

# The City Record

Official Publication of the Council of the City of Cleveland



October the Thirty-First, Two Thousand and Twelve

**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

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Containing	PAGE
City Council	3
The Calendar	9
Board of Control	9
Civil Service	12
Board of Zoning Appeals	17
Board of Building Standards and Building Appeals	17
Public Notice	20
Public Hearings	21
City of Cleveland Bids	21
Adopted Resolutions and Ordinances	22
Committee Meetings	25
Index	25



# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

Ward	Name Residence	
1	Terrell H. Pruitt .....16920 Throckley Avenue	44128
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  
Jenita McGowan, Executive Assistant to the Mayor, Chief of Sustainability  
Natoya J. Walker Minor, Chief of Public Affairs – Interim Director of Equal Opportunity.

### OFFICE OF CAPITAL PROJECTS – Jonmarie Wasik, Director

#### DIVISIONS:

Architecture and Site Development – Robert Vilkas, Chief Architect, Manager  
Engineering and Construction – \_\_\_\_\_, Manager  
Real Estate – \_\_\_\_\_, Commissioner

**DEPT. OF LAW** – Barbara A. Langhenry, Director, \_\_\_\_\_, Chief Counsel,  
Richard F. Horvath, Chief Corporate Counsel, Thomas J. Kaiser, Chief Trial Counsel,  
Room 106; Michael Ruffing, Law Librarian, Room 100

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

Frank Badalamenti, Manager, Internal Audit

#### DIVISIONS:

Accounts – Lonya Moss Walker, 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:

Cleveland Public Power – Ivan Henderson, Commissioner  
Street Lighting Bureau – \_\_\_\_\_, Acting Chief  
Utilities Fiscal Control – Dennis Nichols, Commissioner  
Water – Alex Margevicius, Interim Commissioner  
Water Pollution Control – Rachid Zoghbaib, Commissioner

**DEPT. OF PORT CONTROL** – Ricky D. Smith, Director, Cleveland Hopkins International Airport, 5300 Riverside Drive

#### DIVISIONS:

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

**DEPT. OF PUBLIC WORKS** – Michael Cox, Director

#### OFFICES:

Administration – John Laird, Manager  
Special Events and Marketing – Tangee Johnson, Manager

#### DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner  
Park Maintenance and Properties – Richard L. Silva, Commissioner  
Parking Facilities – Leigh Stevens, Commissioner  
Property Management – Tom Nagle, Commissioner  
Recreation – Kim Johnson, Commissioner  
Streets – \_\_\_\_\_, Commissioner  
Traffic Engineering – Robert Mavec, Commissioner  
Waste Collection and Disposal – Ron Owens, Commissioner

**DEPT. OF PUBLIC HEALTH** – Karen Butler, Director, Mural Building, 75 Erieview Plaza

#### DIVISIONS:

Air Quality – George Baker, Commissioner  
Environment – Pamela Cross, 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 COMMUNITY DEVELOPMENT** – Daryl Rush, Director

#### DIVISIONS:

Administrative Services – Jesus Rodriguez, Commissioner  
Fair Housing and Consumer Affairs Office – \_\_\_\_\_, Manager  
Neighborhood Development – Chris Garland, Commissioner  
Neighborhood Services – Louise V. Jackson, Commissioner

**DEPT. OF BUILDING AND HOUSING** – Edward W. Rybka, Director, Room 500

#### DIVISIONS:

Code Enforcement – Thomas E. Vanover, Commissioner  
Construction Permitting – Timothy R. Wolosz, Commissioner

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

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

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

**COMMUNITY RELATIONS BOARD** – Room 11, Blaine Griffin, Director, Mayor Frank

G. Jackson, Chairman Ex-Officio; Rev. Dr. Charles P. Lucas, Jr., Vice-Chairman, Council Member Brian Cummins, Council Member Eugene R. Miller, Jeff Marks, (Board Lawyer), Roosevelt E. Coats, Jenice Contreras, Kathryn Hall, Yasir Hamdallah, Evangeline Hardaway, John O. Horton, Annie Key, Stephanie Morrison-Hrbek, Roland Muhammad, Gia Hoa Ryan, Ted C. Wammes, Peter Whitt.

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

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

**BOARD OF ZONING APPEALS** – Room 516, Carol A. Johnson, Chairman; Members: Mary Haas McGraw, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, Jan Huber, 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** – Interim Law Director Barbara A. Langhenry, President; Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

**BOARD OF SIDEWALK APPEALS** – Service Director Jonmarie Wasik, Interim Law Director Barbara A. Langhenry; Council Member Eugene R. Miller.

**BOARD OF REVIEW** – (Municipal Income Tax) – Interim Law Director Barbara A. Langhenry; Utilities Director Barry A. Withers; 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 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** – Interim Law Director Barbara A. Langhenry; Chairman; Finance Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin Kelley.

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

**CLEVELAND LANDMARKS COMMISSION** – Room 519 – Jennifer Coleman, Chair; Laura M. Bala, 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. Itu, Chairman; Debra Janik, Bracy Lewis, Diane Downing, Donna Sciarappa, Council President Martin J. Sweeney; Interim Law Director Barbara A. Langhenry.

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

### Judge Courtroom

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

# The City Record



71 OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 99

WEDNESDAY, OCTOBER 31, 2012

No. 5160

## CITY COUNCIL

MONDAY, OCTOBER 29, 2012

The City Record  
Published weekly by the City Clerk,  
Clerk of Council under authority  
of the Charter of the  
City of Cleveland  
The City Record is available  
online at  
[www.clevelandcitycouncil.org](http://www.clevelandcitycouncil.org)  
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, Polensek, Reed.

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:** Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

#### 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:** Zone, Chair; Pruitt, 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:** Pruitt, Chair; Brady, Vice Chair; Conwell, Cummins, Dow, Kelley, Miller, Polensek, 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.

**Sustainability Sub-Committee:** Zone, Chair; Westbrook, Vice Chair; Cummins, J. Johnson, Mitchell.

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
Monday, October 29, 2012

The meeting of the Council was called to order, the President, Martin J. Sweeney, in the Chair.

Council Members present: Brady, Brancatelli, Cleveland, Conwell, Cummins, J. Johnson, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt, Reed, Sweeney, Westbrook and Zone.

Also present were: Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Darnell Brown, Chief Operating Officer, Valerie J. McCall, Chief of Government Affairs, Chris Warren, Chief of Regional Development, Monyka S. Price, Chief of Education, Maureen Harper, Chief of Communications, Jenita McGowan, Chief of Sustainability, Natoya J. Walker Minor, Chief of Public Affairs, and Directors Langhenry, Dumas, Withers, Smith, Wasik, Butler, Flask, Cox, Rush, Rybka, Southerington, Nichols, Brown, Fumich and Teresa Stevenson of Legislative Affairs.

Pursuant to Ordinance No. 2926-76 prayer was offered by Father John E. Manning of St. Vincent De Paul Church, 13400 Lorain Avenue located in Ward 18. Pledge of Allegiance.

#### MOTION

On the motion of Council Member Cummins the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Zone.

#### PLAT

**File No. 1499-12.**  
Council Member Zone ( Ward 15).  
Request for Plat Review and Approval of the Dedication Plat of

Waverly Station Subdivision Phase 1 Plat, located between West 57th Street and West 58th Street.

Approved by City Planning Director; Approved by Committees on City Planning and Public Service. Received.

Without objection, Plat approved. Yeas 17. Nays 0.

#### FROM OHIO DIVISION OF LIQUOR CONTROL

##### File No. 1564-12.

Re: 8939161 — C1, C2 — Transfer of Ownership Application — Tina I, 2, 3, Inc., d.b.a. Mike's Broadway, 1st floor and basement. Ward 5. Received.

##### File No. 1565-12.

Re: 3172780 — C1, C2 — Transfer of Ownership Application — Ghuman, Inc., 788 East 200th Street. Ward 11. Received.

#### OATH OF OFFICE

##### File No. 1566-12.

From: Barbara A. Langhenry — Director — Law Department. Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 1567-12**—Shirley Izena Greer.

**Res. No. 1568-12**—Robert L. Morgan, Jr.

**Res. No. 1569-12**—Gladys Beatrice McClendon.

**Res. No. 1570-12**—Osceola V. Lowery.

**Res. No. 1571-12**—Lou Ann Conroy.

#### CONGRATULATIONS RESOLUTIONS

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

**Res. No. 1572-12**—Chuck Fowler.

**Res. No. 1573-12**—Sr. Judith Ann Karam, CSA, FACHE.

**Res. No. 1574-12**—William E. Conway.

**Res. No. 1575-12**—Meat Loaf.

**Res. No. 1576-12**—Philip Hrvatin (Musician of the Year).

#### RECOGNITION RESOLUTIONS

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

**Res. No. 1577-12**—32nd Masons of the Ancient and Accepted Scottish Rite, Valley of Cleveland.

**Res. No. 1578-12**—Drs. Edward & Shirley Crosby.

**Res. No. 1579-12**—The Mama Luke Movement.

**FIRST READING ORDINANCE REFERRED****Ord. No. 1559-12.****By Council Member Zone.**

**An ordinance changing the Use Districts of lands located at the intersection of Clark Avenue and W. 65th Street to Local Retail Business and changing Use District of lands north of Storer Ave. between W. 63rd St. and W. 67th Place to General Industry as shown shaded on the map (Map Change Number 2427).**

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

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

Beginning in the centerline of Clark Avenue at its intersection with the centerline of West 65th Street;

Thence northerly along said centerline of West 65th Street and along its northerly prolongation to its intersection with the centerline of I 90;

Thence northeasterly along said centerline of I 90 to its intersection with the northerly prolongation of the centerline of West 59th Street;

Thence southerly along said northerly prolongation of the centerline of West 59th Street and along its southerly prolongation to its intersection with the centerline of Walworth Avenue;

Thence southwesterly along said centerline of Walworth Avenue to its intersection with the northerly prolongation of the centerline of vacated West 61st Street;

Thence southerly along said northerly prolongation of said centerline to its intersection with the mainline of the Cleveland, Cincinnati, Chicago, and St. Louis Railroad;

Thence southwesterly along said main line through its intersection with the centerline of Clark Avenue to its intersection with the centerline of West 65th Street;

Thence southerly along said centerline of West 65th Street to its intersection with the easterly prolongation of the centerline of West 67th Place;

Thence westerly along said easterly prolongation and said centerline to its intersection with a line drawn 350 feet westerly of and parallel to the westerly line of West 65th Street;

Thence northerly along said parallel line to its intersection with the main line of the aforementioned Cleveland, Cincinnati, Chicago, and St. Louis Railroad;

Thence northeasterly along said main line of said Cleveland, Cincinnati, and St. Louis Railroad to its intersection with the centerline of West 65th Street;

Thence northerly along said centerline West 65th Street to its intersection with the easterly prolongation of the centerline of Seine Court;

Thence westerly along said easterly prolongation of said centerline and along its westerly prolongation to its intersection with the centerline of West 68th Street;

Thence northerly along said centerline of West 68th Street and along its northerly prolongation to its intersection of the centerline of Clark Avenue;

Thence easterly along said centerline of Clark Avenue to its intersection with the principal place of beginning.

And as identified on the attached map are changed to a Local Retail Business District.

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

Beginning in the centerline of Storer Avenue at its intersection with the centerline of West 65th Street;

Thence easterly along said centerline of Storer Avenue to its intersection with the southerly prolongation of the centerline of West 63rd Street;

Thence northerly along said southerly prolongation of said centerline of West 63rd Street to its intersection with the main line of the Cleveland, Cincinnati, and St. Louis Railroad;

Thence southwesterly along said main line to its intersection with the centerline of West 65th Street;

Thence southerly along said centerline of West 65th Street to its intersection with the easterly prolongation of the centerline of West 67th Place;

Thence westerly along said easterly prolongation and southwesterly and southerly along said centerline continuing along its southerly prolongation to its intersection with the centerline of Storer Avenue;

Thence easterly along said centerline of Storer Avenue to its intersection with the centerline of West 65th Street and the principal place of beginning.

And as identified on the attached map are changed to a General Industry District.

**Section 3.** That the changed designation of lands described in Section 1 shall be identified as Map Change No. 2427 and shall be made upon the Building Zone Maps of the City of Cleveland on file in the office of the Clerk of Council and on file in the office of the City Planning Commission by the appropriate person designated for this purpose by the City Planning Commission.

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



Referred to Directors of City Planning Commission, Law; Committee on City Planning.

**FIRST READING EMERGENCY ORDINANCES READ IN FULL AND PASSED**

**Ord. No. 1528-12.**

**By Council Members Zone, Miller, Cleveland and Kelley (by departmental request).**

**An emergency ordinance giving final consent of the City of Cleveland to the State of Ohio for the removal and replacement of the West 74th Street bridge and the removal and replacement of the Madison Avenue bridge, and the rehabilitation of the West 61st Street bridge; authorizing the Director of Capital Projects to enter into contracts with the State of Ohio; and causing payment to the State of Ohio for the City's share of the improvement.**

Whereas, under Ordinance No. 303-10, passed June 7, 2010, this Council authorized the City of Cleveland to cooperate with the Director of Transportation for the removal and replacement of the West 74th Street bridge and the removal and replacement of the Madison Avenue bridge, and the rehabilitation of the West 61st Street bridge (the "Improvement"); and

Whereas, the City shall cooperate with the Ohio Director of Transportation in the above described project by assuming and bearing one hundred

percent (100%) of the entire cost of the Improvement, less the amount of Federal-aid NOACA funds set aside by the Director of Transportation for the financing of this Improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering, excluding in-house preliminary engineering charges incurred by the State, and

Whereas, the share of the City's cost of the Improvement is now estimated to be \$1,328,285.00 but may be adjusted when the percentages of actual costs are determined; and

Whereas, the Ohio Director of Transportation has approved the legislation proposing cooperating and has caused to be made plans and specifications and an estimate of costs and expense for the Improvement and has transmitted copies of the same to this legislative authority; and

Whereas, the City desires the Ohio Director of Transportation to proceed with the Improvement; 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 this Council requests the Ohio Director of Transportation to proceed with the Improvement.

**Section 2.** That the Director of Capital Projects is authorized to enter into contracts with the State and/or their pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the Improvement. Upon the request of ODOT, the Director of Capital Projects is also empowered to assign 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 3.** (a) That the City shall, at its own expense, make all removals and/or relocations of publicly-owned utilities which do not comply with the reimbursement provisions of the ODOT Utilities Manual. Publicly-owned facilities which do comply with the reimbursement provisions of the ODOT Utilities Manual will be removed and/or relocated at project expense, exclusive of betterments.

