

# The City Record

Official Publication of the Council of the City of Cleveland



June the Twenty-Third, Two Thousand and Ten

**Frank G. Jackson**  
Mayor

**Martin J. Sweeney**  
President of Council

**Patricia J. Britt**  
City Clerk, Clerk of Council

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

The City Record is available online at  
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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name	Residence	
1	Terrell H. Pruitt	3877 East 189th Street	44122
2	Zachary Reed	3734 East 149th Street	44120
3	Joe Cimperman	P.O. Box 91688	44101
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Phyllis E. Cleveland	2369 East 36th Street	44105
6	Mamie J. Mitchell	12701 Shaker Boulevard, #712	44120
7	TJ Dow	7715 Decker Avenue	44103
8	Jeffrey D. Johnson	9024 Parkgate Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Eugene R. Miller	13615 Kelso Avenue	44110
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Anthony Brancatelli	6924 Ottawa Road	44105
13	Kevin J. Kelley	5904 Parkridge Avenue	44144
14	Brian J. Cummins	3104 Mapledale Avenue	44109
15	Matthew Zone	1228 West 69th Street	44102
16	Jay Westbrook	1278 West 103rd Street	44102
17	Dona Brady	1272 West Boulevard	44102
18	Martin J. Sweeney	3632 West 133rd Street	44111
19	Martin J. Keane	15907 Colletta Lane	44111

City Clerk, Clerk of Council – Patricia J. Britt, 216 City Hall, 664–2840  
First Assistant Clerk – Sandra Franklin

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development  
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications  
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary  
Andrew Watterson, Executive Assistant to the Mayor, Chief of Sustainability  
Natoya J. Walker, Interim Director, Office of Equal Opportunity

DEPT. OF LAW – Robert J. Triozzi, Director, Richard F. Horvath, Chief Corporate Counsel,  
Thomas J. Kaiser, Chief Trial Counsel, Barbara A. Langhenry, Chief Counsel, Rm. 106  
Pam Benjamin, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit  
DIVISIONS: Accounts – Richard W. Sensenbrenner, Commissioner, Room 19  
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122  
City Treasury – \_\_\_\_\_, Treasurer, Room 115  
Financial Reporting and Control – James Gentile, Controller, Room 18  
Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair Avenue  
Purchases and Supplies – James E. Hardy, Commissioner, Room 128  
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue  
Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

DEPT. OF PUBLIC UTILITIES – Barry A. Withers, Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue  
Cleveland Public Power – Ivan Henderson, Commissioner  
Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
Utilities Fiscal Control – Dennis Nichols, Commissioner  
Water – John Christopher Nielson, Commissioner  
Water Pollution Control – Ollie Shaw, Commissioner

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

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

DEPT. OF PUBLIC SERVICE – Jomarie Wasik, Director, Room 113

DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517  
Engineering and Construction – \_\_\_\_\_, Commissioner, Room 518  
Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards  
Streets – Randell T. Scott, Commissioner, Room 25  
Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1  
Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue

DEPT. OF PUBLIC HEALTH – Matt Carroll, Director, Mural Building, 75 Erieview Plaza

DIVISIONS: Air Quality – Richard L. Nemeth, Commissioner  
Environment – Willie Bess, Commissioner, Mural Building, 75 Erieview Plaza  
Health – Karen K. Butler, Commissioner, Mural Building, 75 Erieview Plaza

DEPT. OF PUBLIC SAFETY – Martin Flask, Director, Room 230

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street  
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.  
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive  
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue  
Police – Michael C. McGrath, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – Michael Cox, Director

Cleveland Convention Center, Clubroom A, 1220 East 6th Street  
DIVISIONS: Convention Center & Stadium – James Glending, Commissioner  
Public Auditorium, East 6th Street and Lakeside Avenue  
Parking Facilities – Leigh Stevens, Commissioner  
Public Auditorium, East 6th Street and Lakeside Avenue  
Park Maintenance and Properties – Richard L. Silva, Commissioner  
Public Auditorium – East 6th Street and Lakeside Avenue  
Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard  
Recreation – Kim Johnson, Commissioner, Room 8  
Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road  
Burke Lakefront Airport

