shared egress) 1-Story Wood Frame/Siding/Masonry Veneer Structure, located on the premises known as **1200 West 76th Street**, appeals from an **ADJUDICATION ORDER B23009991-FP2 RE: Shoreway Complex B23009991/1200 W. 76th St. -Fire Prevention Bureau- 1) OBC 106. GO.05 2) OBC 106. The OFC Section 503, dated July 26, 2024**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **FIND** that the Adjudication Order was properly issued, after considering testimony from both the Appellant and the City, a variance is granted based upon the submitted design with the condition that the additional fire suppression and detection measures are implemented; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

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Dockets A-250-23, A-251-23, A-252-23, A-253-23, A-254-23, A-255-23, A-256-23, A-257-23, A-258-23, A-259-23, A-260-23, A-261-23, A-262-23, A-263-23, A-264-23, A-265-23, A-266-23 A – RE: Appeal of CSX Transportation INC, Owner of the Railroad Bridge Structure, located throughout the City of Cleveland, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, the above-mentioned dockets have all been closed in a non-compliant manner and without prejudice, resulting in no action taken by this board.

* * *

APPROVAL OF RESOLUTIONS

Separate motions were entered by Maschke and seconded by Denk Jr. for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

DOCKETS:

A-404-23 aka A-111-24 Playhouse Square

A-6-24 Sisters Haven
A-21-24 Kenneth Passerallo
A-28-24 Bonwit Teller LLC
A-29-24 John/Katherine Carey
A-31-24 Edifice Properties LLC
A-45-24 Sama Investments LLC
A-64-24 Moya Andolsek
A-65-24 Lucinda M. Reese
A-66-24 Peggy Henderson
A-67-24 Sara Rodriguez
A-68-24 Mark Houser
A-69-24 Prestige Capital Ventures LLC
A-70-24 Gwendolyn Griffin
A-71-24 Sheila Davis
A-73-24 Delroy/Adrienne Reid
A-74-24 Bryan K. Wilson
A-75-24 Walter Lendel
A-76-24 Lofty Holding 12507 Astor Ave DAO
A-77-24 Clinton Straub
A-78-24 Kyle Dixon
A-79-24 Willie Gibson
A-80-24 Ashdod Heights LLC
A-82-24 Daniel Cutlip
A-84-24 Pooks & Pops LLC
A-85-24 Claude D Myrick Bey
A-88-24 Maurice Grays
A-108-24 Anthony Kushlak

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

APPROVAL OF MINUTES

Separate motions were entered by Denk Jr. and seconded by Bradley, Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

August 28, 2024

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

Patrick Gallagher
Chairperson

Report of the Board of Building Standards and Building Appeals

Wednesday, September 25, 2024

As required by the provisions of division (2) of Section 3103.20 of the Codified Ordinances of the City of Cleveland, Ohio 1976, the following brief of action of the subject meeting is given for publication in the City Records:

Docket A-27-24 – RE: Appeal of Dawn Young Jones, Owner of the One-Story Garage-Detached; Wood Frame Structure, located on the premises known as **1100 East 174 Street**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 9, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **October 25, 2024**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-32-24 – RE: Appeal of Joseph C. Beard, Owner of the Two Dwelling Units; Two-Family Residence; Two-Story Frame Property, located on the premises known as **10530 Woodland Avenue**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 23, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

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Docket A-33-24 – RE: Appeal of Brenda Lopez, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Wood Frame/Siding/Masonry Veneer Frame Property, located on the premises known as **3410 West 94th Street**, appeals from **NOTICE OF VIOLATION – FIRE DAMAGE**, dated February 12, 2024, of the

Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

Docket A-33-24 has been **WITHDRAWN** per the appellate request.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-34-24 – RE: Appeal of Samuel Mitchell, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, located on the premises known as **3478 West 56th Street**, appeals from a **NOTICE OF VIOLATION – NO PERMIT & HAZARDOUS CONDITIONS**, dated January 10, 2024 & January 11, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-35-24 – RE: Appeal of Kyngs T8 LLC, Owner of the Two Dwelling Units; Two-Family Residence; One and a Half-Story Frame Property, located on the premises known as **2048 West 100th Street**, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, dated January 18, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **GRANT** the Appellant until **September 25, 2024**, to complete abatement of the violations; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-36-24-RE: Appeal of Muse Spaces LLC, Owner of the One Dwelling Unit; Single-Family Residence; Two-Story Frame Property, located on the premises known as **1345 West Blvd**, appeals from a **NOTICE OF VIOLATION – INTERIOR/EXTERIOR MAINTENANCE, RENTAL REGISTRATION &**

UNAUTHORIZED ILLEGAL USE, dated February 5, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **DENY** the Appellant's request for more time and to **REMAND** the property to the Department of Building and Housing; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Denk Jr. and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

Docket A-167-24 – RE: Appeal of K & D Group, Owner of the R-2 Residential-Permanent Housing-Shared Egress High Rise Building, located on the premises known as **700 Prospect Avenue**, appeals from an **ADJUDICATION ORDER** under **B24006270-01 Item 1. OBC 106.1.1 Information on Construction Documents f. i. OBC 1205.1 ii. OBC 1205.2 Natural Light. Iii. OBC 1205.2.2 Exterior Openings B24006270-FP, Item 4 OBC 403.6.1 Fire Service Access Elevator, Item 8. OBC 106 Sheets AS101 and G000 Basement notes illustrate** dated July 26, 204, and August 20, 2024, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to **FIND** that the Adjudication Order was properly issued, and after considering testimony from both the Appellant and the City, to **DENY** the request for a variance; the property is **REMANDED** to the Department of Building and Housing for supervision and any further action, Motion so in order. Motioned by Bradley and seconded by Maschke.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

* * *

The appeal of Norfolk Southern Railway Company, Owner of the Railroad Bridge Structure, located throughout the City of Cleveland, appeals from a **NOTICE OF VIOLATION – EXTERIOR MAINTENANCE**, of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and/or the Ohio Building Code (OBC).

BE IT RESOLVED, that all 78 Notices of Violation – Exterior Maintenance against Norfolk Southern Railway Company have been closed in a non-compliant manner and without prejudice, resulting in no action taken by this board.

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

APPROVAL OF RESOLUTIONS

Separate motions were entered by Maschke and seconded by Denk Jr. for Approval and Adoption of the Resolutions as presented by the Secretary for the following Dockets respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

DOCKETS:

A-22-24 Murad Alqudah
A-24-24 Nathan Nickschinski
A-26-24 Eileen A. Scott
A-30-24 R&R Luxury Homes LLC
A-166-24 The Shoreway Building LLC

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

APPROVAL OF MINUTES

Separate motions were entered by Denk Jr. and seconded by Bradley, Approval and Adoption of the Minutes as presented by the Secretary, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

September 11, 2024

Yeas: Bradley, Gallagher, Maschke, & Denk Jr. Nays: None. Absent: None.

Patrick Gallagher
Chairperson

Public Notice

NOTICE OF PUBLIC HEARING

The Council of the City of Cleveland, Ohio, pursuant to Resolution 1060-2024, duly adopted on September 30, 2024 (the “Resolution of Sufficiency”), has set the time and place for a hearing on the petition for the establishment of the North Coast Waterfront New Community Authority, a new community district established pursuant to Ohio Revised Code Chapter 349 (the “Petition”). The hearing will be held at 9:30 a.m. on November 12, 2024, in the Mercedes Cotner Council Committee Room 217, Cleveland City Hall, 601 Lakeside Avenue, Cleveland, Ohio 44114. The Resolution of Sufficiency and the Petition are each on file in the offices of the Clerk of Council, City Clerk, at the Cleveland City Council offices located in Cleveland City Hall at 601 Lakeside Avenue, Room 220, Cleveland, Ohio 44114, and are available for inspection by interested persons during regular business hours.