(b) The removals and/or relocation of all utilities shall be done in such a manner as not to interfere with the operation of the contractor constructing the Improvement and that the utility removals and/or relocations shall be approved by the State and performed in accordance with the provisions of the ODOT Construction and Materials Specifications.

**Section 4.** That on completion of the Improvement, the City will:

(a) Keep the affected highway open to traffic at all times;

(b) Maintain the Improvement according to the provisions of the statutes relating thereto and make ample financial and other provisions for the maintenance; and

(c) Maintain the right-of-way and keep it free of obstruction in a manner satisfactory to the State and hold the right-of-way inviolate for public highway purposes and permit no signs, posters, billboards, roadside stands, or other private installations within the limits of the right-of-way.

(d) Place and maintain all traffic control devices under the Ohio Manual of Uniform Traffic Control Devices under the provisions of Section 4511.11 and related sections of the Revised Code;

(e) Regulate parking in accordance with Section 4511.66 of the Revised Code, unless otherwise controlled by City ordinance or resolution.

**Section 5.** 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 6.** That this Council is authorized to cause payment to the State of the City's share of the Improvement, payable from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20-520, 20-528, 20-534, 20-540, 10 SF 546, 52 SF 001, and 54 SF 001, Request No. RQS 0103, RL 2012-154.

**Section 7.** 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.

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

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

**Ord. No. 1562-12.**

**By Council Member Sweeney.**

**An emergency ordinance authorizing the Director of the Department of Economic Development to enter into an agreement with Vincent P. Vasko, Jr. d.b.a. Vinny's Beverage for construction/renovation improvements at the Vinny's Beverage site through the use of Ward 18 Neighborhood Capital Funds.**

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

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

**Section 1.** That the Director of the Department of Economic Develop-

ment is authorized to enter into an agreement with Vincent P. Vasko, Jr. d.b.a. Vinny's Beverage for the construction/renovation improvements at the Vinny's Beverage site located at 13531 Lorain Avenue, Cleveland, Ohio 44111 for the public purpose of job retention and new job creation through the use of Ward 18 Neighborhood Capital Fund.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$10,000 and shall be paid from Fund No. 10 SF 177.

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

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

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

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

**FIRST READING EMERGENCY RESOLUTIONS READ IN FULL AND ADOPTED**

**Res. No. 1557-12.**

**By Council Member Conwell.**

**An emergency resolution requesting the Ohio General Assembly to make physical assault on public transit workers a felony under Ohio law.**

Whereas, recently a bus driver for the Regional Transit Authority in Cleveland was the subject of an assault by a passenger; and

Whereas, bus drivers and all transit workers are at greater risk of assaults, verbal abuse and other injuries due to the intimate nature of their work with the general public; and

Whereas, other states have laws that provide specific penalties for harming public transportation workers; and

Whereas, in order to better protect our public transportation workers while on the job, the state of Ohio should adopt a law specifically making assault on a public transportation worker a felony; and

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

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

**Section 1.** That this Council hereby requests the Ohio General Assembly to make physical assault on public transit workers a felony under Ohio law.

**Section 2.** That the Clerk of Council is hereby directed to transmit certified copies of this resolution to all members of the Ohio General Assembly.

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

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

The rules were suspended. Yeas 17. Nays 0. Read second time. Read third time in full. Adopted. Yeas 15. Nays 2.

Those voting yea: Council Members Sweeney, Brady, Brancatelli, Cleveland, Conwell, K. Johnson, Keane, Kelley, Miller, Mitchell, Polensek, Pruitt, Reed, Westbrook and Zone.

Those voting nay: Council Members Cummins and J. Johnson.

Absent: Council Members Cimperman and Dow.

**Res. No. 1558-12.**

**By Council Member Mitchell.**

**An emergency resolution with-drawing objection to the renewal of a C2 and C2X Liquor Permit at 3600 East 116th Street and repealing Resolution No. 1282-12 objecting to said renewal.**

Whereas, this Council objected to a C2 and C2X Liquor Permit to 3600 East 116th Street by Resolution No. 1282-12 adopted by the Council on September 10, 2012; and

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

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

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

**Section 1.** That objection to a C2 and C2X Liquor Permit to Tuz, Inc., 3600 East 116th Street, Cleveland, Ohio 44104, Permanent Number 9115172 be and the same is hereby withdrawn and Resolution No. 1282-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

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

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

**Res. No. 1560-12.**

**By Council Member Cimperman.**

**An emergency resolution with-drawing objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit at 2102 Freeman Avenue, 1st floor and basement and repealing Resolution No. 1219-12, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to Thine-ma Group, Ltd., DBA Duck Island Club, 2102 Freeman Avenue, 1st floor and basement, Cleveland, Ohio 44113, Permanent No. 88712680005 by Resolution No. 1219-12 adopted by the Council on September 10, 2012; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a D1, D2, D3 and D3A Liquor Permit to Thinema Group, Ltd., DBA Duck Island Club, 2102 Freeman Avenue, 1st floor and basement, Cleveland, Ohio 44113, Permanent No. 88712680005, be and the same is hereby withdrawn and Resolution No. 1219-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

**Res. No. 1561-12.**

**By Council Member Cummins.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C1 and C2 Liquor Permit at 2700 West 25th Street, Unit B and repealing Resolution No. 1143-12, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C1 and C2 Liquor Permit to RK Nagra, Inc., DBA Sun Valley Beverage, 2700 West 25th Street, Unit B, Cleveland, Ohio 44113, Permanent No. 7149228 by Resolution No. 1143-12 adopted by the Council on August 8, 2012; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C1 and C2 Liquor Permit to RK Nagra, Inc., DBA Sun Valley Beverage, 2700 West 25th Street, Unit B, Cleveland, Ohio 44113, Permanent No. 7149228, be and the same is hereby withdrawn and Resolution No. 1143-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

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

**Res. No. 1563-12.**

**By Council Member Mitchell.**

**An emergency resolution withdrawing objection to the transfer of ownership of a C2 and C2X Liquor Permit at 3643 East 116th Street and repealing Resolution No. 1222-12, objecting to said transfer.**

Whereas, this Council objected to the transfer of ownership of a C2 and C2X Liquor Permit to 415 68th Street Deli, Inc., 3643 East 116th Street, Cleveland, Ohio 44105, Permanent No. 2840000 by Resolution No. 1222-12 adopted by the Council on September 10, 2012; and

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

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

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

**Section 1.** That objection to the transfer of ownership of a C2 and C2X Liquor Permit to 415 68th Street Deli, Inc., 3643 East 116th Street, Cleveland, Ohio 44105, Permanent No. 2840000, be and the same is hereby withdrawn and Resolution No. 944-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 654-12.**

By Council Members Mitchell, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to The Cleveland Clinic Foundation to encroach into the public right-of-way of East 105th Street by installing, using, and maintaining an electrical duct bank.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Service, City Planning Commission, Finance.

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

**Ord. No. 893-12.**

By Council Members Cimperman, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Lutheran Metro Properties, LLC to encroach into the public right-of-way at 4515 Superior Avenue by installing, using, and maintaining certain streetscape amenities.

Approved by Directors of Capital Projects, City Planning, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 894-12.**

By Council Members Cimperman, J. Johnson, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Crown Castle NG East Inc. to encroach into the public right-of-way with 24 nodes (distributed antenna systems) to be attached to Cleveland Public Power utility poles and City of Cleveland traffic signal poles (by separate permission of the poles' owners) along with 24 ground cabinets.

Approved by Directors of Capital Projects, City Planning, Finance, Law; Committees on Public Service, City Planning, Finance.

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

**Ord. No. 895-12.**

By Council Members Brancatelli, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance to appropriate property for the public purpose of improving the intersection of Ackley Road and Broadway Avenue at Union Avenue.

Approved by Directors of Capital Projects, City Planning, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance, when amended, as follows:

1. In the first whereas clause, lines 2 and 3, strike "fee simple".

Amendment agreed to.

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

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

**Ord. No. 896-12.**

By Council Members K. Johnson, Mitchell, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance giving consent of the City of Cleveland to the Ohio Department of Transportation to replace the Buckeye Road (State Route 87) Bridge over Greater Cleveland Regional Transit Authority railroad located at the intersection of Woodhill Road and Shaker Boulevard; and authorizing the Director of Capital Projects to enter into any relative agreements.

Approved by Directors of Capital Projects, City Planning Commission,

Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 904-12.**

By Council Members Cleveland, Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Economic Development to enter into a Tax Increment Financing Agreement with Hemingway at 6555, LLC, to provide for the redevelopment of 6555 Carnegie Avenue as part of the Midtown Tech Park campus; to provide for payments to the Cleveland City School District; and to declare certain improvements to real property to be a public purpose.

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

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

**Ord. No. 1062-12.**

By Council Member Kelley.

An emergency ordinance designating the Pearl Street Savings and Trust—Broadview Branch as a Cleveland Landmark.

Approved by Directors of City Planning Commission, Finance, Law; Passage recommended by Committees on City Planning, Finance.

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

**Ord. No. 1065-12.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at the southeast corner of West 44th Place and Bader Avenue to Kristina and Nicholas Shirak, for purposes of expanding their side yard.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Parks, Properties, and Recreation, City Planning, Finance.

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

**Ord. No. 1226-12.**

By Council Members Cleveland, Miller and Sweeney (by departmental request).

An emergency ordinance to add the name of Preston H. Terry Jr. Way as a secondary name to East 34th Street from Central Avenue to Project Avenue.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 1227-12.**

By Council Members J. Johnson, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to Ohio Technical College to encroach into the public right-of-way at and above 1448 East 51st Street by installing, using, and maintaining an entrance canopy and two support posts.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 1228-12.**

By Council Members J. Johnson, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance to amend Section 1 of Ordinance No. 879-12, passed July 11, 2012, relating to authorizing the Director of Capital Projects to issue a permit to LDC James LLC to encroach beneath the public right-of-way of Euclid Avenue by installing, using, and maintaining an 18" x 18" concrete square communication duct bank.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 1229-12.**

By Council Members K. Johnson, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to the Ludlow Community Association to encroach into the public right-of-way of Hampton Road by installing, using, and maintaining a 15 foot by 15 foot public art object consisting of twelve 6" by 96" triangular columns.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 1230-12.**

By Council Members Cimperman, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to PSC Hanna Building LLC to encroach into the public rights-of-way beneath East 14th Street and Prospect Avenue by using and maintaining existing basement walls and utility vault area.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 1231-12.**

By Council Members Conwell, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Capital Projects to issue a permit to AJAPPJR Uptown LLC to encroach into the public right-of-way of, beneath, and above Euclid Avenue by installing, using, and maintaining building foundations and upper floor building faces.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 1261-12.**

By Council Member J. Johnson.

An emergency ordinance designating the Agora (also known as the Metropolitan Theatre, the Koblitz Building, and the WHK Building) as a Cleveland Landmark.

Approved by Directors of City Planning Commission, Law; Committee on City Planning.

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

**Ord. No. 1262-12.**

By Council Member J. Johnson.

An emergency ordinance designating Cory United Methodist Church (formerly Anshe Emeth Synagogue) as a Cleveland Landmark.

Approved by Directors of City Planning Commission, Law; Passage recommended by Committee on City Planning.

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

**Ord. No. 1263-12.**

By Council Member J. Johnson.

An emergency ordinance designating the Switzer Apartment Building as a Cleveland Landmark.

Approved by Directors of City Planning Commission, Law; Passage recommended by Committee on City Planning.

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

**Ord. No. 1266-12.**

By Council Member Polensek.

An emergency ordinance designating Freedom Christian Assembly Church, also known as Collinwood Christian Church, as a Cleveland Landmark.

Approved by Directors of City Planning Commission, Law; Passage recommended by Committees on City Planning, Finance.

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

**Ord. No. 1326-12.**

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 1094-11, passed September 12, 2011,



relating to an encroachment permit for foundations, street shoring, overhangs, canopy, lights, and an overhead bridge on Prospect Avenue SE., East 1st Street, East 2nd Street, and Ontario Street to change the name of the permittee from USA Parking Systems Prospect LLC to Rock Ohio Caesars Cleveland LLC.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Passage recommended by Committees on Public Service, City Planning, Finance.

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

**Ord. No. 1332-12.**

By Council Member J. Johnson.

An emergency ordinance designating the Film Exchange Building as a Cleveland Landmark.

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

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

**Ord. No. 1398-12.**

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

An emergency ordinance authorizing the Director of Public Utilities to enter into one or more agreements with Cleveland Housing Network to administer energy, water, and sewer conservation services to low income home owners or rental property owners, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, Department of Public Utilities.

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

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

**Ord. No. 1454-12.**

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

An emergency ordinance to amend the title and Section 1 of Ordinance No. 143-11, passed April 25, 2011, relating to the Demand Response Program for the Division of Water.

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

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

**SECOND READING EMERGENCY RESOLUTION ADOPTED**

**Res. No. 1256-12.**

By Council Members Reed, Miller, Cleveland and Sweeney (by departmental request).

An emergency resolution declaring the necessity and intention to appropriate up to six easements for public use in connection with the Harvard Avenue Bridge project.

Approved by Directors of Capital Projects, City Planning Commission, Finance, Law; Adoption recommended by Committees on Public Service, City Planning, Finance.

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

**SECOND READING ORDINANCE PASSED**

**Ord. No. 1084-12.**

By Council Member Conwell.

An ordinance to change the Use, Area and Height Districts of land located on the east side of East 110th Street north of Saint Clair Avenue to General Retail Business District, a 'C' Area District and a '2' Height District (Map Change No. 2403; Sheet No. 1).

Approved by Directors of City Planning Commission, Law; Passage recommended by Committee on City Planning.

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

**LAI D ON THE TABLE**

**Ord. No. 898-12.**

By Council Members Cimperman, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance giving consent of the City of Cleveland to the State of Ohio for the construction of the new eastbound Innerbelt bridge; authorizing the Director of Capital Projects to enter into any relative agreements.

**Ord. No. 899-12.**

By Council Members Cimperman, Miller, Cleveland and Sweeney (by departmental request).

An emergency ordinance giving consent of the City of Cleveland to the State of Ohio for the demolition of the eastbound Innerbelt bridge; authorizing the Director of Capital Projects to enter into any relative agreements.

Without objection, Ordinance No. 898-12 and Ordinance No. 899-12 were relieved of further consideration of all committees and laid on the table pursuant to the Rules of Council.

The rules were suspended. Yeas 17. Nays 0. Ordinance No. 898-12 and Ordinance No. 899-12. Laid on the Table.