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall  
DIVISIONS: Administrative Services – Terrence Ross, Commissioner  
Neighborhood Services – Louise V. Jackson, Commissioner  
Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – Edward W. Rybka, Director, Room 500  
DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner  
Construction Permitting – Timothy R. Wolosz, Commissioner

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Nycole D. West, Interim Director, Room 121

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

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

DEPT. OF CONSUMER AFFAIRS – John D. Mahone, Interim Director

COMMUNITY RELATIONS BOARD – Room 11, Blaine Griffin, Director; Mayor Frank G. Jackson, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Brian J. Cummins, Councilman Joe Santiago, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Lucille Ambroz, Secretary; Members: Diane M. Downing, Michael L. Nelson.

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

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: John Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, \_\_\_\_\_, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk, Chairman; \_\_\_\_\_, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Robert J. Triozzi, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

BOARD OF SIDEWALK APPEALS – Service Director Jomarie Wasik, Law Director Robert J. Triozzi; Councilman \_\_\_\_\_.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; Utilities Director \_\_\_\_\_; Council President Martin J. Sweeney.

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

FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela Caldwell, Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member \_\_\_\_\_, Ed Romero.

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

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

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

MORAL CLAIMS COMMISSION – Law Director Robert J. Triozzi; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley.

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

CLEVELAND LANDMARKS COMMISSION – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, Council Member Anthony Brancatelli, Robert N. Brown, Thomas Coffey, Allan Dreyer, William Mason, Michael Rastatter, Jr., John Torres, N. Kurt Wiebusch, Robert Keiser, Secretary.

AUDIT COMMITTEE – Yvette M. Ittu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert J. Triozzi.

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

Judge	Courtroom
Presiding and Administrative Judge Ronald B. Adrine	15A
Judge Marilyn B. Cassidy	12B
Judge Emanuella Groves	13A
Judge Michelle D. Earley	12A
Judge Kathleen Ann Keough	14B
Judge Anita Laster Mays	14C
Judge Lauren C. Moore	14A
Judge Charles L. Patton, Jr.	13D
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Michael John Ryan	12C
Judge Angela R. Stokes	15C
Judge Pauline H. Tarver	13C
Judge Joseph J. Zone	14D

Earle B. Turner – Clerk of Courts, Russell R. Brown III – Court Administrator, Paul J. Mizerak – Bailiff; Jerome M. Krakowski – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

# The City Record

OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 97

WEDNESDAY, JUNE 23, 2010

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## CITY COUNCIL

MONDAY, JUNE 21, 2010

The City Record  
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Address all communications to

**PATRICIA J. BRITT**

City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2010-2013

#### MONDAY — Alternating

9:30 A.M. — **Public Parks, Properties, and Recreation Committee:** K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

9:30 A.M. — **Health and Human Services Committee:** Cimperman, Chair; J. Johnson, Vice Chair; Conwell, Keane, Kelley, Reed, Zone.

11:00 A.M. — **Public Service Committee:** Miller, Chair; Cummins, Vice Chair; Cleveland, Dow, K. Johnson, Keane, Polensek, Pruitt, Sweeney.

11:00 A.M. — **Legislation Committee:** Mitchell, Chair; K. Johnson, Vice Chair; Brancatelli, Cimperman, Cleveland, Reed, Sweeney.

#### MONDAY

2:00 P.M. — **Finance Committee:** Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

#### TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook, Zone.

1:30 P.M. — **Employment, Affirmative Action and Training Committee:** Pruitt, Chair; Miller, Vice Chair; Cummins, J. Johnson, K. Johnson, Mitchell, Westbrook.

#### WEDNESDAY — Alternating

10:00 A.M. — **Aviation and Transportation Committee:** Keane, Chair; Pruitt, Vice Chair; Cummins, J. Johnson, K. Johnson, Kelley, Mitchell.