Adopted Resolutions and Passed Ordinances

These resolutions were adopted, and ordinances were passed by City Council on Monday, October 14, 2024.

Click on a piece of legislation below to read it:

[Ord. No. 937-2024](#)

[Ord. No. 944-2024](#)

[Ord. No. 1014-2024](#)

[Ord. No. 1119-2024](#)

[Ord. No. 1120-2024](#)

Ordinance No. 937-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. PS2023-0298 with PMG Executive Program Management, LLC to provide executive airport development programming, financing, planning, design and related services.

WHEREAS, under the authority of Ordinance No. 470-2023, passed May 8, 2023, the Director of Port Control entered into Contract No. PS 2023-0298 with PMG Executive Program Management, LLC to provide executive airport development programming, financing, planning, design and related services; and

WHEREAS, Ordinance No. 470-2023 requires additional legislation to exercise the first, second, third and fourth options to renew; 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 Port Control is authorized to exercise the first option to renew Contract No. PS2023-0298 with PMG Executive Program Management, LLC to provide executive airport development programming, financing, planning, design and related services. This ordinance constitutes the additional legislative authority required by Ordinance No. 470-2023 to exercise this option.

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

Passed October 14, 2024.

Effective October 16, 2024

Ordinance No. 944-2024

By Council Members: McCormack and Griffin (by departmental request)

An emergency ordinance authorizing the purchase by one or more requirement contracts of labor and materials necessary to remove rubber and any other contaminants from paved surfaces, for the various divisions of the Department of Port Control, for a period of two years, with two one-year options to renew, exercisable by the Director of Port Control.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Port Control is authorized to 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 two years, with two one-year options to renew, exercisable by the Director of Port Control, for the necessary items of labor and materials necessary to remove rubber and any other contaminants from paved surfaces in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of the Department of Port Control. 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.

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 any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 3001, RL 2024-26)

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.

Passed October 14, 2024.

Effective October 16, 2024

Ordinance No. 1014-2024

By Council Members: Kazy, Hairston and Griffin (by departmental request)

An emergency ordinance authorizing the Director of Economic Development to enter into a loan agreement with Neighborhood Health Care, Incorporated, or its designee, to provide economic development assistance to partially finance the redevelopment of property located at 13027 Lorain Avenue needed to expand their operations and for other associated costs necessary to redevelop the property.

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 Economic Development is authorized to enter into a loan agreement with Neighborhood Health Care, Incorporated, or its designee, to provide economic development assistance to partially finance the redevelopment of property located at 13027 Lorain Avenue needed to expand their operations and for other associated costs necessary to redevelop the property.

Section 2. That the terms of the loan shall be according to the terms set forth in the summary contained in **File No. 1014-2024-A**, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, and are approved in all respects and shall not be materially changed without additional legislative authority.

Section 3. That the costs of the loan shall not exceed Five Hundred Thousand Dollars (\$500,000) and shall be paid from Fund No. 17 SF 008. (RQS 9501, RL 2024-109)

Section 4. That the Director of Economic Development is authorized to accept such collateral as the director determines is sufficient in order to secure repayment of the loan. Any loan agreement, security instrument, or other document shall be prepared and approved by the Director of Law.

Section 5. That the Director of Economic Development is authorized to accept monies in repayment of the loan and to deposit the monies in Fund No. 17 SF 006.

Section 6. That the Director of Economic Development is authorized to charge and accept fees in an amount not to exceed the maximum allowable fees under federal regulations and the fees are appropriated to cover costs incurred in the preparation of the loan application, closing and servicing of the loan. The fees shall be deposited to and expended from Fund No. 17 SF 305 (Loan Fees Fund).

Section 7. That the contract and other appropriate documents needed to complete the transaction authorized by this legislation shall be prepared by the Director of Law.

Section 8. That the Directors of Economic Development, Finance and Office of Equal Opportunity are authorized to enter into a Community Benefits Agreement as a condition to receive funds under this ordinance.