**MOTION**

The Council Meeting adjourned at 8:30 p.m. to meet on Monday, November 12, 2012 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt  
City Clerk, Clerk of Council

**THE CALENDAR**

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

NONE  
1715

**BOARD OF CONTROL**

October 24, 2012

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, October 24, 2012 at 10:35 a.m. with Interim Director Langhenry presiding.

Present: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson and Director Butler.

Others: L. Peculis, Acting Director, Office of Equal Opportunity.

Jim Hardy, Commissioner, Purchases & Supplies.

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

**Resolution No. 543-12.**

By Director Withers.

Whereas, division (a) of Section 535.051 of the Codified Ordinances of Cleveland, Ohio, 1976, ("C.O.") authorizes the Director of Public Utilities to conduct programs for testing and monitoring of water delivered to residential premises to be performed by the residential customers and relating to water quality, distribution operations, and other testing and monitoring services determined to be necessary by the Director of Public Utilities; and

Whereas, division (b) of Section 535.051 C.O. authorizes the Director to provide water bill credits, to be established by the Board of Control, as incentives to eligible residential and business water customers who assist the Division of Water with water quality monitoring programs, distribution operations and other testing and monitoring by successfully complete monitoring and testing; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Section 535.051 of the Codified Ordinances of Cleveland, Ohio, 1976, the water bill credits that the Director of Public Utilities is authorized to provide to eligible water customers after successfully completing monitoring and testing services relating to water quality, distribution operations, and other testing and monitoring services performed under an authorized testing and monitoring program are established as follows:

**Assistance with Distribution Water Testing and Monitoring Programs**

**Customer Incentive Program**

Water Bill Credits to water customers participating in a testing and monitoring program.

Description: \$100.00 for each participating water customer successfully completing monitoring and testing services

Maximum total amount of water customer bill credits per year under the monitoring and testing programs: \$10,000.00.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

**Resolution No. 544-12.**

By Director Withers.

Whereas, under the authority of Ordinance No. 1036-07, passed by the Council of the City of Cleveland on August 8, 2007, and Resolution No. 346-10, adopted by this Board of Control on August 18, 2010, the City, through its Director of Public Utilities, entered into Contract No. PS2010-291 with BancTec, Inc. to provide professional services necessary to implement the BancTec IntelliScan XDS Payment Processing System for a period of two years, for the Division of Utilities Fiscal Control, Department of Public Utilities; and

Whereas, under Board of Control Resolution No. 515-11, adopted November 2, 2011, the Director of Public Utilities was authorized to enter into a first modification to Contract No. PS2010-291 to include an additional week of on-site support and training; and

Whereas, Resolution No. 515-11 incorrectly stated the term of the contract as "period of one year"; and

Whereas, the City has determined that additional software licenses, professional services, including installation, quality assurance, and project management are needed; and

Whereas, BancTec, Inc. has proposed by its Product and Services Schedule dated July 31, 2012 ("Proposal") to perform the above-described services for a fee of \$3,675.00; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 515-11, adopted by this Board November 2, 2011, to provide professional services necessary to implement the BancTec IntelliScan XDS Payment Processing System, is amended by substituting "period of two years" for "period of one year", where appearing in the resolution.

Be it further resolved by the Board of Control of the City of Cleveland that the Director of Public Utilities is authorized to enter into a second modification to City Contract No. PS2010-291 with BancTec, Inc., on the basis of its proposal dated July 31, 2012, for performance of the above-mentioned additional services and to increase the fees for all services by \$3,675.00 to \$415,068.00. The second modification shall be prepared by the Director of Law and shall include such additional provisions as the Director deems necessary to benefit and protect the public interest.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

**Resolution No. 545-12.**

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of AAA Flexible Pipe Cleaning Corporation for an estimated quantity of labor and materials for the sewer test tee inspection, installation and snaking (all items), for the Division of Water Pollution Control, Department of Public Utilities, for a period of one (1) year beginning with the date of execution of a contract, received on August 3,

2012, under the authority of Section 541.13 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$258,692.50, is affirmed and approved as the lowest and best bid; and the Director of Public Utilities is requested to enter into a requirement contract for the specified goods and/or services.

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

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

**Resolution No. 546-12.**

By Director Smith.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of West Roofing Systems, Inc. for the public improvement of necessary items of labor and materials necessary for repairing or replacing roofs, all items, for the Division of Cleveland Hopkins International Airport, Department of Port Control, received on August 16, 2012, under the authority of Ordinance No. 956-11, passed by the Cleveland City Council on August 17, 2011, upon a unit basis for the improvements to be performed as ordered during a period of two (2) years starting upon execution of a contract, with two one-year options to renew, which on the basis of the estimated work to be done would amount to \$2,561,894.63, is affirmed and approved as the lowest responsible bid, and the Director of Port Control is requested to enter into a public improvement by requirement contract for the improvement, which contract shall provide for an initial order for performance of work, the cost of which order shall be certified to the contract in an amount not less than \$130,000.00.

The public improvement by requirement contract shall further provide that the contractor will perform all the City's requirements for the work as may be ordered under delivery orders separately certified against the public improvement by requirement contract, whether the same shall be less than the total estimate of work to be performed under the contract or shall exceed the same by not more than ten percent.

Be it further resolved by the Board of Control that the employment of the following subcontractors by West Roofing Systems, Inc. for the above-mentioned public improvement by requirement contract is approved:

<u>SUBCONTRACTOR</u>	<u>CSB/MBE/FBE</u> <u>AMOUNT</u>
Price Builders & Development	CSB/MBE (6.34%) \$162,565.00
American Merchandising	CSB/MBE (8.099%) \$207,480.00

River City Building Solutions	CSB/FBE (6.962%) \$178,360.00
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Jones Technologies Enterprises	CSB/MBE (8.519%) \$218,252.00
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Fabrizi Recycling	CSB/FBE (0.094%) \$ 2,400.00
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Dan-Ray Construction	CSB/MBE (0.294%) \$ 7,531.00
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RK Hydronac, Inc. Non-CSB	(5.88%) \$150,750.00
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Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson and Director Butler.

**Resolution No. 547-12.**

By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 744-12, passed by the Council of the City of Cleveland on September 24, 2012, the firm of Kokosing Construction Company, Inc. ("Consultant") is selected upon nomination of the Director of Port Control from a list of qualified persons or 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 design/build services for the Transient Marina and associated improvements at the North Coast Harbor, 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 Kokosing Construction Company, Inc. for the above-mentioned services, based upon its proposal dated September 17, 2012 which contract shall be prepared by the Director of Law, shall provide that the compensation to Kokosing Construction Company, Inc. for the services authorized shall not exceed \$2,361,650.00, 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 employment of the following subconsultants by Kokosing Construction Company, Inc. is approved:

<u>Subcontractor</u>	<u>DBE%</u> <u>Amount</u>
H2L1 Engineering	1.06% DBE \$ 25,000.00
ProGeotech	0.42% DBE \$ 10,000.00
Suhail & Suhail	0.21 DBE \$ 5,000.00
North Electric	12.70% DBE \$300,000.00
G. Stephens	15.88% DBE \$375,000.00

Smith Group JJR	5.9% Non-DBE \$140,000.00
City Architecture	1.7% Non-DBE \$ 40,000.00
Skipper Marine Development	38.1% Non-DBE \$900,000.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.  
Nays: None.  
Absent: Mayor Jackson and Director Butler.

**Resolution No. 548-12.**

By Director Smith.  
Be it resolved by the Board of Control of the City of Cleveland that, the under the authority of Ordinance No. 710-12, passed by the Council of the City of Cleveland on June 4, 2012, the firm of R. W. Armstrong & Associates, Inc. ("Consultant") is selected upon nomination of the Director of Port Control from a list of qualified persons or 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 professional services necessary to design and provide construction management services for the Runway 6L-24R Safety Area and related facilities at Burke Lakefront Airport in order to comply with mandatory Federal Aviation Administration standards ("Services"), for the various divisions of the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with R. W. Armstrong & Associates, Inc. for the above-mentioned Services, based upon its proposal dated May 2, 2012, which contract shall be prepared by the Director of Law, shall provide that the compensation to R. W. Armstrong & Associates, Inc. for the Services authorized shall not exceed \$2,440,380.00 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 employment of the following subconsultants by R. W. Armstrong & Associates, Inc. is approved:

<u>Subcontractor</u>	<u>DBE % Amount</u>
Consulting Engineering, Inc.	6.15% DBE \$150,000.00
G & T Associates, Inc.	11.47% DBE \$280,000.00
McGuinness Unlimited, Inc.	3.69% DBE \$ 90,000.00
Somat Engineering of Ohio, Inc.	1.23% DBE \$ 30,000.00
Suhail & Suhail, Inc.	2.46% DBE \$ 60,000.00

Michael Baker Jr., Inc.	1.23% Non DBE \$ 30,000.00
Solar Testing Laboratories, Inc.	14.34% Non DBE \$350,000.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.  
Nays: None.  
Absent: Mayor Jackson and Director Butler.

**Resolution No. 549-12.**

By Director Smith.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subconsultants by MCPc, Inc., under City Contract No. PS2012\*221 to provide professional services necessary to design, develop and implement a converged communications system, including but not limited to, installation, integration, migration, testing, training and providing maintenance, technical support and other related services, acquisition of equipment, hardware, software and software licenses, and/or development necessary to update, upgrade, enhance, interface and integrate various information technology systems, authorized by Ordinance No. 73-12, passed by the Council of the City of Cleveland on April 9, 2012, and Board of Control Resolution No. 348-12, adopted July 18, 2012, is approved:

<u>Subconsultant</u>	<u>DBE % Amount</u>
ARINC, Inc.	0.85% Non-DBE \$72,111.11
Current Automations, LLC	0.23% Non DBE \$20,000.00

Be it further resolved that the approval of the employment of the following subconsultant by MCPc, Inc., under City Contract No. PS2012\*221 to provide professional services necessary to design, develop and implement a converged communications system, including but not limited to, installation, integration, migration, testing, training and providing maintenance, technical support and other related services, acquisition of equipment, hardware, software and software licenses, and/or development necessary to update, upgrade, enhance, interface and integrate various information technology systems, authorized by Ordinance No. 73-12, passed by the Council of the City of Cleveland on April 9, 2012, and Board of Control Resolution No. 348-12, adopted July 18, 2012, is rescinded.

<u>Subconsultant</u>	<u>DBE % Amount</u>
IP Vision, Inc.	0.46% Non-DBE \$38,921.00

Be it further resolved that the amounts attributed to the subconsultants approved in Board of Control Resolution No. 348-12, adopted by this Board on July 18, 2012, are amended as follows:

<u>Subcontractor</u>	<u>DBE % Amount</u>
North Electric, Inc.	23.10% DBE \$1,943,818.24
Avvenire Solutions, Inc.	0.17% Non DBE \$27,000.00
SoundCom Systems Corporation	12.40% Non DBE \$1,043,108.00
The Frame Group, Ltd	4.77% Non DBE \$ 402,000.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.  
Nays: None.  
Absent: Mayor Jackson and Director Butler.

**Resolution No. 550-12.**

By Director Smith.  
Whereas, under the authority of Ordinance No. 2136-05, passed by the Council of the City of Cleveland on April 10, 2006, and Board of Control Resolution No. 80-07, as amended by Resolution No. 175-07, adopted February 21, 2007 and April 11, 2007, respectively, the City through its Director of Port Control, entered into a Concession Agreement ("Agreement") with In-ter-space Services, LLC d/b/a Interspace Airport Advertising ("Interspace"), City Contract No. 66839, to operate a terminal advertising concession at Cleveland Hopkins International Airport, for the various divisions of the Department of Port Control; and Whereas, under the authority of Ordinance No. 449-09, passed by the Council of the City of Cleveland on May 11, 2009, the City through its Director of Port Control entered into a First Amendment to City Contract No. 66839, to develop, construct, install, operate, maintain and sell exterior advertising services at Cleveland Hopkins International Airport; and

Whereas, City Contract No. 66839 provides the right to sell, install and maintain other advertising concepts or advertising media beyond the concession described in the Agreement from additional or renovated locations, space, facilities, or display only upon the prior agreement of the City through resolution of this Board of Control; and

Whereas, Interspace has proposed by its proposal dated February 22, 2012 to add a new advertising/programming service to show a variety of news, weather, sports, day-part specific shows, advertising and airport specific messages throughout various locations inside the passenger terminal building at Cleveland Hopkins International Airport ("Service"); now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Port Control is authorized to enter into a Second Amendment to City Contract No. 66839 between the City of Cleveland and In-ter-space Services, LLC d/b/a Interspace Airport Advertising for a new advertising/programming service as set forth in Interspace's proposal dated February 22, 2012 at a concession fee of 10% of gross revenues.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson and Director Butler.

**Resolution No. 551-12.**

By Director Smith.  
Be it resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by R. W. Armstrong & Associates, Inc., under City Contract No. 69772 to provide professional services necessary to provide general engineering and architectural services, authorized by Ordinance No. 186-07, passed by the Council of the City of Cleveland on March 12, 2007, and Board of Control Resolution No. 398-09, as amended by Resolution No. 142-12, adopted September 30, 2009 and April 11, 2012, respectively, is approved.

Subconsultant	DBE %	Amount
Precision Analytical, Inc.	0.83% Non DBE	\$15,000.00
Ohio TestBor, Inc.	1.38% Non DBE	\$25,000.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson and Director Butler.

**Resolution No. 552-12.**

By Directors Smith and Cox.  
Whereas, Obama for America ("Concessionaire") wishes to utilize the ramp area adjacent to the Passenger Terminal Building at Burke Lakefront Airport ("Ramp") for a political rally on October 25, 2012; and

Whereas, the City is willing to grant Concessionaire the privilege, permit and license to utilize the Ramp for a political rally; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Section 183.04 of the Codified Ordinances of Cleveland, Ohio 1976, the Directors of the Department of Port Control and the Department of Public Works are hereby authorized to enter into an agreement ("Agreement") granting Concessionaire the privilege, permit and license to utilize the Ramp for a political rally on October 25, 2012. Concessionaire shall pay the City \$4,000.00 plus expenses incurred by the City for the use of the Ramp.

Be it further resolved that the Agreement authorized hereby shall be prepared by the Director of Law and shall contain such other provisions, as the Director deems necessary to benefit and protect the public interest.

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson and Director Butler.

JEFFREY B. MARKS,  
Secretary

**BOARD OF CONTROL**

**REPRINT**

The following is a reprint of Resolution No. 349-12 from the Board of Control meeting of July 18, 2012, which appeared in the City Record of July 25, 2012.