10:00 A.M. — **Public Safety Committee:** Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell, Zone.

#### WEDNESDAY — Alternating

1:30 P.M. — **Public Utilities Committee:** Kelley, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Miller, Polensek, Pruitt, Westbrook.

1:30 P.M. — **City Planning Committee:** Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Dow, Keane, Zone.

The following Committees are subject to the Call of the Chair:

**Rules Committee:** Sweeney, Chair; Cleveland, Keane, Polensek, Pruitt.

**Personnel and Operations Committee:** Westbrook, Chair; Conwell, K. Johnson, Kelley, Mitchell, Sweeney, Zone.

**Mayor's Appointment Committee:** Dow, Chair; Cleveland, Kelley, Miller, Sweeney.

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

NONE

### BOARD OF CONTROL

June 16, 2010

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 16, 2010, at 10:30 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Absent: Mayor Jackson, Acting Director West and Director Nichols.

Others: James Hardy, Commissioner, Purchases and Supplies.

Natoya Walker, Acting Director, Office of Equal Opportunity.

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

#### Resolution No. 240-10.

By Director Dumas.

Whereas, Board of Control Resolutions No. 159-10, adopted April 28, 2010, under the authority of Ordinance No. 514-10, passed by the Cleveland City Council on April 26, 2010, selected Novarum Inc. to provide the City of Cleveland with professional services to design, build, install, maintain, and upgrade a wireless broadband network for the City of Cleveland's Ward 13; and Whereas, Resolution No. 159-10

included an incorrect date of proposal submitted by Novarum Inc.; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 159-10, adopted by this Board on April 28, 2010, authorizing the Director of Finance to enter into a written contract with Novarum Inc., is amended by substituting "January 25, 2010" for "December 14, 2009" as the correct date of proposal from Novarum Inc.

Be it further resolved that all other provisions of Resolution No. 159-10 not expressly amended above shall remain unchanged and in full force and effect.

Be it further resolved, that the Director of Finance is authorized to execute all documents and to do all things necessary to effect the correction of the incorrect proposal date stated above.

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director West and Director Nichols.

#### Resolution No. 241-10.

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Panzica Construction Company for the public improvement of constructing improvements to the Nottingham and Central Warehouse facilities, and the West Park and Strongsville maintenance facilities, including a \$859,620.00 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on March 25, 2010, under the authority of Ordinance No. 252-07, passed June 4, 2007, upon a gross price for the improvement in the aggregate amount of \$9,455,820.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement 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 Panzica Construction Company for the above-mentioned public improvement is approved:

SUBCONTRACTOR	WORK PERCENTAGE
Coleman Spohn Corporation (MBE)	\$987,500.00 10.443%
Timeline Photography (CSB/FBE)	\$5,000.00 0.053%
Pete and Pete Container Service, Inc. (CSB/FBE)	\$18,600.00 0.197%

MAC Mechanical Corp. (CSB/FBB)	\$101,690.00 1.075%
Comm Steel, Inc. (CSB/MBE)	\$171,191.00 1.810%
VIP Restoration, Inc. (CSB)	\$233,248.00 2.467%
US Communications & Electric Inc. (CSB/FBE)	\$125,000.00 1.322%
The Martini Construction Co. (CSB)	\$253,997.00 2.686%
Pro Construction, Inc. (CSB/FBE)	\$94,480.00 0.999%
Fortuna Construction Company Inc. (CSB/FBE)	\$361,763.00 3.826%

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.  
Absent: Mayor Jackson, Acting Director West and Director Nichols.

**Resolution No. 242-10.**

By Director Withers.  
Be it resolved, by the Board of Control of the City of Cleveland that all bid received on May 14, 2010, for constructing and repairing catch basins and manholes Citywide, for the Division of Water Pollution Control, Department of Public Utilities, under the authority of Section 129.291 of the Codified Ordinances of Cleveland, Ohio, 1976, are rejected.