Section 9. The contract authorized in this legislation will require the recipients of financial assistance to work with, and/or cause their tenants to work with, Ohio Means Jobs of Cuyahoga County and City of Cleveland to identify and solicit qualified candidates for job opportunities related to the City's contracts, and place special emphasis on the hard to employ, including but not limited to the disabled and persons who have been convicted of or have pled guilty to a criminal offense, unless the criminal conviction or related circumstances relate to the duties for the particular job sought.

Section 10. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 14, 2024.

Effective October 16, 2024

Ordinance No. 1119-2024**By Council Members:** Hairston

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the 2023 Five Points Senior Meal Program 2023 through the use of Ward 10 Casino Revenue Funds.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Famicos Foundation for a 2023 Senior Meal Program for the public purpose of providing weekly congregate meals to residents through the use of Ward 10 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$47,056.72 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 10	\$47,056.72	G24696

Section 3. That the Law Department has reviewed and approved this proposal on September 13, 2024. The Department has reviewed and approved the proposal on September 26, 2024. Project shall begin as of January 1, 2023.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed October 14, 2024.

Effective October 16, 2024.

Ordinance No. 1120-2024**By Council Members:** Hairston

An emergency ordinance authorizing the Director of the Department of Community Development to enter into agreement with Famicos Foundation for the 2024 Five Points Senior Meal Program through the use of Ward 10 Casino Revenue Funds.

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

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of the Department of Community Development is hereby authorized to enter into agreement with Famicos Foundation for a 2024 Senior Meal Program for the public purpose of providing weekly congregate meals to residents through the use of Ward 10 Casino Revenue Funds.

Section 2. That the cost of said contract shall be in an amount not to exceed \$512,363.90 and shall be paid from Fund No. 10 SF 188 using the fund and project number from the following Ward:

<u>Ward</u>	<u>Amount</u>	<u>Project Number</u>
Ward 10	\$512,363.90	G24697

Section 3. That the Law Department has reviewed and approved this proposal on September 13, 2024. The Department has reviewed and approved the proposal on September 26, 2024. Project shall begin as of January 1, 2024.

Section 4. That the Director of Law shall prepare and approve said contract and that the contract shall contain such terms and provisions as he deems necessary to protect the City's interest.

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

Passed October 14, 2024.**Effective October 16, 2024**

Directory of City Officials

City Council

Cleveland City Hall
601 Lakeside Avenue, Room 220
Cleveland, Ohio, 44114
Phone: 216-664-2840
www.clevelandcitycouncil.org

President of Council – Blaine A. Griffin

City Clerk, Clerk of Council – Patricia J. Britt

<i>Council Member</i>	<i>Ward</i>
Joseph T. Jones	1
Kevin L. Bishop	2
Kerry McCormack	3
Deborah A. Gray	4
Richard A. Starr	5
Blaine A. Griffin	6
Stephanie D. Howse-Jones	7
Michael D. Polensek	8
Kevin Conwell	9
Anthony T. Hairston	10
Danny Kelly	11
Rebecca Maurer	12
Kris Harsh	13
Jasmin Santana	14
Jenny Spencer	15
Brian Kazy	16
Charles Slife	17

Permanent Schedule – Standing Committees of the Council 2022-2025

MONDAY – Alternating

9:30 a.m. – **Health, Human Services and the Arts Committee:** Conwell (CHAIR), Maurer (VICE-CHAIR), Gray, Harsh, Howse-Jones, Slife, Starr.

9:30 a.m. – **Municipal Services and Properties Committee:** Bishop (CHAIR), Starr (VICE-CHAIR), Hairston, Jones, Kazy, Kelly, Maurer.

MONDAY

2:00 p.m. – **Finance, Diversity, Equity and Inclusion Committee:** Griffin (CHAIR), McCormack (VICE-CHAIR), Bishop, Conwell, Hairston, Kazy, Polensek, Santana, Spencer.