**Resolution No. 349-12.**

By Director Smith.  
Be it resolved by the Board of Control of the City of Cleveland that, under the authority of Ordinance No. 746-12, passed by the Council of the City of Cleveland on June 4, 2012, the firm of Michael Baker Jr., Inc. ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or 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 professional services necessary to design the public improvement of rehabilitating the South Cargo Ramp and reconstruction of Taxiway N 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 Michael Baker Jr., Inc. for the above-mentioned services, based upon its proposal dated June 14, 2012, which contract shall be prepared by the Director of Law, shall provide that the compensation to Michael Baker Jr., Inc. for the services authorized shall not exceed \$1,336,618.00, 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 that the employment of the following subconsultants by Michael Baker Jr., Inc. is approved:

Subconsultant	Percentage	Amount
G & T Associates, Inc.	17.0% -DBE	\$231,000.00
McGuiness Unlimited, Inc.	3.0% -DBE	\$ 40,000.00
Solar Testing Laboratories, Inc.	13.73% -Non-DBE	\$183,618.00
TranSystems Corporation of Ohio, Inc.	10.10% Non-DBE	\$135,000.00
KS Associates, Inc.	7.18% -Non-DBE	\$ 96,000.00
Stadelman Associates, Inc.	4.11% -Non-DBE	\$ 55,000.00

Yeas: Interim Director Langhenry, Directors Dumas, Withers, Smith, Cox, Flask, Rush, Southerington, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson, Directors Butler and Nichols.

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

ROBERT BENNETT,  
President

**CIVIL SERVICE NOTICE**

**ANNOUNCEMENTS — 2012**  
**11/2/12 - 11/8/12**

Announcement No.	Exam Method	Classification	Exam Type
100AWR		Airport Safety Supervisor	Open
101AWR		Airport Safety Worker	Open
129 WR		Budget Analyst	Open
130 WR		Buyer	Open
131 WR		Machinist Unit Leader	Open
132 EE		Professional Standards Administrator - Fire & EMS	N/C
133 EE		Telecommunications Technician	Open

**PROOF OF CITY RESIDENCY**

Any applicant wishing to receive residency credit will be asked to show that he/she is a bona fide resident of the City of Cleveland. The following list gives examples of items that an applicant may present **at the time of filing.** The Civil Service Commission requires a minimum of three items from at least three **different** categories, where applicable. All items must be **current.** Please note that presentation of these items does not constitute conclusive proof of bona fide residency. Acceptable categories

include, but are not limited to, the following:

Lease - from rental agency.

Lease - from independent party. Must include copy of cancelled check or money order receipts for previous rent and/or security deposit, and fully executed; otherwise, it is unacceptable.

Utility bills bearing the property address and your name.

Post Office change of address form properly date stamped.

Official documents relating to home ownership including deed, purchase agreement, or insurance policy.

Bank statements (Within last three months).

School registration of children.

Car insurance documents.

Car registration or Driver's License or Ohio I.D. (One only).

Loans and credit card statements (Within last three months).

Rental contracts (e.g.: furniture, tools, car, etc.).

Current bills not listed above (Within last three months).

The following are examples of unacceptable categories of proof:

Library cards.

Voter registration cards.

Birth certificates.

Notarized letters or affidavits.

Social Security card.

Rental receipts from independent party without cancelled checks or money order receipt.

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 100A

AIRPORT SAFETY SUPERVISOR  
(OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a OPEN examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$38,762.61 - \$58,144.74 per year.

FILING OF APPLICATION

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON, FRIDAY, NOVEMBER 2, 2012 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION: Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

NOTE: Those persons who previously filed for this exam but have not yet taken the test do not need to file another application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under general supervision, directs aircraft rescue personnel activities related to aircraft rescue firefighting and emergency medical calls. Directs and performs structural firefighting duties. Supervises daily departmental functions and activities. Oversees departmental practices in accordance with fire codes and airport policies and procedures. Supervises the operation of all equipment. Performs emergency medical services and operates equipment, as needed. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:

A High School Diploma or GED is required. Five years of full time experience in civilian or military Aircraft Fire/Rescue Operations is required. Must be able to successfully complete a ten-year background check. A valid State of Ohio Driver's License is required. Must obtain certification as an Emergency Medical Technician and the 240-hour Basic Firefighting Certificate within one year of appointment. Must become a Paramedic and maintain certification within three years of appointment.

NOTE: Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must

be included with the application.

NOTE: Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing.

NOTE: Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 101A

AIRPORT SAFETY WORKER  
(OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$17.19 - \$22.97 per hour.

FILING OF APPLICATION

Application must be made on the regular application form available on-line or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, NOVEMBER 2, 2012 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

EXAMINATION INFORMATION

TYPE: WRITTEN EXAMINATION: Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

NOTE: Those persons who previously filed for this exam but have not yet taken the test do not need to file another application.

NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

DUTIES OF THE POSITION

Under direct supervision, operates firefighting equipment at an airport and maintains fire trucks and related equipment in good operating condition, and administers first aid. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in

operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or GED from an accredited institution is required. Must be able to lift a minimum of 150 pounds. Must have two (2) years experience in military, civilian aircraft, or rescue firefighting OR emergency medical rescue experience. Must be able to pass ten (10) year FAA background check. A valid State of Ohio Drive's License is required. Must have Paramedic certification as well as two hundred and forty (240) hours basic firefighting certification.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

**NOTE:** Those persons who are residents of the City of Cleveland for at least one year at the date of filing and who received passing scores shall have ten (10) additional points added to their grades. A list of acceptable forms of proof of residency applicants need to present at the time of filing is included with the application.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 129

**BUDGET ANALYST (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$53,011.09 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, NOVEMBER 2, 2012 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE:** WRITTEN EXAMINATION: Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under supervision, prepares and reviews various financial reports and forms. Assists in the preparation of the divisional/departmental annual budget. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or GED is required. A Bachelor's Degree in Finance, Accounting, Business/Public Administration or closely related field from a four year accredited college or university is required. Two years of full time paid experience in Finance or Accounting is preferred. (Substitution: Two years of full time experience may be substituted for each year of college education lacking.) Must be knowledgeable in computer skills.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid

by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 130

**BUYER (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$20,800.00 - \$48,466.35 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, NOVEMBER 2, 2012 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE:** WRITTEN EXAMINATION: Applicants will be notified of the time, date, and place of the exam by U.S. Mail.

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under supervision, locates supply sources and purchases supplies and equipment. Advertises for bids. Analyzes bids received and makes recommendations. Resolves purchase

and/or supplier issues. Writes purchase specifications. Performs other job-related duties as required. **TYPICAL TASKS:** Interviews salespersons concerning market conditions and sources of supply. Tabulates and summarizes requests for supplies. Sorts and tabulates bids. Identifies lowest and best bidder. Checks prices and specifications of previous orders. Checks invoices, requisitions, and vouchers. Selects bidders from buyers' guides and posts requisitions for bids. Follows up on orders and handles complaints. Maintains records of prices and sources of supply. Approves invoices for purchases. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or GED is required. A Bachelor's degree in Business, Marketing or related field from an accredited four (4) year college or university is required. Two (2) years of full time paid purchasing experience is required. (Substitution: Two years of experience may substitute for each year of college education lacking.) Must have on-line procurement experience and be proficient in computers and computer software applications, including but not limited to Microsoft Office Suite. Must be highly skilled in using the Internet. Excellent organizational skills as well as written and verbal communication skills are required. Must be able to lift a minimum of thirty (30) pounds. A valid State of Ohio Driver's License is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 131**

**MACHINIST UNIT LEADER (OPEN)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$14.28 - \$25.01 per hour.

**FILING OF APPLICATION**

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, NOVEMBER 2, 2012 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE:** WRITTEN EXAMINATION

**NOTE:** THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.

**DUTIES OF THE POSITION**

Under general supervision, schedules and supervises the work performed by maintenance staff personnel. Plans and implements projects. Maintains records of maintenance activities and prepares reports. Orders equipment and materials required for projects. Modifies plant equipment and procedures as necessary. Assists in the performance of maintenance jobs. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or GED and a related trade school or vocational training certificate is required. Two years of full time paid experience in a machine shop environment is

required;. (Substitution: Two years of related experience may substitute for certificate.)

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee. Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 132**

**PROFESSIONAL STANDARDS ADMINISTRATOR (Fire and EMS) (NON-COMP)**

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of a NON COMPETITIVE examination for the above mentioned classification.

**SALARY**

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$26,273.94 - \$70,807.15 per year.

**FILING OF APPLICATION**

Application must be made on the regular application form available at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, NOVEMBER 2, 2012 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 29, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 29, 2012.

THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.

**EXAMINATION INFORMATION**

**TYPE:** EXPERIENCE EVALUATION: Applicant's eligibility will be determined based on Education and Experience found in Resume.

NOTE: Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

#### DUTIES OF THE POSITION

Under administrative direction, manages the day-to-day operations of the office which oversees integrity control, compliance, and employee accountability for the Divisions of Police, Fire, and/or EMS. Supervises sworn and civilian personnel, providing for their scheduling, hours of work, and deployment. Ensures that all internal and external complaints concerning improper conduct of uniformed employees of the division(s) are investigated. Oversees the random inspection of employees to ensure compliance with City of Cleveland policies, procedures, rules, and regulations. Investigates and reviews related incidents deemed appropriate by the Director of Public Safety or his/her designee. Acts as a liaison with local law enforcement agencies to ensure off duty arrests are investigated and forwards outcome to the appointing authority. Oversees ongoing and random audits of payroll timekeeping records. Assigns personnel to investigate incidents of the use of deadly or excessive force or in-custody injury or death. Reviews completed investigations for thoroughness and accuracy, ensuring that they are completed in a timely fashion. Prepares and submits regular reports of activities as required. Ensures the integrity of the office and the entire investigative process. Makes presentations of findings to the Appointing Authority. Establishes and maintains contact with appropriate media as well as neighborhood and community groups as authorized by the Director of Public Safety. Performs special projects related to Public Safety, serves on Boards, and carries out special assignments as directed. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam). Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or GED is required. Five years of full time, paid progressively responsible management or supervisory experience in criminal investigative experience is required. A Bachelor's Degree in Criminal Justice or related field from an accredited four-year college or university or two additional years of full time, paid experience are preferred. Prior experience with performance

management is preferred. Must be proficient in various software applications and database manipulation including Microsoft Office Suite. A valid State of Ohio Driver's License is required.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

#### AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 133

#### TELECOMMUNICATIONS TECHNICIAN (OPEN)

Public notice is hereby given by the Civil Service Commission of Cleveland, Ohio of an Open examination for the above mentioned classification.

#### SALARY

The prevailing salary range for this position as established by Ordinance of the Council of the City of Cleveland is \$19.54 - \$31.51 per hour.

#### FILING OF APPLICATION

Application must be made on the regular application form available online or at the Office of the Civil Service Commission, 601 Lakeside Avenue, Room 119. No other form will be accepted. **APPLICATIONS WILL BE AVAILABLE FOR PICK-UP IN THE CIVIL SERVICE OFFICE TO APPLY TO TAKE THE CIVIL SERVICE EXAMINATION - APPLICATIONS WILL BE AVAILABLE FROM 8:30 A.M. ON FRIDAY, NOVEMBER 2, 2012 UNTIL 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, NOVEMBER 8, 2012. THE CIVIL SERVICE COMMISSION'S POLICY IS THAT NO LATE FILING WILL BE ALLOWED.**

#### EXAMINATION INFORMATION

**TYPE: EXPERIENCE EVALUATION:** Applicant's grade will be determined based on Education and Experience found in Resume. Each applicant is required to submit a detailed resume of his/her education and experience at the time of filing application.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CONTAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

#### DUTIES OF THE POSITION

Under supervision, installs, repairs, and maintains citywide voice/data infrastructure, data switches, VoIP, and all other related or non-related

telecommunications, communications, and mobility equipment. Receives and responds to service requests and trouble reports related to equipment issues. Responds to service and trouble reports related to voice/data infrastructure (Cat 6 and Fiber) cabling as well as other communications equipment. Assists in the implementation and repair of cell phones and related mobility issues. Performs other job-related duties as required. Follows all operations and safety policies and safe work practices. Attends and participates in operations and safety training classes and demonstrates competence (demonstration of competence may be determined by exam.) Wears and properly utilizes safety equipment in accordance with Divisional policy at all times.

**MINIMUM QUALIFICATIONS FOR ENTRANCE TO THIS EXAMINATION AS ESTABLISHED BY THE CIVIL SERVICE COMMISSION OF THE CITY OF CLEVELAND ARE AS FOLLOWS:**

A High School Diploma or GED is required. A Bachelor's Degree in Telecommunications or a closely related field from an accredited four year college or university is required. Five years of full time experience in the installation and repair of digital voice/data mobility communications, VoIP, and/or network cabling is required. (Substitution: Two years of directly related experience may substitute for each year of college education lacking.) BICSI certification in CAT 6 and Fiber installation, maintenance, and repair is preferred. A Cisco CCNA certification in Voice/data is also preferred. Must be able to lift and carry 50 pounds. A valid State of Ohio Driver's License is required.

**NOTE:** Applicants will be required to pay a \$10.00 (TEN DOLLARS) filing fee payable in cash or money order (no checks). Applicants who are currently employed in this position with the City of Cleveland are exempt. However, that when an applicant is disqualified from taking an examination on the basis of age, education or failure to meet other minimum entrance requirements, the fee paid by such applicant shall be refunded to such applicant upon the applicant's request in writing made within ten (10) days after the date of examination. Any applicant who can provide proof of unemployment, public assistance, or indigence is exempt from the filing fee. A copy of such proof must be included with the application.

**NOTE:** Applications must be returned in person. All copies of diplomas, licenses, certificates, and resumes must be presented at the time of filing. Applications may not be accepted if copies are not submitted with application at time of filing.

**NOTE:** Any applicant who resigns or is dismissed from employment with the City of Cleveland will have his/her name removed from the eligible list.

#### AN EQUAL OPPORTUNITY EMPLOYER

ROBERT BENNETT,  
President

October 31, 2012



**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, NOVEMBER 12, 2012**

**9:30 A.M.**

**Calendar No. 12-178:** 4268 Bradley Road (Ward 12)  
Yevtuku Brothers, Inc., owner, appeal to install a six (6) foot high chain link fence with three (3) strands of barbed wire to enclose a vacant acreage parcel, Permanent Parcel No. 009-03-007, also known as 4268 Bradley Road, located in a C3 Residence Industry District; contrary to Section 358.05(a)(2), fences in actual front yards shall not exceed four (4) feet in height and front yard setbacks shall be calculated to the same extent as required in the adjoining residence district; and in accordance with Section 358.05(b)(1)-(3) barbed wire fences shall be installed according to sidewalk setbacks, residential setback and landscaping regulations pursuant to the Cleveland Codified Ordinances.