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.  
Absent: Mayor Jackson, Acting Director West and Director Nichols.

**Resolution No. 243-10.**

By Director Flask.  
Whereas, under the authority of Ordinance No. 2283-04, passed by the Cleveland City Council on December 13, 2004, the City of Cleveland, through the Director of Finance entered into an agreement with W.A.R.N. LLC., City Contract No. 64302, for a period of one year with one option to renew for an additional one-year period, for professional services necessary to support, acquire, maintain, and update a Reverse 911 Area Wide Notification System for various departments, application set up, call administration functions, and maintenance; and

Whereas, under the authority of Ordinance No. 287-07, passed by the Cleveland City Council on March 19, 2007, the Director of Finance entered into an agreement amending Contract No. 64302 with W.A.R.N. LLC., for the continuation services supporting the Reverse 911 Area Wide Notification System for a period of four years; and

Whereas, division (d) of Section 181.102 C.O. authorizes a director to enter into an agreement with the software vendor for professional services necessary to implement or maintain the software, including but

not limited to, maintenance, repair, upgrade, enhancements, and technical support; and

Whereas, under the authority of Section 181.102 C.O., the City intends to enter into an agreement with W.A.R.N. LLC., to obtain the professional maintenance and technical support services necessary to maintain the Reverse 911 Area Wide Notification System, for an additional eighteen months period starting January 1, 2010; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under division (e) of Section 181.102 C.O., the compensation to be paid for maintenance and technical support services to be performed under the agreement with W.A.R.N. LLC., is fixed at an amount not to exceed \$164,250.00.

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.  
Absent: Mayor Jackson, Acting Director West and Director Nichols.

**Resolution No. 244-10.**

By Director Cox.  
Be it resolved by the Board of Control of the City of Cleveland that under authority of Ordinance No. 808-09 passed by the Council of the City of Cleveland June 8, 2009, as amended by Ordinance Nos. 617-10 and 306-10 passed by the Council of the City of Cleveland May 10, 2010 and June 7, 2010, respectively, Osborn Engineering is selected from a list of qualified consultants available for employment after a canvass by the Director of Parks, Recreation & Properties as the firm to be employed by contract to supplement the regularly employed staff of several departments of the City to provide the professional services necessary to complete the Rehabilitation of Parking Facilities for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties.

Be it further resolved that the Director of Parks, Recreation & Properties is authorized to enter into a contract with Osborn Engineering based upon its proposal dated December 18, 2009, for a total cost not to exceed \$59,344.80, which contract shall be prepared by the Director of Law, shall provide for furnishing of professional services as stated in the proposal and shall contain such other terms and conditions as the Director of Law deems necessary to protect and benefit the public interest.

Be it further resolved that the employment of the following sub-consultants by Osborn Engineering is approved:

<u>Subconsultant</u>	<u>Amount</u> <u>Percentage</u>
Smith Architects CSB	\$7,150 12.048%
McGuiness Unlimited CSB	\$10,580 17.828%

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.  
Absent: Mayor Jackson, Acting Director West and Director Nichols.

**Resolution No. 245-10.**

By Director Cox.  
Be it resolved by the Board of Control of the City of Cleveland, that the bid of R. J. Platten Contracting, Inc. for the public improvement of City of Cleveland Cemetery Improvements - Package B, for Base Bid Items A1-A24 and B1-B22 including the 5% contingency for the Division of Research, Planning & Development, Department of Parks, Recreation & Properties, received on February 24, 2010, under the authority of Ordinance No. 598-09, passed on June 8, 2009, upon a unit basis for the improvement in the aggregate amount of \$457,490.25, is affirmed and approved as the lowest responsible bid; and the Director of Department of Parks Recreation & Properties is authorized to enter into contract for the improvement with the bidder.

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.  
Absent: Mayor Jackson, Acting Director West and Director Nichols.