TUESDAY

1:30 p.m. – **Workforce, Education, Training and Youth Development Committee:** Santana (CHAIR), Howse-Jones (VICE-CHAIR), Gray, Jones, Slife, Spencer, Starr.

TUESDAY – Alternating

9:30 a.m. – **Development, Planning and Sustainability Committee:** Hairston (CHAIR), Santana (VICE-CHAIR), Harsh, Howse-Jones, Jones, McCormack, Spencer.

WEDNESDAY – Alternating

10:00 a.m. – **Safety Committee:** Polensek (CHAIR), Jones (VICE-CHAIR), Gray, Howse-Jones, Kelly, Slife, Starr.

10:00 a.m. – **Transportation and Mobility Committee:** McCormack (CHAIR), Slife (VICE-CHAIR), Bishop, Gray, Kazy, Maurer, Santana.

THURSDAY

10:00 a.m. – **Utilities Committee:** Kazy (CHAIR), Spencer (VICE-CHAIR), Bishop, Gray, Harsh, Kelly, Polensek.

The following Committees meet at the Call of the Chair:

Mayor's Appointments Committee: Jones (CHAIR), Griffin, Hairston, Harsh, Starr.

Operations Committee: McCormack (CHAIR), Bishop, Conwell, Griffin, Maurer.

Rules Committee: Griffin (CHAIR), Conwell, Maurer, McCormack, Polensek.

City Departments

City Hall
601 Lakeside Avenue
Cleveland, OH 44114

MAYOR – Justin M. Bibb

Bradford J. Davy, Chief of Staff

Ryan M. Puente, Deputy Chief of Staff and Chief Government Affairs Officer

Jeff Epstein, Chief of Integrated Development

Sarah N. Johnson, Chief Communications Officer

Michele Pomerantz, Chief of Education

Sonya Pryor-Jones, Chief of Youth and Family Success

Bonnie Teeuwen, Chief Operating Officer

Stephanie Wernet, Chief Innovation and Technology Officer

AGING – Mary McNamara, Director

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS –

Carmella Davis, Secretary

Patrick M. Gallagher (Labor), Chair

Howard Bradley (Builder)

(Engineer)

Robert Maschke, Architect

Peggy Lipscomb, Alternate

BOARD OF ZONING APPEALS –

Elizabeth Kukla, Secretary

Members: Alanna Faith, Nina Holzer, Priscilla Rocha, Arleesha Wilson

BUILDING AND HOUSING –

Sally Martin O'Toole, Director

Divisions:

Navid Hussain, Commissioner, Construction Permitting

Richard Riccardi, Assistant Commissioner, Construction Permitting

Thomas E. Vanover, Commissioner, Code Enforcement

CITY AUDIT COMMITTEE –

Members: Laura Armstrong, Chair; Council President Blaine A. Griffin; Law Director Mark D. Griffin; Diane Downing; Sharon Dumas; Thomas Raguz.

CITY PLANNING COMMISSION – Joyce Pan Huang, Director

Members: Lillian Kuri, Chair, Gloria Jean Pinkney, Council Member Charles Slife, August Fluker, Denise McCray, Isabella McKnight, Andrew Sargeant.

CIVIL SERVICE COMMISSION – Rachon Long, Assistant Director

Gregory E. Jordan, President; Michael Flickinger, Vice President; India Pierce Lee, Secretary; Daniel J. Brennan, Member; Cyrus L. Patton, Member

COMMUNITY DEVELOPMENT – Alyssa Hernandez, Director

Divisions:

Administrative Service – Joy Anderson, Commissioner

Office of Fair Housing and Consumer Affairs – John Mahoney, Manager

Neighborhood Development – James Greene, Commissioner

Neighborhood Services – Louise Jackson, Commissioner

COMMUNITY POLICE COMMISSION – Jason Goodrick, Interim Executive Director

Members: John Adams, Shandra Benito, James M. Chura, Charles Donaldson, Jr., Kyle Earley, Alana Garrett-Ferguson, Cait Kennedy, Gregory Reaves, Janice Ridgeway, Piet van Lier, Audrianna Rodriguez, Teri Wang, Sharena Zayed.