**Calendar No. 12-179:** Appeal of D.E. Williams Electric, Inc.  
D.E. Williams Electric, Inc. appeal under the authority of Section 187.20(c) of the Codified Ordinances of Cleveland, Ohio, 1976, from a denied renewal of Minority Business Enterprise certification by the Office of Equal Opportunity and a Certification Appeal Hearing held on September 10, 2012.

**Calendar No. 12-181:** 2343 Superior Avenue (Ward 3)  
KC and CR, LLC and Gary Kemmerling, owner, and Charles Richard, lessee, appeal to establish use as a motor vehicle repair garage in an existing service station on an 83.32' x 162.85' corner parcel located in a C4 Semi-Industry District; subject to Section 349.07, accessory off-street parking spaces, driveways and maneuvering areas shall be properly graded for drainage so that all water is drained within the lot providing such parking and spaces shall be 180 square feet, surfaced with concrete, asphaltic concrete, asphalt or other surfacing materials approved by the Director of Building and Housing, maintained in good condition and free of debris and trash, and provided with wheel or bumper guards located so that no part of a parked vehicle extends beyond the space; and according to Section 352.05(g) all landscaped strips located in or abutting parking areas shall be separated on all sides from the parking surface by curbing consisting of concrete, stone, brick or asphalt; and a minimum six (6) feet wide frontage landscaping strip is required along the street frontages in accordance with Sections 352.08-11 in the Cleveland Codified Ordinances.

**Calendar No. 12-185:** 3212 West 25th Street (Ward 14)  
Computer Management International, owner, and Gary Horvath, prospective tenant, appeal to establish a recreational use, a boxing gym, in a portion of an existing

three-story building on an 85.36' x 245.55' parcel in a C2 Semi-Industry District; subject to the limitations under Section 347.12(a) no such use shall be established within five hundred (500) feet of a residence district, a day care center, kindergarten, elementary or secondary school, public library, church, playground, public or nonprofit recreation or community center; and not within five hundred (500) feet of another such use according to the Cleveland Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, OCTOBER 29, 2012**

At the meeting of the Board of Zoning Appeals on Monday, October 29, 2012, the following appeals were heard by the Board.

The following appeals were **APPROVED:**

**Calendar No. 12-177:** 6810 West Clinton Avenue  
James Downing appealed to install 36 lineal feet of 6' high wooden fence along the side property line in a B1 Two-Family District.

**Calendar No. 12-162:** 15149 Lorain Avenue  
Bill Lake Buick, owner and Elias Fernandez, prospective tenant appealed to change use to a glass block window contractor shop and truck rental business and to install a 6' fence on a 160' x 237' lot in an A1 Local Retail Business District; subject to conditions.

The following appeal was **DENIED:**

**Calendar No. 12-180:** 15716 Corsica Avenue  
Carey Peterka appealed to install a swimming pool 14' in diameter and a fence 4' high in the front yard of a one family dwelling in a B1 Two-Family District.

The following appeal was **WITHDRAWN:**

**Calendar No. 08-196:** Riverbed Street and Franklin  
Cuyahoga Metropolitan Housing Authority appealed from a Notice of Violation issued by the Harbor Master of the City of Cleveland Department of Port Control.

The following appeals were **DISMISSED:**

None.

The following appeal was **POSTPONED:**

**Calendar No. 12-159:** 3136 West 63rd Street scheduled for November 5, 2012 postponed to December 10, 2012.

The following appeals heard by the Board on October 22, 2012 were adopted and approved on October 29, 2012.

The following appeals were **APPROVED:**

**Calendar No. 12-173:** 17209 Lorain Avenue  
Kamm's Plaza Shopping Center, owner, and Chris Russo, tenant, appealed to install portions of bamboo screening fence on an existing fence in a C3 Local Retail Business District.

**Calendar No. 12-72:** 2884 Scranton Road  
Ramon Torres appealed to expand use of a motor vehicle service garage to include minor repair only with storage in the front parking area of automobiles being repaired; subject to conditions.

Secretary

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

Re: Report of the Meeting of October 24, 2012

As required by the provisions of Section 3103.20(2) 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 Record:

\* \* \*

**Docket A-98-12.**

RE: Appeal of Capital Source Bank, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 4185 Lee Road, from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated March 26, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued and that the property has been found condemnable by the valid notice, noting that no plan has been presented to restore the property; the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-146-12.**

RE: Appeal of Jo-Fran Piorkowski, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 1015 East 74th Street (Rear) from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 31, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the viola-

tions with an understanding of a continuation of the permit if the progress of the reconstruction is satisfactory, and to require that the property remain boarded, weather-tight, and the grounds debris-free during this period of time, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-147-12.**

RE: Appeal of Jo-Fran Plorkowski, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 1015 East 74th Street (Front) from a CONDEMNATION ORDER — MAIN STRUCTURE dated May 31, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violations with an understanding of a continuation of the permit if the progress of the reconstruction is satisfactory, and to require that the property remain boarded, weather-tight, and the grounds debris-free during this period of time, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-148-12.**

RE: Appeal of Cortney Gantt, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 1900 East 71st Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 31, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to submit the progress plan of the rehabilitation and six (6) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-157-12.**

RE: Appeal of Olympia Broadway Renovation Corp., Owner of the MXD Mixed Uses - Multiple Uses In

One Building Property located on the premises known as 3335-3361 East 55th Street from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated June 11, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-157-12 has been WITHDRAWN at the request of the Appellant.

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**Docket A-163-12.**

RE: Appeal of George Caraman/Caraman Corp., Owner of the One Dwelling Unit Single-Family Residence One & One/half Story Frame Property, located on the premises known as 8003 Simon Avenue, from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated June 15, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant sixty (60) days in which to complete abatement of all violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-168-12.**

RE: Appeal of Drue King, Owner of the Two Dwelling Unit Two-Family Residence Two & One/half Story Frame Property located on the premises known as 17012 Endora Road from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 5, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violations with the understanding that partial occupancy can be obtained at the discretion of the inspector at the time requested, the property REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-169-12.**

RE: Appeal of Yvette Denise Wynn, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 1562 East 172nd Street, dated July 2, 2012 of the Director of the Department of Building and Housing, requiring

compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violations with additional time as requested upon satisfactory progress, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-170-12.**

RE: Appeal of Louis Azman, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Property, located on the premises known as 705 East 155th Street, from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated June 25, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-170-12 has been POSTPONED; to be rescheduled for November 7, 2012.

\* \* \*

**Docket A-171-12.**

RE: Appeal of Louis Azman, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Property, located on the premises known as 901 Rudyard Road, from a NOTICE OF VIOLATION — INTERIOR/EXTERIOR MAINTENANCE, dated June 25, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-171-12 has been POSTPONED; to be rescheduled for November 07, 2012.

\* \* \*

**Docket A-172-12.**

RE: Appeal of Constance Lattimore, Owner of the One Dwelling Unit Single-Family Residence One Story Garage - Detached; Wood Frame Property, located on the premises known as 11220 Woodstock Avenue, from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 12, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to abate the violations to the garage, property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

**Docket A-173-12.**

RE: Appeal of Geddie Hemphill, Owner of the MXD Mixed Uses - Multiple Uses In One Building Two Story Masonry Walls/Wood Floors Property located on the premises known as 15010 Kinsman Road (aka 3510 East 151st Street) from a NOTICE OF VIOLATION - INTERIOR/EXTERIOR MAINTENANCE, dated July 10, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-173-12 has been POSTPONED; to be rescheduled for November 07, 2012.

\* \* \*

**Docket A-174-12.**

RE: Appeal of E. 82nd Properties Ltd., Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 2558 East 82nd Street from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated June 22, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain permits and ninety (90) days in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-175-12.**

RE: Appeal of Devin D. Young, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 1086 East 74th Street from a CONDEMNATION ORDER - MAIN STRUCTURE, dated June 21, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain permits and six (6) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-176-12.**

RE: Appeal of Leroy Miller, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 6728 Bayliss

Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated June 26, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to two (2) weeks in which to obtain the required permits and six (6) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-177-12.**

RE: Appeal of Traci Cook, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property, located on the premises known as 3868 East 142nd Street, from a NOTICE OF VIOLATION, dated June 27, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-177-12 has been POSTPONED; to be rescheduled for November 7, 2012.

\* \* \*

**Docket A-178-12.**

RE: Appeal of Mohammad Ebeid, Owner of the Two Dwelling Units Two-Family Residence Two & One Story Frame Property located on the premises known as 7113 Clark Avenue from a 30 DAY CONDEMNATION ORDER - MAIN STRUCTURE, dated April 30, 2007 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the appeal for additional time to abate the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-179-12.**

RE: Appeal of Carla Sims, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property located on the premises known as 9015 Columbia Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated June 26, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the appeal for additional time and to REMAND the property at this time

to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

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**Docket A-182-12.**

RE: Appeal of Underwood Coleman, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 1037 Ansel Road, from a CONDEMNATION ORDER - MAIN STRUCTURE, dated July 18, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-182-12 has been POSTPONED; to be rescheduled for November 7, 2012.

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**Docket A-183-12.**

RE: Appeal of Conte Gould, Owner of the One Dwelling Unit Single-Family Residence One & One/half Story Garage - Detached Masonry Property, located on the premises known as 3406 Woodbine Avenue, from a CONDEMNATION ORDER - GARAGE, dated July 10, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant three (3) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**Docket A-184-12.**

RE: Appeal of Mohammad I. Abuasi, Owner of the One Dwelling Unit Single-Family Residence One & One/half Story Frame Property located on the premises known as 3402 Woodbine Avenue, from a CONDEMNATION ORDER - MAIN STRUCTURE, dated July 10, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued and to DENY any appeal for additional time, noting that the Appellant is not present and that the rehabilitation and renovation of the property is questionable, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

**Docket A-185-12.**

RE: Appeal of Salathiel Carter, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame and One Story Garage - Detached; Wood Frame Property located on the premises known as 12608 Grimsby Avenue, from a CONDEMNATION ORDER - MAIN STRUCTURE & GARAGE, dated June 21, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to obtain the required permits and six (6) months in which to complete abatement of the violations, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

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**Docket A-186-12.**

RE: Appeal of Velma Mainer, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 9103 Columbia Avenue, from a NOTICE OF VIOLATION - EXTERIOR MAINTENANCE, dated July 24, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for any additional time and to REMAND the property to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

**Docket A-187-12.**

RE: Appeal of Woodbury Holdings, Inc., Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 1246 East 86th Street, from a CONDEMNATION ORDER - MAIN STRUCTURE, dated May 17 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

Docket A-187-12 has been POSTPONED; to be rescheduled for November 21, 2012.

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**Docket A-188-12.**

RE: Appeal of Jason Moore, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property, located on the premises known as 11810 Osceola Avenue, from a CONDEMNATION ORDER - MAIN STRUCTURE, dated August 2, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City

of Cleveland and the Ohio Building Code (OBC).

Docket A-188-12 has been POSTPONED; to be rescheduled for November 7, 2012.

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**Docket A-241-12.**

RE: Appeal of Biz-Unlimited C/O Goddesses Blessing Goddesses', Owner of the Property located on the premises known as 3300 East 55th Street, from an ADJUDICATION ORDER, dated August 31, 2012 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the variance to eliminate the sprinkler system requirement based upon the occupancy presented of approximately five (5) women veterans, and to accept the plans as presented by Kenneth Harriston without the stamp, but to require that the smoke and fire detection system be intercommunicating and interalarmed. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**AMENDED RESOLUTIONS:**

**Docket A-139-12.**

Bro Michael Herron - 2192 East 87th Street:

FROM: ..to find that the VACATE ORDER was properly issued, and to DENY the appeal for an occupant to stay in the property, and to reinforce the fact that the property must be vacated. The property is REMANDED to the Department of Building and Housing for supervision and any required further action...

TO: ..to permit the premises to be occupied pending the approval of an inspection which is going to take place in one (1) week, and to grant the Appellant sixty (60) days in which to obtain permits and six (6) months in which to complete renovation of the property, the property is REMANDED to the Department of Building and Housing for supervision and any required further action...

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Bradley and seconded by Mr. Saab 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):

- A-127-12 — Omar Bradley
- A-139-12 — Bro. Michael Herron (AMENDED)
- A-144-12 — AR8 Acquisition
- A-145-12 — Consulea D. Mays-Todd
- A-151-12 — Earl L. Sharpley

- A-149-12 — Aeon Financial, LLC
- A-153-12 — Richard Johnson
- A-154-12 — Demory L. King
- A-155-12 — Paul Moore
- A-156-12 — Delon Burrell
- A-158-12 — Christine R. Zanoni
- A-159-12 — Annie Richerson
- A-162-12 — Migena Dushku
- A-165-12 — Cathy P. Doerrman
- A-229-12 — Linsy Furniture Gallery Inc.

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Saab and seconded by Mr. Bradley for 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):

October 10, 2012

Yeas: Messrs. Denk, Gallagher, Saab, Bradley, Maschke. Nays: None.

\* \* \*

JOSEPH F. DENK  
Chairman

**PUBLIC NOTICE**

On July 11, 2012, Cleveland City Council passed Ordinance No. 911-12 authorizing the submission to the electors of the City of Cleveland of a proposal to amend the Charter of the City of Cleveland by amending existing Sections 118 and 126. The language that will appear on the ballot for the November 6, 2012 election is as follows:

**ISSUE 119  
PROPOSED CHARTER  
AMENDMENT  
CITY OF CLEVELAND**

A majority affirmative vote is necessary for passage.

Shall Sections 118 and 126 of the Charter of the City of Cleveland be amended to provide that the Fire Chief, up to three Deputy Fire Chiefs and one Assistant Fire Chief serving as the Executive Officer to the Chief are members of the unclassified service and shall be appointed by and serve at the pleasure of the Mayor from the division of fire or from persons outside the division who shall have had training and experience in fire fighting, provided however, that the Mayor shall appoint to the positions of Deputy Fire Chiefs and Assistant Fire Chief serving as the Executive Officer to the Chief from among candidates recommended by the Fire Chief with the concurrence of the executive head of the Fire Force if the executive head be other than the Mayor; and that upon termination of their service as Fire Chief, Deputy Fire Chief, or Assistant Fire Chief serving as the Executive Officer to the Chief they shall, if appointed from the division of fire, revert to the civil service status held by them at the time of appointment?