**Resolution No. 246-10.**

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

Whereas, City has acquired Permanent Parcel No. 108-14-009, located at St. Clair Avenue under the Land Reutilization Program; and

Whereas, Ordinance No. 1554-09 passed November 23, 2009, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Rania Najjar has proposed to the City to purchase and develop the parcel for parking lot; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 1554-09 passed November 23, 2009, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Rania Najjar for the sale and development of Permanent Parcel No. 108-14-009, as described in the Ordinance 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 parcel shall be \$6,800.00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.  
Absent: Mayor Jackson, Acting Director West and Director Nichols.

**Resolution No. 247-10.**

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

Whereas, City has acquired Permanent Parcel No. 104-15-070, located at Whittier Avenue under the Land Reutilization Program; and

Whereas, Ordinance No. 450-10 passed May 10, 2010, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Eleanor R. Rainey Memorial Institute, Inc. has proposed to the City to purchase and develop the parcel for parking lot; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 450-10 passed May 10, 2010, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Eleanor B. Rainey Memorial Institute, Inc. for the sale and development of Permanent Parcel No. 104-15-070, as described in the Ordinance 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 parcel shall be \$100,00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director West and Director Nichols.

#### **Resolution No. 248-10.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 120-03-001, located at 11002 Superior Avenue under the Land Reutilization Program; and

Whereas, Ordinance No. 412-10 passed May 10, 2010, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Maher A. Suleiman has proposed to the City to purchase and develop the parcel for parking lot; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 412-10 passed May 10, 2010, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Maher A. Suleiman for the sale and development of Permanent Parcel No. 120-03-001, as described in the Ordinance 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 parcel shall be \$2,600,00, which amount is determined to be not less than the fair market value of the parcel for uses according to the Land Reutilization Program.

Yeas: Directors Triozzi, Dumas, Withers, Smith, Wasik, Carroll, Flask, Cox, Rush, Fumich, Interim Director Mahoney and Director Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director West and Director Nichols.

MARK R. MUSSON,  
Acting Secretary

## **CIVIL SERVICE NOTICES**

### **General Information**

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

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

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

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

REYNALDO GALINDO,  
President

## **SCHEDULE OF THE BOARD OF ZONING APPEALS**

**TUESDAY, JULY 6, 2010**

**9:30 A.M.**

**Calendar No. 10-93:** 11451 Euclid Avenue (Ward 9)

University Circle, Inc. and Z & M Triangle Partners, LLC appeal to erect a three-story, 46 foot high, 97,000 square foot building with retail on the first floor and 44 total residential units on the second and third floors, and a 90 space accessory off-street parking lot, proposed to be on a 153,923 square foot lot in a General Retail Business District between Euclid Avenue and East 115th Street; subject to the provisions in Section 343.18(2)(b) a driveway must be at least 15 feet from the property line; and in accordance with Sections 352.08-12, an 8 foot wide, landscaped transition strip providing 75 percent year round opacity is required at the rear of the property where it abuts a residential district; and contrary to Section 357.07 the building is proposed to be setback zero feet from Euclid Avenue and approximately 7 feet from East 115th Street where a 10 foot specific setback building line exists.

**Calendar No. 10-94:** 11452 Euclid Avenue (Ward 9)

Case Western Reserve and Z & M Triangle Partners, LLC appeal to erect a three story, 44 foot high, 75,000 square foot building with retail on the first floor and 58 total residential units on the second and third floors, to be built on a 109,854 square foot parcel in a General Retail Business District; contrary to Section 357.07, the building is proposed to be set back zero feet from Euclid Avenue and approximately 7

feet from East 115th Street where a 5 foot specific setback building line exists; and pursuant to Section 349.04, there are 270 spaces required for accessory off-street parking to accommodate 58 residential units plus 21,189 square feet of commercial space; and contrary to Section 357.09 the building is proposed to be directly on the side property line, where the required interior side yard is the equivalent of one-fourth the building height or 11 feet and contrary to Section 357.08(b)(2) the proposed rear yard depth varies from 9 feet to zero feet, where one-half the building height or 22 feet is required in accordance with the Cleveland Codified Ordinances.