COMMUNITY RELATIONS BOARD – Angela Shute-Woodson, Executive Director;

Members: Mayor Justin M. Bibb, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman; Council Member Kevin L. Bishop, Daniel McNea, Stephanie

Morrison-Hrbek, Roland Muhammad, Luz Pellot, Robert Render, III, Gia Hoa Ryan, Council Member Richard Starr, Jay Westbrook, Peter Whitt.

ECONOMIC DEVELOPMENT – Thomas S. McNair, Director

FINANCE – James Hartley, Interim Director

Divisions:

Accounts – Lonya Moss-Walker, Commissioner

Assessments and Licenses – Dedrick Stephens, Commissioner

Financial Reporting and Control – James Gentile, Controller

Information Technology and Services –

Kimberly Roy Wilson, Commissioner

Internal Audit – Natasha Brandt, Manager

Printing and Reproduction – Michael Hewett, Commissioner

Purchases and Supplies – Tiffany White Johnson, Commissioner

Sinking Fund Commission – Betsy Hruby, Manager

Taxation – Kevin Preslan, Commissioner and Income Tax Administrator

Treasury – James Hartley, Treasurer

HUMAN RESOURCES – Matthew J. Cole, Director

Rachon N. Long, Assistant Director

LANDMARKS COMMISSION –

Members: Julie Trott-Heisey, Chair; Robert S. Strickland, Vice Chair; Michele Anderson; Allan Dreyer; Mark Duluk, City of Cleveland Architecture and Site Development; Councilwoman Deborah A. Gray; Cleveland City Planning Commission Director Joyce Huang; Christopher Loeser; Michael R. Sanbury; Raymond Tarasuck, Jr.; Dr. Regennia Williams.

LAW – Mark D. Griffin, Director

Michele Comer, Chief Counsel

Ronda Curtis, Chief Corporate Counsel

Elena Boop, Chief Trial Counsel
Aqueelah Jordan, Chief Prosecutor
Delanté Spencer Thomas, Chief Ethics Officer
John Skrtic, Law Librarian

MAYOR'S OFFICE OF CAPITAL PROJECTS – James D. DeRosa, Director

Divisions:

Architecture and Site Development – _____, Manager
Engineering and Construction – Richard J. Switalski, Manager
Real Estate – Susanne Degennaro, Commissioner

MAYOR'S OFFICE OF EQUAL OPPORTUNITY – Tyson Mitchell, Director

MAYOR'S OFFICE OF URBAN ANALYTICS AND INNOVATION – Elizabeth Crowe, Director

MAYOR'S OFFICE OF SUSTAINABILITY – Sarah O'Keeffe, Director

PORT CONTROL – Bryant L. Francis, Director

Divisions:

Cleveland Hopkins International Airport & Burke Lakefront Airport – Khalid Bahhur,
Commissioner of Airports
Burke Lakefront Airport – Tony Campofredano, Airport Leader

PUBLIC HEALTH – David Margolius, M.D., Director

Divisions:

Air Quality – David Hearne, Commissioner
Environment – Wallace L. Chambers, Jr., Commissioner
Health – Frances Mills, Commissioner
Health Equity and Social Justice – Lita Marie Wills, Commissioner
Vital Statistics – Andrea Kacinari, City Registrar

PUBLIC SAFETY – Dornat A. Drummond, Director

Divisions:

Animal Control Services – Cory Keller, Chief Animal Control Officer

Emergency Medical Service – Orlando Wheeler, Commissioner

Emergency Operations Center – Nicole Carlton, Assistant Director

Fire – Anthony P. Luke, Chief

Police – Dorothy A. Todd, Chief

Professional Standards – Roger C. Smith, Administrator

PUBLIC UTILITIES – Martin J. Keane, Director**Divisions:**

Cleveland Public Power – Ammon Danielson, Commissioner

Radio Communications – Brad Handke, Manager

TV 20 – Kathy Allen, General Manager

Utilities Fiscal Control – Catherine Troy, Chief Financial Officer

Water – Alex Margevicius, Commissioner

Water Pollution Control – Ramona Lowery-Ferrell, Commissioner

PUBLIC WORKS – Frank D. Williams, Director**Administration:**

Administration – John Laird, Manager

Susie Claytor, Executive Commissioner, Public Auditorium

Kim Johnson, Interim Executive Commissioner, Prevention, Intervention and
Opportunity for Youth and Young Adults

Divisions:

Motor Vehicle Maintenance – Jeffrey Brown, Commissioner

Neighborhood Resource and Recreation Centers – Samuel Gissentaner,
Commissioner

Park Maintenance and Properties – Toi Porch, Interim Commissioner

Parking Facilities – Kim Johnson, Commissioner

Property Management – Tom Nagle, Commissioner

Streets – Randell Scott, Commissioner

Traffic Engineering – Robert Mavec, Commissioner

Waste Collection and Disposal – Terrell H. Pruitt, Commissioner

WORKFORCE DEVELOPMENT & OHIO MEANS JOBS –

CLEVELAND/CUYAHOGA COUNTY – Michelle Rose, Executive Director

Cleveland Municipal Court

Justice Center

1200 Ontario Street

Cleveland, Ohio, 44113

www.clevelandmunicipalcourt.org

<i>Judge</i>	<i>Courtroom</i>
Presiding and Administrative Judge Michelle D. Earley	14-C
Judge Marilyn B. Cassidy	13-A
Judge Mark R. Majer	12-B
Judge Lauren C. Moore	15-A
Judge Andrea Nelson Moore	12-A
Judge Michael L. Nelson, Sr.	15-C
Judge Ann Clare Oakar	14-A
Judge Charles L. Patton, Jr.	14-B
Housing Court Judge W. Moná Scott	13-B
Judge Suzan M. Sweeney	12-C
Judge Jazmin Torres-Lugo	13-C
Judge Shiela Turner McCall	13-D
Judge Joseph J. Zone	14-D

Earle B. Turner – Clerk of Courts

Russell R. Brown, III – Court Administrator

Belinda Gest – Housing Court Administrator

Robert J. Furda – Chief Bailiff

Dean Jenkins – Chief Probation Officer

Gregory F. Clifford – Chief Magistrate

City Links

Board of Building Standards and Building Appeals

<http://planning.city.cleveland.oh.us/bza/bbs.html>

Board of Zoning Appeals

<http://planning.city.cleveland.oh.us/bza/cpc.html>

City Bids

Invitations to Bid

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/BID>

Requests for Proposals/Requests for Qualifications

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/Finance/RFP>

Cleveland Water

<http://www.clevelandwater.com/work-with-us/invitations-to-bid>

Water Pollution Control

http://wpc.clevelandwater.com/?page_id=3342

Cleveland Airports

<https://www.clevelandairport.com/about-us/business-cle/bids-rfps>

City Jobs

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/HumanResources>

<https://www.governmentjobs.com/careers/cleveland>

City of Cleveland

<http://www.city.cleveland.oh.us/>

City of Cleveland Charter and Codified Ordinances

<https://codelibrary.amlegal.com/codes/cleveland/latest/overview>

Civil Service Commission

<http://www.city.cleveland.oh.us/CityofCleveland/Home/Government/CityAgencies/CivilServiceCommission>

Cleveland City Council

<http://www.clevelandcitycouncil.org/>

Cleveland Courts

Cleveland Municipal Court

<http://clevelandmunicipalcourt.org/home.html>

Clerk of Courts – Cleveland Municipal Court

<https://clevelandmunicipalcourt.org/clerk-of-courts>

Cleveland Housing Court

<http://clevelandhousingcourt.org/>