October 3, October 10, October 17, October 24 and October 31, 2012

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

For All Departments

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

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

**FRIDAY, NOVEMBER 9, 2012**

**File No. 134-12 — Automotive and Truck Parts and Service**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 2, 2012 AT 11:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, WPC RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

**File No. 136-12 — Labor and Materials Necessary to Repair and Maintain Combination Sewer Catch Basin Cleaners, Including Appurtenances**, for the Division of Water Pollution Control,

Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 2, 2012 AT 10:00 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, WPC RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

October 24, 2012 and October 31, 2012

**WEDNESDAY, NOVEMBER 14, 2012**

**File No. 135-12 — Labor and Materials Necessary to Repair and Maintain Plate Trucks**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 2, 2012 AT 10:30 A.M. THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, WPC RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

October 24, 2012 and October 31, 2012

**FRIDAY, NOVEMBER 16, 2012**

**File No. 137-12 — Valves and Appurtenances Groups A, B, C and D (Re-bid)**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, NOVEMBER 1, 2012 AT 10:30 A.M. THE DIVISION OF WATER, DISTRIBUTION AND MAINTENANCE, 4600 HARVARD AVENUE, PIPE REPAIR CONFERENCE ROOM, NEWBURGH HEIGHTS, OHIO 44105.

October 24, 2012 and October 31, 2012

**WEDNESDAY, DECEMBER 12, 2012**

**File No. 138-12 — Upper Level Expansion Joints Rehabilitation and Terminal Utility Relocation, Phase 1**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 274-05 passed by the Council of the City of Cleveland, May 2, 2005.

THERE WILL BE A **NON-REFUNDABLE FEE** FOR PLANS AND SPECIFICATIONS IN THE AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) ONLY IN THE FORM OF A CASHIER'S CHECK OR A MONEY ORDER (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED TO PURCHASE PLANS).

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, NOVEMBER 1, 2012 AT 10:00 A.M. THE CLEVELAND HOPKINS INTERNATIONAL

AIRPORT, 19501 FIVE POINTS ROAD, ENGINEERING BUILDING #206, CLEVELAND, OHIO 44135.

October 24, 2012 and October 31, 2012

**WEDNESDAY, NOVEMBER 28, 2012**

**File No. 140-12 — 1st District Police Station Structural Improvements**, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 453-11, passed by the Council of the City of Cleveland, May 16, 2011.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, NOVEMBER 8, 2012 AT 10:00 A.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 517A, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 141-12 — Swimming Pool Improvements at Various Recreation Centers**, for the Division of Architecture and Site Development, Department of Public Works, as authorized by Ordinance No. 534-12, passed by the Council of the City of Cleveland, June 4, 2012.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, NOVEMBER 8, 2012 AT 11:00 A.M. CLEVELAND CITY HALL, DIVISION OF ARCHITECTURE AND SITE DEVELOPMENT, ROOM 517A, 601 LAKE-SIDE AVENUE, CLEVELAND, OHIO 44114.

October 31, 2012 and November 7, 2012

**WEDNESDAY, DECEMBER 5, 2012**

**File No. 142-12 — Manholes, Casting, Pull Boxes and Gratings**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Sections 129.25, 129.25 and 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, NOVEMBER 9, 2012 AT 10:00 A.M. THE TOM L. BUILDING, 1300 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

October 31, 2012 and November 7, 2012

**WEDNESDAY, DECEMBER 12, 2012**

**File No. 139-12 — Electrical Distribution Enhancement Project, Phase IIA**, for the Division of Cleveland Hopkins International Airport, Department of Port Control, as authorized by Ordinance No. 874-10, passed by the Council of the City of Cleveland, October 4, 2010.

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

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING THURSDAY, NOVEMBER 8, 2012 AT 1:00 P.M. THE CLEVELAND HOPKINS INTERNATIONAL AIRPORT, 5300 RIVERSIDE DRIVE, CLEVELAND PLUS CONFERENCE ROOM (BAGGAGE LEVEL IN TERMINAL), CLEVELAND, OHIO 44181.**

October 31, 2012 and November 7, 2012

**ADOPTED RESOLUTIONS AND ORDINANCES**

**Res. No. 910-12.**

**By Council Members Polensek, Miller, Cleveland and Sweeney (by departmental request).**

**An emergency resolution declaring the intent to vacate a portion of Amsterdam Road N.E. and of a portion of Syracuse Avenue N.E.**

Whereas, this Council is satisfied that there is good cause to vacate a portion of Amsterdam Road N.E. and of a portion of Syracuse Avenue N.E., as described; and

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

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

**Section 1.** That this Council declares its intent to vacate a portion of the following described real property:

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio and known as being part of Euclid Township Track 15

**AMSTERDAM ROAD VACATION**

Being all that portion of Amsterdam Road N.E. (60 feet wide) extending northerly from the northerly line of St. Clair Avenue N.E. (60 feet wide) to the southerly line of Syracuse Avenue N.E. (60 feet wide).

**SYRACUSE AVENUE VACATION**

Being all that portion of Syracuse Avenue N.E. (60 feet wide) extending easterly from the easterly line of that portion of Syracuse Avenue vacated by the Council of the City of Cleveland by Ordinance Number 2283-85 on November 25, 1985 to a point about 146.86 feet easterly of the easterly line of Amsterdam Road N.E. (60 feet wide).

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

**Section 2.** That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted October 22, 2012.  
Effective October 25, 2012.

**Res. No. 1066-12.**  
**By Council Members Dow, Miller, Cleveland and Sweeney (by request).**

**An emergency resolution declaring the intent to vacate a portion of East 66th Place (12 feet wide), extending from the northerly right of way line of Lexington Avenue N.E. (60 feet wide), northerly to its terminus with that vacated portion of East 66th Place as shown in City of Cleveland ordinance 914-07 passed August 8, 2007.**

Whereas, this Council is satisfied that there is good cause to vacate a portion of East 66th Place (12 feet wide), as described; and

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

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

**Section 1.** That this Council declares its intent to vacate a portion of the following described real property:

Declaring the intent to vacate a portion of East 66th Place (12 feet wide), extending from the northerly right of way line of Lexington Avenue N.E. (60 feet wide), northerly to its terminus with that vacated portion of East 66th Place as shown in City of Cleveland ordinance 914-07 passed August 8, 2007.

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

**Section 2.** That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted October 22, 2012.  
Effective October 22, 2012.

**Res. No. 1068-12.**

**By Council Members Cimperman, Miller, Cleveland and Sweeney (by request).**

**An emergency resolution declaring the intent to vacate a portion of West 20th Street and a portion of Moore Court.**

Whereas, this Council is satisfied that there is good cause to vacate a portion of West 20th Street and a portion of Moore Court, as described; and

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

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

**Section 1.** That this Council declares its intent to vacate a por-

tion of the following described real property:

**WEST 20TH STREET**

All that portion of West 20th Street (16.5 feet wide) extending Southerly from that portion of West 20th Street (16.5 feet wide) as vacated by the Council of the City of Cleveland by Ordinance Number 1367-47 passed June 23, 1947 to its intersection with Moore Court (16.5 feet wide).

**MOORE COURT**

All that portion of Moore Court (16.5 feet wide) extending Westerly from the West right of way of Columbus Avenue (80 feet wide) to that portion of Moore Court (16.5 feet wide) as vacated by the Council of City of Cleveland by Ordinance Number 75442 passed August 25, 1926.

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

**Section 2.** That this resolution 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 adoption and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Adopted October 22, 2012.  
Effective October 25, 2012.

**Res. No. 1338-12.**

**By Council Members Kelley and Miller.**

**An emergency resolution approving the Solid Waste Management Plan for the Cuyahoga County Solid Waste Management District.**

Whereas, the City of Cleveland is located within the jurisdiction of the Cuyahoga County Solid Waste Management District ("District"); and

Whereas, the Cuyahoga County Solid Waste Management District Policy Committee prepared and adopted a final draft of the Cuyahoga County Solid Waste Management Plan Update in accordance with Sections 3734.53-55 of the Revised Code; and

Whereas, the District provided a copy of the Cuyahoga County Solid Waste Management Plan Update (2013-2028) for ratification to each of the legislative authorities in the District; and

Whereas, the City must decide whether it approves of the Cuyahoga County Solid Waste Management Plan Update no later than November 17, 2012; and

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

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

**Section 1.** That this Council hereby approves of the Solid Waste Management Plan Update (2013-2028) for the Cuyahoga County Solid Waste Management District.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to Ms. Diane Bickett, Executive Director of the Cuyahoga County Solid Waste Management District.

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

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

Adopted October 22, 2012.  
Effective October 25, 2012.

**Res. No. 1542-12.**

**By Council Member Brady.**

**An emergency resolution withdrawing objection to the renewal of a C1 and C2 Liquor Permit at 10202 Lorain Avenue and repealing Resolution No. 1038-12 objecting to said renewal.**

Whereas, this Council objected to a C1 and C2 Liquor Permit to 10202 Lorain Avenue by Resolution No. 1038-12 adopted by the Council on August 8, 2012; and

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

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

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

**Section 1.** That objection to a C1 and C2 Liquor Permit to Lehigh Gas Ohio, LLC, DBA BP AM PM, 10202 Lorain Avenue, Cleveland, Ohio 44111, Permanent Number 50989840180 be and the same is hereby withdrawn and Resolution No. 1038-12, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate renewal thereof.

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

Adopted October 22, 2012.  
Effective October 25, 2012.

**Ord. No. 670-12.**

**By Council Members Brancatelli, Zone and Kelley.**

**An emergency ordinance to amend Section 347.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 944-08, passed October 13, 2008, relating to check cashing businesses, short-term loan lenders, small loan lenders, and mortgage loan lenders.**

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 347.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 944-08, passed October 13, 2008, is hereby amended to read as follows:

**Section 347.17 Check Cashing Businesses, Short-Term Loan Lenders, Small Loan Lenders and Mortgage Loan Lenders**

(a) *Purpose.* The regulations of this section are established to regulate the location of check-cashing businesses, and certain businesses that make short-term loans, small loans and mortgage loans, for the purpose of protecting neighborhoods from negative secondary effects created by the concentration or clustering of such businesses. Furthermore, the regulations are established to guard against market saturation which may lead to increased rates as an offset for lower business volume.

(b) *Definitions.* For purposes of this section:

(1) "Check-cashing business" means any business that is licensed, or is required to be licensed to cash checks under Sections 1315.21 through 1315.30 of the Revised Code;

(2) "Short-term loan lender" means any business that is licensed, or is required to be licensed to make short term loans under Sections 1321.35 through 1321.48 of the Revised Code;

(3) "Small loan lender" means any business that is licensed, or is required to be licensed to make small loans under Sections 1321.01 to 1321.19 of the Revised Code; and

(4) "Mortgage loan lender" means any business that is licensed or is required to be licensed to make mortgage loans under Sections 1321.51 through 1321.60 of the Revised Code.

(5) Exclusions. For purposes of this section, "check-cashing business," "short-term loan lender," "small loan lender" and "mortgage loan lender" do not include any bank, savings and loan, credit union or similar financial institution that is not licensed under, required to be licensed under, or otherwise regulated by the state laws cited in this division.

(c) *Spacing.* No check-cashing business, short-term loan lender, small loan lender or mortgage loan lender shall be established on a lot or lots within 1,000 feet of another lot or lots containing an existing check-cashing business, short-term loan lender, small loan lender or mortgage loan lender. No two check-cashing businesses, short-term loan lenders, small loan lenders or mortgage loan lenders, in any combination, shall be located in the same building or on the same lot.

(d) *Maximum Number.* There shall be no more than one check-cashing business, short-term loan lender, small loan lender or mortgage loan lender located within the City of Cleveland for each 20,000 persons residing in the City as recorded in the most recent decennial U.S. Census. No additional check-cashing businesses, short-term loan lenders, small loan lenders or mortgage loan lenders shall be established if the current number of check-cashing businesses, short-term loan lenders, small loan lenders or mortgage loan lenders exceeds the maximum number permitted.

(e) *Exception.* This section shall not apply to any check-cashing business, short-term loan lender, small loan lender or mortgage loan lender as defined above currently in operation prior to passage of this section.

**Section 2.** That existing Section 347.17 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 944-08, passed October 13, 2008, is hereby repealed.

**Section 3.** That this ordinance is hereby declared to be an emergency measure and, provided it receives the

affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Passed October 22, 2012.  
Effective October 25, 2012.

**Ord. No. 1259-12.**

**By Council Members Brancatelli, Cleveland and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use known as Permanent Parcel Nos. 142-23-005 and 142-23-006 to Waterford One, LLC, holding company for the Gebauer Company, or its designee, for purposes of constructing a new access driveway and to install fencing for Gebauer Company.**

Whereas, the Director of Community Development has requested the sale of the City-owned property to Waterford One, LLC, holding company for Gebauer Company, or its designee (the "Redeveloper") no longer needed for public use and known as Permanent Parcel Nos. 142-23-005 and 142-23-006 for purposes of constructing a new access driveway and to install fencing for the Gebauer Company; 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 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 described property is no longer needed for public use:

**Parcel A**

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of Block "A" of the Lee-Seville/Cleveland Outerbelt Industrial Park as recorded in Plat Book 231, Page 42 of the Cuyahoga County records and more fully described as follows:

Beginning at a point, being the southeasterly corner of Sublot 1 in said Lee-Seville/Cleveland Outerbelt Industrial Park;

Thence N 00° 27' 00" W, along the easterly line of said Sublot 1, a distance of 35.00 feet to a capped rebar (GBC Design, Inc.) to be set, which is the True Place of Beginning for the parcel of land herein described;

Thence continuing N 00° 27' 00" W, along the easterly line of Sublot 1, a distance of 364.99 feet to a capped rebar (GBC Design, Inc.) to be set;

Thence N 89° 34' 05" E, along the northerly line of said Block "A", a distance of 346.19 feet to a capped rebar (GBC Design, Inc.) to be set;

Thence S 00° 09' 18" E a distance of 365.00 feet to a capped rebar (GBC Design, Inc.) to be set;

Thence S 89° 34' 05" W a distance of 344.30 feet to a point, which is the True Place of Beginning and containing 2.8929 Acres of land, more or less, as surveyed in August, 2000 by Louis J. Giffels, Registered Surveyor No. 7790, which GBC Design, Inc., but sub-

ject to all legal highways and any restrictions, reservations or easements of record.