**Calendar No. 10-96:** 2901-09 Detroit Avenue (Ward 3)

Richard Husarick, owner, appeals for expansions of a bar/restaurant use to include the basement and to establish entertainment/amusement use in a mixed use building located on a 64' x 147' parcel in a Semi-Industry District; subject to the limitations of Section 347.12(a)(1), a bar with entertainment/amusement use shall not be established within 500 feet of a residential district, a day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation center or community center; and provisions of Section 349.04(e) require an off-street parking area three times the gross floor area; and approval from the Board of Zoning Appeals is required for the expansion of an existing nonconforming use, as stated in Section 359.01(a) of the Cleveland Codified Ordinances.

**Calendar No. 10-101:** 16106 Munn Road (Ward 19)

Matthew Knotts, owner, appeals to install approximately 120 lineal feet of 4' high board on board wooden fence on a corner parcel in a One-Family District subject to the limitations of Section 358.04(a) a fence in actual front and side street yards may not exceed a height of 4 feet and must be at least 50 percent open; and no portion of a fence located within 30 feet of the intersection of two street right-of-way lines shall exceed 2 and one-half feet in height, unless all portions of the fence above 2 and one-half feet in height are at least 75 percent open. The same restrictions apply to any portion of a fence located along and parallel to a driveway within 15 feet of its intersection with a public sidewalk or public street, if no sidewalk is present, as stated in Section 358.03(a) of the Cleveland Codified Ordinances.

**Calendar No. 10-103:** 3902 Bush Avenue (Ward 14)

Christopher Allen, owner, and David Kokoruda, tenant, appeal to erect a 5' x 10' wheel chair lift in the front yard of a one family dwelling on a 47' x 126' parcel in a Two-Family District, contrary to the required yard spaces and Section 357.13 of the Cleveland Codified Ordinances.

**Calendar No. 10-106:** 14040 Puritas Avenue (Ward 18)

Blessed Trinity Church and Reverend Doug Koesel appeal to erect a 4' x 8' double-faced, message ground sign in the front yard setback of a parcel in a One-Family District; contrary to Section 350.13(b) a setback distance of 6

feet is provided where 20 feet is required from the property line; and a changeable message sign is first allowed in a General Retail Business District pursuant to the Sign Regulations in Section 350.14(b)(3) of the Cleveland Codified Ordinances.

Secretary

### REPORT OF THE BOARD OF ZONING APPEALS

#### MONDAY, JUNE 21, 2010

At the meeting of the Board of Zoning Appeals on Monday, June 21, 2010, the following appeals were heard by the Board.

The following appeals were **Approved**:

**Calendar No. 10-88:** 3596 East 131st Street

George Jones and Tyrone Reeder appealed to establish use for a car wash in a Local Retail Business District.

**Calendar No. 10-92:** 307 Skyview Drive

James Donellan appealed to erect an 8' x 26' t-shaped front porch to a single family dwelling in a One-Family District.

The following appeal was **Denied**:

**Calendar No. 10-73:** 1738 Burgess Road

Anthony Coe appealed to change use of a one family dwelling to an adult care facility, a group home, in a Two-Family District.

The following appeals were **Withdrawn**:

**Calendar No. 10-59:** 1293 West 9th Street

Velimir and Valentina Lucic, d.b.a. 1293 W 9 LLC appealed to establish use as a restaurant, night club and lounge in two floors of an existing four-story building in a Limited Retail District;

**Calendar No. 10-86:** 16208 St. Clair Avenue

Najib Chedid appealed for a new 24 hours daily use for a drive through lane on an existing food mart and a 104 feet high wind turbine in a Local Retail Business District.

The following appeal was **Postponed**:

**Calendar No. 10-84:** 2032 West 25th Street postponed to August 23, 2010.

The following appeals were **Dismissed**:

None.

The following appeals heard by the Board on June 14, 2010 were adopted and approved on June 21, 2010.

The following appeals were **Approved**:

**Calendar No. 10-78:** 2081 West 73rd Street

Julio Rivera appealed to establish use as a bar/tavern occupying 995 square feet that is attached to a sin-

gle family dwelling on a corner lot in a Local Retail Business District.

**Calendar No. 10-83:** Violation Notice 15124 Triskett Road

Colleen Bonk appealed from a Notice of Violation issued by the Building and Housing Department for failure to comply with Section 357.14 of the Cleveland Codified Ordinances.

The following appeal heard by the Board on March 22, 2010 was adopted and approved on June 21, 2010.

The following appeal was **Approved**:

**Calendar No. 10-27:** 3162 East 93rd Street

Orealous Caldwell appealed to expand a barber shop to include a tattoo shop in a General Retail Business District; subject to conditions.

The following appeal heard by the Board on June 7, 2010 was adopted and approved on June 21, 2010.

The following appeal was **Approved**:

**Calendar No. 10-39:** 8214 Cedar Avenue

Delmar Yarbrough appealed to build an enclosed patio to an existing nonconforming night club/dance hall in a Local Retail Business District.

Secretary

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

NO MEETING

### PUBLIC NOTICE

#### Request For Proposals for Professional Services for Automated Phone Calls to Residents of Wards in the City of Cleveland

Proposals due by June 25, 2010. Cleveland City Councilmembers have an important role serving as ombudsman and neighborhood resource to represent citizens, respond to residents' concerns, and share information. Cleveland City Council is seeking proposals for professional services from qualified Consultants to make automated phone calls to households in Wards in the City of Cleveland. The calls would be used to relay messages from Councilmembers informing residents of neighborhood meetings and events, emergency information, and general information. For more information and to see the Request for Proposals, go to [www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org) or call (216) 664-4198.

June 9, 2010, June 16, 2010 and June 23, 2010

### NOTICE OF PUBLIC HEARING

NONE

1062

### CITY OF CLEVELAND BIDS

#### For All Departments

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

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

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

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

WEDNESDAY, JULY 7, 2010

**File No. 112-2010 — Exterminating Services,** for the Department Finance, as authorized by Section 181.101, of the Codified Ordinances of Cleveland, Ohio 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, JUNE 28, 2010 AT 10:30 A.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

June 16, 2010 and June 23, 2010

THURSDAY, JULY 8, 2010

**File No. 110-2010 — Natural Gas — 2010,** for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 593-09, passed by the Council of the City of Cleveland, May 24, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, JUNE 29, 2010 AT 2:30 P.M. THE CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 111-2010 — Group I, II and III Copiers**, for the Division of Printing and Reproduction, Department of Finance, as authorized by Ordinance No. 325-10, passed by the Council of the City of Cleveland, April 12, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, JUNE 24, 2010 AT 10:30 A.M. DIVISION OF PRINTING AND REPRODUCTION, 1735 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

June 16, 2010 and June 23, 2010

**THURSDAY, JULY 15, 2010**

**File No. 113-2010 — Generator Improvements at Rockefeller Park Greenhouse and Urban Forestry (Re-Bid)**, for the Division of Research, Planning and Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No.

597-09, passed by the Council of the City of Cleveland, June 8, 2009.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE SPECIFICATIONS).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, JULY 1, 2010 AT 2:00 P.M. THE ROCKEFELLER PARK GREENHOUSE, 750 EAST 88TH STREET, CLEVELAND, OHIO 44108.

**WEDNESDAY, JULY 28, 2010**

**File No. 114-2010 — Hand Held Tools and Hand Held Power Tools**, for the various Divisions of City government, Department of

Finance as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** WEDNESDAY, JULY 14, 2010 AT 10:30 A.M. CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, CLEVELAND, OHIO 44114.

June 23, 2010 and June 30, 2010

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O—Ordinance; R—Resolution; F—File  
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