Lot Split - 2.8928 Acres - 0.1290 Acre Exception = 2.7638 Acres

**Parcel B**

Situated in the City of Cleveland, County of Cuyahoga, State of Ohio and known as being part of block "A" of the Lee-Seville/Cleveland Outerbelt Industrial Park as recorded in Plat Book 231, Page 42 of the Cuyahoga County records and more fully described as follows:

Beginning at a point, being the southeast corner of Sublot 1 in said Lee-Seville/Cleveland Outerbelt Industrial Park, which is the True Place of Beginning for the parcel of land herein described;

Thence N 00° 27' 00" W, along the easterly line of said Sublot 1, a distance of 35.00 feet to capped rebar (GBC Design, Inc.) to be set;

Thence N 89° 34' 05" E a distance of 344.30 feet to a capped rebar (GBC Design, Inc.) to be set;

Thence N 00° 09' 18" W a distance of 365.00 feet to a capped rebar (GBC Design, Inc.) to be set

Thence N 89° 34' 05" E, along the northerly line of said Block "A", a distance of 284.91 feet to a capped rebar (GBC Design, Inc.) to be set;

Thence N 00° 09' 18" E, along the westerly line extended and the westerly line of East 153rd Street (50 feet wide) as recorded in Plat Book 231, Page 42 of the Cuyahoga County records, also being the easterly line extended and the easterly line of said Block "A", a distance of 400.00 feet to a capped rebar (GBC Design, Inc.) to be set;

Thence S 89° 34' 05", passing over a capped rebar (GBC Design, Inc.) found at 307.33 feet, a distance of 629.04 feet to a point, which is the True Place of Beginning and containing 2.8928 Acres of land, more or less, as surveyed in August, 2000 by Louis J. Giffels, Registered Surveyor No. 7790, with GBC Design, Inc., but subject to all legal highways and any restrictions, reservations or easements of record.

**EXCEPTING**

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, known as being part of Parcel "B" in a Lot Split Plat for the City of Cleveland and recorded in Volume 327 of Maps, page 43 of part of Original Warrensville Township Lot No. 81, and being more fully bounded and described as follows:

Beginning at the Northeasterly corner of said Parcel "B" and the Principal Place of Beginning of the parcel herein to be described;

Course No. 1: thence South 00° 26' 41" West along the Easterly line of said Parcel "B" and the Westerly line of East 153rd Street, 50 feet wide, a distance of 135.94 feet to a 1/2" iron pin set (R.L.S. No. 7104);

Course No. 2: thence North 41° 51' 53" West, a distance of 68.34 feet to a 1/2" iron pin set (R.L.S. No. 7104);

Course No. 3: thence North 00° 26' 41" East, a distance of 50.83 feet to a 1/2" iron pin set (R.L.S. No. 7104);

Course No. 4: thence North 41° 51' 53" West, a distance of 46.18 feet to a 1/2" iron pin set (R.L.S. No. 7104) in the Northerly of said Parcel "B";

Course No. 5: thence South 89° 52' 08" East along the Northerly line of said Parcel "B", a distance of 77.09 feet to the place of beginning and containing 0.1290 acres of land, more or less according to a Lot Split and Consolidation Plat prepared for Avenir Properties, LLC as recorded in Volume 343, of Maps, Page 23 of Cuyahoga County Records, as surveyed in October of 2004 by Timothy J. Feller, Registered Professional Land Surveyor No. 7104 for and on behalf of McSteen & Associates, under Project Number 04-343, and is subject to all legal highways and easements of record.

The basis of bearings for this description is North 00° 38' 50" East, as the centerline of East 146th Street as evidenced by monuments found, and is the same bearing as shown in the deed recorded in AFN 200308291774 of Cuyahoga County Deed Records. PPN: 142-23-005

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Redeveloper at a price not less than the appraised value of \$140,000, taking into account all restrictions, reversionary interests and similar encumbrances as may be placed by the City of Cleveland in the deed of conveyance.

**Section 3.** That the conveyance 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 restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**Section 4.** That the purchase payment will be deposited into Fund No. 14.

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

Passed October 22, 2012.

Effective October 25, 2012.

**Ord. No. 1541-12.**

**By Council Members Cimperman, K. Johnson, Cleveland and Kelley (by departmental request).**

**An emergency ordinance to amend Sections 1 and 7 of Ordinance No. 1407-12, passed October 15, 2012, relating to a grant from the Clean Ohio Conservation Program and option to purchase agreements with Concrete, Inc. and Jerome T. Osborne for properties needed for the Stage 3 of the Towpath Trail Project.**

**chase agreements with Concrete, Inc. and Jerome T. Osborne for properties needed for the Stage 3 of the Towpath Trail Project.**

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 1 and 7 of Ordinance No. 1407-12, passed October 15, 2012 is amended to read as follows:

**Section 1.** That the Director of Public Works is authorized to apply for and accept a grant from the Clean Ohio Conservation Program, or its successor or designee, for the Towpath Trail Stage 3 Project; 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 set forth in the file mentioned below.

**Section 7.** That the consideration to be paid for this property shall not exceed fair market value as determined by the Board of Control which shall not exceed \$500,000.00.

**Section 2.** That existing Sections 1 and 7 of Ordinance No. 1407-12, passed October 15, 2012 is 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.

Passed October 22, 2012.

Effective October 22, 2012.

**Ord. No. 1544-12.**

**By Council Member K. Johnson. An emergency ordinance authorizing the issuance of a Temporary Sidewalk Occupancy Permit to Robert Harris to engage in peddling in Ward 4.**

Whereas, pursuant to Section 675.07 of the Codified Ordinances of Cleveland, Ohio, 1976, (the "Codified Ordinances") the consent of Council expressed by ordinance is a prerequisite to peddling upon public rights of way outside of the Central Business District; and

Whereas, this Council has considered the request of to engage in peddling to Robert Harris outside of the Central Business District, and has determined that it is in the public interest to allow Robert Harris peddle in Ward 4; 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 this Council consents, as required by, Section 675.07 of the Codified Ordinances to allow to Robert Harris to engage in mobile peddling in the public rights of way of Ward 4 at 8804 Buckeye Road.

**Section 2.** That all of the requirements of Chapter 675 of the Codified



Ordinances shall apply to the persons named in Section 1 of this ordinance.

**Section 3.** That the privilege granted may be revoked at any time by this Council.

**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 22, 2012.  
Effective October 25, 2012.

**COUNCIL COMMITTEE MEETINGS**

**Monday, October 29, 2012  
2:00 p.m.**

**Finance Committee:** Present: Kelley, Chair; Sweeney, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Pruitt, Westbrook, Zone.

**Tuesday, October 30, 2012  
9:30 a.m.**

**Community and Economic Development Committee:** Present: Brancatelli, Chair; Cummins, J. Johnson,

Pruitt, Westbrook. *Authorized Absence:* Cimperman, Zone. *Unauthorized Absence:* Dow, Vice Chair; Miller.

**1:30 p.m.**

**Employment, Affirmative Action and Training Committee:** CANCELLED.

**Wednesday, October 31, 2012  
10:00 a.m.**

**Public Safety Committee:** CANCELLED.

**1:00 p.m.**

**Public Utilities Committee:** TOUR.

**Index**

O—Ordinance; R—Resolution; F—File  
Bold figures—Final Publication; D—Defeated; R—Reprint; T—Tabled; V—Vetoed;  
Bold type in sections indicates amendments

**Agreements**

Amend Sections 1 & 7 of Ord. No. 1407-12 — Stage 3 of The Towpath Trail Project (O 1541-12) ..... **1730**  
Consent with ODOT for replacement of Buckeye Rd. Bridge over to RTA — Intersection of Woodhill Rd. & Shaker Blvd. (O 896-12) ..... 1713  
Economic Development — TIF Agreement — Hemingway at 6555, LLC, — Redevelopment of 6555 Carnegie Ave. — (Midtown Tech) (Ward 05) (O 904-12) ..... 1714  
Economic Development — Vinny's Beverage — Construction/Renovation Improvements (Ward 18 NCF) (O 1562-12) ..... 1712

**Board of Building Standards and Building Appeals**

Angelus Avenue, 12705, (Ward 2) — Consulea D. Mays-Todd, owner — appeal adopted on 10/24/12 (Doc. A-145-12) ..... 1726  
Ansel Road, 1037, (Ward 8) — Underwood Coleman, owner — appeal postponed to 11/7/12 on 10/24/12 (Doc. A-182-12) ..... 1725  
Bayliss Avenue, 6728, (Ward 7) — Leroy Miller, owner — appeal resolved on 10/24/12 (Doc. A-176-12) ..... 1725  
Buckingham Avenue, 12202, (Ward 6) — Delon Burrell, owner — appeal adopted on 10/24/12 (Doc. A-156-12) ..... 1726  
Clark Avenue, 7113, (Ward 17) — Mohammad Ebeid, owner — appeal resolved on 10/24/12 (Doc. A-178-12) ..... 1725  
Columbia Avenue, 9015, (Ward 8) — Carla Sims, owner — appeal resolved on 10/24/12 (Doc. A-179-12) ..... 1725  
Columbia Avenue, 9103, (Ward 8) — Velma Mainer, owner — appeal resolved on 10/24/12 (Doc. A-186-12) ..... 1726  
Columbus Road, 1950, (Ward 3) — Linsy Furniture Gallery, Inc., owner — appeal adopted on 10/24/12 (Doc. A-229-12) ..... 1726  
East 105th Street, 787, (Ward 8) — Paul Moore, owner — appeal adopted on 10/24/12 (Doc. A-155-12) ..... 1726  
East 142nd Street, 3868, (Ward 2) — Traci Cook, owner — appeal postponed to 11/7/12 on 10/24/12 (Doc. A-177-12) ..... 1725  
East 155th Street, 705, (Ward 11) — Louis Azman, owner — appeal postponed to 11/7/12 on 10/24/12 (Doc. A-170-12) ..... 1724  
East 172nd Street, 1562, (Ward 11) — Yvette Denise Wynn, owner — appeal resolved on 10/24/12 (Doc. A-169-12) ..... 1724  
East 55th Street, 3300, (Ward 12) — Biz-Unlimited c/o Goddesses Blessing Goddesses', owner — appeal resolved on 10/24/12 (Doc. A-241-12) ..... 1726  
East 55th Street, 3335-3361, (Ward 12) — Olympia Broadway Renovation Corp., owner — appeal withdrawn on 10/24/12 (Doc. A-157-12) ..... 1724  
East 63rd Street, 1138, (Ward 7) — Migena Dushku, owner — appeal adopted on 10/24/12 (Doc. A-162-12) ..... 1726  
East 71st Street, 1900, (Ward 7) — Cortney Gantt, owner — appeal resolved on 10/24/12 (Doc. A-148-12) ..... 1724  
East 74th Street, 1015, (Front), (Ward 8) — Jo-Fran Piorkowski, owner — appeal resolved on 10/24/12 (Doc. A-147-12) ..... 1724  
East 74th Street, 1015, (Rear), (Ward 8) — Jo-Fran Piorkowski, owner — appeal resolved on 10/24/12 (Doc. A-146-12) ..... 1723

East 74th Street, 1086, (Ward 7) — Devin D. Young, owner — appeal resolved on 10/24/12  
 (Doc. A-175-12) ..... 1725

East 77th Street, 1108, (Ward 7) — Earl L. Sharpley, owner — appeal adopted on 10/24/12  
 (Doc. A-151-12) ..... 1726

East 79th Street, 1004, (Ward 7) — Demory L. King, owner — appeal adopted on  
 10/24/12 (Doc. A-154-12) ..... 1726

East 82nd Street, 1611, (Ward 7) — Omar Bradley, owner — appeal adopted on 10/24/12  
 (Doc. A-127-12) ..... 1726

East 82nd Street, 2558, (Ward 6) — E. 82nd Properties Ltd., owner — appeal resolved on  
 10/24/12 (Doc. A-174-12) ..... 1725

East 86th Street, 1246, (Ward 8) — Woodbury Holdings, Inc., owner — appeal postponed to  
 11/21/12 on 10/24/12 (Doc. A-187-12) ..... 1726

East 87th Street, 2192, (Ward 6) — Bro. Michael Herron, owner — appeal amended and  
 adopted on 10/24/12 (Doc. A-139-12) ..... 1726

Endora Road, 17012, (Ward 10) — Drue King, owner — appeal resolved on 10/24/12  
 (Doc. A-168-12) ..... 1724

Grimsby Avenue, 12608, (Ward 17) — Salathiel Carter, owner — appeal resolved on 10/24/12  
 (Doc. A-185-12) ..... 1726

Guardian Boulevard, 12613, (Ward 17) — Richard Johnson, owner — appeal adopted on  
 10/24/12 (Doc. A-153-12) ..... 1726

Kinsman Road, 15010, (a.k.a. 3510 East 151st Street), (Ward 2) — Geddie Hemphill, owner —  
 appeal postponed to 11/7/12 on 10/24/12 (Doc. A-173-12) ..... 1725

Lee Road, 4185, (Ward 1) — Capital Source Bank, owner — appeal resolved on 10/24/12  
 (Doc. A-98-12) ..... 1723

Notre Dame Avenue, 11005, (Ward 6) — Annie Richardson, owner — appeal adopted  
 on 10/24/12 (Doc. A-159-12) ..... 1726

Osceola Avenue, 11810, (Ward 9) — Jason Moore, owner — appeal postponed to 11/7/12  
 on 10/24/12 (Doc. A-188-12) ..... 1726

Prosser Avenue, 5919, (Ward 7) — Cathy P. Doerman, owner — appeal adopted on 10/24/12  
 (Doc. A-165-12) ..... 1726

Quincy Avenue, 6219, (Ward 5) — AR8 Acquisition, owner — appeal adopted on 10/24/12  
 (Doc. A-144-12) ..... 1726

Rudyard Road, 901, (Ward 11) — Louis Azman, owner — appeal postponed to 11/7/12 on  
 10/24/12 (Doc. A-171-12) ..... 1724

Simon Avenue, 8003, (Ward 8) — George Caraman/Caraman Corp., owner — appeal  
 resolved on 10/24/12 (Doc. A-163-12) ..... 1724

West 20th Street, 4511, (Ward 12) — Christine R. Zanoni, owner — appeal adopted on  
 10/24/12 (Doc. A-158-12) ..... 1726

West 87th Street, 1293, (Ward 16) — Aeon Financial, LLC, owner — appeal adopted on  
 10/24/12 (Doc. A-149-12) ..... 1726

Woodbine Avenue, 3402, (Ward 3) — Mohammad I. Abuasi, owner — appeal resolved  
 on 10/24/12 (Doc. A-184-12) ..... 1725

Woodbine Avenue, 3406, (Ward 3) — Conte Gould, owner — appeal resolved on 10/24/12  
 (Doc. A-183-12) ..... 1725

Woodstock Avenue, 11220, (Ward 6) — Constance Latimore, owner — appeal resolved on  
 10/24/12 (Doc. A-172-12) ..... 1724

**Board of Control — Burke Lakefront Airport Division**

Construction management services and design for Runway 6L-24R Safety Area — per Ord.  
 710-12 to R.W. Armstrong & Associates, Inc. — Dept. of Port Control (BOC Res. 548-12) ..... 1717

Engineering and architectural services — approve subconsultants — Contract #69772  
 per BOC Res. 398-09, 142-12 — Dept. of Port Control (BOC Res. 551-12) ..... 1718

Ramp area near Passenger Terminal Building — utilize for special event — per C.O. Sec.  
 183.04 to Obama For America — Dept. of Port Control (BOC Res. 552-12) ..... 1718

**Board of Control — Cleveland Hopkins International Airport Division**

Roof repair and replacement — per Ord. 956-11 to West Roofing Systems, Inc. — Dept. of  
 Port Control (BOC Res. 546-12) ..... 1716

Terminal advertising concession — amend Contract #66839 per BOC Res. 80-07, 175-07 —  
 Dept. of Port Control (BOC Res. 550-12) ..... 1717

**Board of Control — Concession Agreement**

Ramp area near Passenger Terminal Building — utilize for special event — per C.O. Sec.  
 183.04 to Obama For America — Division of Burke Lakefront Airport, Dept.  
 of Port Control (BOC Res. 552-12) ..... 1718

**Board of Control — North Coast Harbor**

Transient Marina design/build services — per Ord. 744-12 to Kokosing Construction  
 Company, Inc. — Dept. of Port Control (BOC Res. 547-12) ..... 1716

**Board of Control — Port Control Department**

Construction management services and design for Runway 6L-24R Safety Area — per Ord. 710-12 to R.W. Armstrong & Associates, Inc. — Division of Burke Lakefront Airport (BOC Res. 548-12) ..... 1717

Converged Communications System design and development — approve subconsultants — Contract #PS2012\*221 per BOC Res. 348-12 (BOC Res. 549-12) ..... 1717

Engineering and architectural services — approve subconsultants — Contract #69772 per BOC Res. 398-09, 142-12 — Division of Burke Lakefront Airport (BOC Res. 551-12) ..... 1718

Ramp area near Passenger Terminal Building — utilize for special event — per C.O. Sec. 183.04 to Obama For America — Division of Burke Lakefront Airport (BOC Res. 552-12) ..... 1718

Roof repair and replacement — per Ord. 956-11 to West Roofing Systems, Inc. — Division of Cleveland Hopkins International Airport (BOC Res. 546-12) ..... 1716

Terminal advertising concession — amend Contract #66839 per BOC Res. 80-07, 175-07 — Division of Cleveland Hopkins International Airport (BOC Res. 550-12) ..... 1717

Transient Marina design/build services at North Coast Harbor — per Ord. 744-12 to Kokosing Construction Company, Inc. (BOC Res. 547-12) ..... 1716

**Board of Control — Professional Service Contracts**

BancTec IntelliScan XDS Payment Processing System — amend BOC Res. 515-11 — modify Contract #PS2010-291 per BOC Res. 346-10, 515-11 — Division of Utilities Fiscal Control, Dept. of Public Utilities (BOC Res. 544-12)..... 1716

Construction management services and design for Runway 6L-24R Safety Area — per Ord. 710-12 to R.W. Armstrong & Associates, Inc. — Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 548-12) ..... 1717

Converged Communications System design and development — approve subconsultants — Contract #PS2012\*221 per BOC Res. 348-12 — Dept. of Port Control (BOC Res. 549-12)..... 1717

Engineering and architectural services — approve subconsultants — Contract #69772 per BOC Res. 398-09, 142-12 — Division of Burke Lakefront Airport, Dept. of Port Control (BOC Res. 551-12) ..... 1718

Terminal advertising concession — amend Contract #66839 per BOC Res. 80-07, 175-07 — Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 550-12) ..... 1717

Transient Marina design/build services at North Coast Harbor — per Ord. 744-12 to Kokosing Construction Company, Inc. — Dept. of Port Control (BOC Res. 547-12) ..... 1716

**Board of Control — Public Utilities Department**

BancTec IntelliScan XDS Payment Processing System — amend BOC Res. 515-11 — modify Contract #PS2010-291 per BOC Res. 346-10, 515-11 — Division of Utilities Fiscal Control (BOC Res. 544-12) ..... 1716

Sewer test tee inspection, installation and snaking — per C.O. Sec. 541.13 to AAA Flexible Pipe Cleaning Corporation — Division of Water Pollution Control (BOC Res. 545-12) ..... 1716

Water Testing and Monitoring Programs — Customer Incentive Program — water bill credit — Division of Water (BOC Res. 543-12) ..... 1715

**Board of Control — Requirement Contracts**

Roof repair and replacement — per Ord. 956-11 to West Roofing Systems, Inc. — Division of Cleveland Hopkins International Airport, Dept. of Port Control (BOC Res. 546-12) ..... 1716

Sewer test tee inspection, installation and snaking — per C.O. Sec. 541.13 to AAA Flexible Pipe Cleaning Corporation — Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 545-12) ..... 1716

**Board of Control — Utilities Fiscal Control Division**

BancTec IntelliScan XDS Payment Processing System — amend BOC Res. 515-11 — modify Contract #PS2010-291 per BOC Res. 346-10, 515-11 — Dept. of Public Utilities (BOC Res. 544-12) ..... 1716

**Board of Control — Water Division**

Water Testing and Monitoring Programs — Customer Incentive Program — water bill credit — Dept. of Public Utilities (BOC Res. 543-12) ..... 1715

**Board of Control — Water Pollution Control Division**

Sewer test tee inspection, installation and snaking — per C.O. Sec. 541.13 to AAA Flexible Pipe Cleaning Corporation — Dept. of Public Utilities (BOC Res. 545-12) ..... 1716

**Board of Zoning Appeals — Report**

Corsica Avenue, 15716, (Ward 11) — Carey Peterka, owner — appeal heard on 10/29/12 (Cal. 12-180)..... 1723

Lorain Avenue, 15149, (Ward 19) — Bill Lake Buick, Incorporated, owner and Elias Fernandez, prospective tenant — appeal heard on 10/28/12 (Cal. 12-162) ..... 1723

Lorain Avenue, 17209, (Ward 19) — Kamm's Plaza Shopping Center, owner and Chris Russo, tenant — appeal granted and adopted on 10/29/12 (Cal. 12-173) .....	1723
Riverbed Street and Franklin, (Ward 13) — Cuyahoga Metropolitan Housing Authority and their counsel Michael A. Cyphert — appeal withdrawn 10/29/12 (Cal. 08-196) .....	1723
Scranton Road, 2884, (Ward 14) — Ramon Torres, owner — appeal granted and adopted on 10/29/12 (Cal. 12-72) .....	1723
West 63rd Street, 3136, (Ward 15) — West 63rd Street LLC, owner — appeal postponed to 12/10/12 on 10/29/12 (Cal. 12-159) .....	1723
West Clinton Avenue, 6810, (Ward 15) — James Downing, owner — appeal heard on 10/29/12 (Cal. 12-177) .....	1723

#### Board of Zoning Appeals — Schedule

Bradley Road, 4268, (Ward 12) — Yevtuku Brothers, Inc., owner — appeal to be heard on 11/12/12 (Cal. 12-178) .....	1723
D.E. Williams Electric, Inc. — appeal to be heard on 11/12/12 (Cal. 12-179) .....	1723
Superior Avenue, 2343, (Ward 3) — KC and CR, LLC and Gary Kemmerling, owner and Charles Richard, lessee — appeal to be heard on 11/12/12 (Cal. 12-181) .....	1723
West 25th Street, 3212, (Ward 14) — Computer Management International, owner and Gary Horvath, prospective tenant — appeal to be heard on 11/12/12 (Cal. 12-185) .....	1723

#### Bridges

Capital Projects — Giving final consent to The State of Ohio for W. 61 S St., Madison Ave., and West 74th St. Bridges (Ward 15) (O 1528-12) .....	1711
Capital Projects — To appropriate up to six easements for the Harvard Avenue Bridge Project (R 1256-12) .....	1715
Consent with ODOT for replacement of Buckeye Rd. Bridge over to RTA — Intersection of Woodhill Rd. & Shaker Blvd. (O 896-12) .....	1713

#### Capital Projects

Amend Sect. 1 of Ord. No. 879-12 — Euclid Ave. — encroach into right-of-way — 18" X 18" Concrete Square Communication Duct Bank — LDC James LLC (Ward 08) (O 1228-12) .....	1714
Amend Section 1 of Ord. No. 1094-11 — Change encroachment permit from USA Parking System Prospect LLC To Rock Ohio Caesars Cleveland LLC (O 1326-12) .....	1714
Appropriate property for Ackley Rd. & Broadway Ave. intersection (Ward 12) (O 895-12) .....	1713
Consent with ODOT for replacement of Buckeye Rd. Bridge over to RTA — Intersection of Woodhill Rd. & Shaker Blvd. (O 896-12) .....	1713
Consent with ODOT for the demolition of The Eastbound Innerbelt Bridge (O 899-12) .....	1715
Consent with The State of Ohio — Construct Eastbound Innerbelt Bridge (O 898-12) .....	1715
East 105th St. — encroach into right-of-way — Electrical Duct Bank — Cleveland Clinic Foundation (Ward 06) (O 654-12) .....	1713
East 14th St. and Prospect Ave. — encroach into right-of-way — maintaining existing basement walls and utility vault area — PSC Hanna Bldg. LLC., (Ward 03) (O 1230-12) .....	1714
East 34th St. (Central Ave. to Project Ave.) — Secondary Name of Preston H. Terry Jr. Way — City Planning Commission (Ward 05) (O 1226-12) .....	1714
East 51st St., 1448 — encroach into right-of-way — Entrance Canopy & Two Support Posts — Ohio Technical College (Ward 08) (O 1227-12) .....	1714
East 66th Pl. (Lexington Avenue N.E., northerly to its terminus) — intention to vacate a portion — City Planning Commission (Ward 07) (R 1066-12) .....	1728
Euclid Ave. — encroach into right-of-way — maintaining building foundations and upper floor building faces — Ajappjr Uptown LLC (Ward 09) (O 1231-12) .....	1714
Giving final consent to The State of Ohio for W. 61 S St., Madison Ave., and West 74th St. Bridges (Ward 15) (O 1528-12) .....	1711
Hampton Rd. — encroach into right-of-way — 15 Ft. By 15 Ft. Public Art Object — Ludlow Community Association (Ward 04) (O 1229-12) .....	1714
Sell property at Southeast corner of W. 44th Pl. & Bader Ave. to Kristina And Nicholas Shirak (O 1065-12) .....	1714
Superior Ave., 4515 — encroach into right-of-way — Streetscape Amenities — Lutheran Metro Properties, LLC (Ward 03) (O 893-12) .....	1713
To appropriate up to six easements for the Harvard Avenue Bridge Project (R 1256-12) .....	1715
Various Streets — encroach into right-of-way — 24 Nodes — Crown Castle Ng East Inc. (Ward 03) (O 894-12) .....	1713
West 20th St. and Moore Ct. — intention to vacate a portion — City Planning Commission (Ward 03) (R 1068-12) .....	1728

#### City of Cleveland Bids

Automotive and truck parts and service — Department of Public Utilities — Division of Water Pollution Control — per C.O. Sec. 181.101 — bid due November 9, 2012 (advertised 10/24/2012 and 10/31/2012) .....	1727
Combination sewer and catch basins cleaners repair and maintenance — Department of Public Utilities — Division of Water Pollution Control — per C.O. Sec. 181.101 — bid due November 9, 2012 (advertised 10/24/2012 and 10/31/2012) .....	1727

Electrical Distribution Enhancement Project, Phase IIA — Department of Port Control — Division of Cleveland Hopkins International Airport — per Ord. 874-10 — bid due December 12, 2012 (advertised 10/31/2012 and 11/7/2012) ..... 1727

Manholes, castings, pull boxes and gratings — Department of Public Utilities — Division of Cleveland Public Power — per C.O. Sec. 129.25, 129.27 — bid due December 5, 2012 (advertised 10/31/2012 and 11/7/2012)..... 1727

Structural improvements to First District Police Station — Department of Public Works — Division of Architecture and Site Improvement — per Ord. 453-11 — bid due November 28, 2012 (advertised 10/31/2012 and 11/7/2012)..... 1727

Swimming pool improvements at various Recreation Centers — Department of Public Works — Division of Architecture and Site Improvement — per Ord. 534-12 — bid due November 28, 2012 (advertised 10/31/2012 and 11/7/2012)..... 1727

Trucks, plate, repair and maintain — Department of Public Utilities — Division of Water Pollution Control — per C.O. Sec. 181.101 — bid due November 14, 2012 (advertised 10/24/2012 and 10/31/2012)..... 1727

Upper Level Joint Expansion rehabilitation and Terminal Utility Relocation, Phase I — Department of Port Control — Division of Cleveland Hopkins International Airport — per Ord. 274-05 — bid due December 12, 2012 (advertised 10/24/2012 and 10/31/2012)..... 1727

Valves and appurtenances, Groups A-D (Re-bid) — Department of Public Utilities — Division of Water — per C.O. Sec. 129.25 — bid due November 16, 2012 (advertised 10/24/2012 and 10/31/2012)..... 1727

**City Planning Commission**

Agora (The Metropolitan Theatre, The Koblitz Bldg., and The Whk Bldg.) — Euclid Ave., 4812-5024 — PPN 103-10-017 Thru 103-10-025 — designate as landmark (Ward 08) (O 1261-12) ..... 1714

Amsterdam Rd., N.E. and Syracuse Ave., N.E. — intention to vacate a portion — Capital Projects (Ward 11) (R 910-12) ..... 1728

Clark Ave. and W. 65th St. (Intersection) and Storer Ave. (Between W. 63rd St. & W. 67 Pl.) — Change Use Districts (Ward 15) (O 1559-12)..... 1710

Cory United Methodist Church — East 105th St., 1105-17 — PPN 109-16-001 / 002/ 003/ 035/ 036 — designate as landmark (Ward 08) (O 1262-12) ..... 1714

East 110th St. (North of Saint Clair Ave.) — Change Use, Area and Height District (Ward 09) (O 1084-12)..... 1715

East 34th St. (Central Ave. to Project Ave.) — Secondary Name of Preston H. Terry Jr. Way (Ward 05) (O 1226-12) ..... 1714

East 66th Pl. (Lexington Avenue N.E., northerly to its terminus) — intention to vacate a portion — Capital Projects (Ward 07) (R 1066-12) ..... 1728

Film Exchange Building — Payne Ave., 2100-12 and East 21st St., 1701-17 — PPN 102-32-010 (Ward 08) (O 1332-12) ..... 1715

Freedom Christian Assembly Church (Collinwood Christian Church) — East 154th St., 765 — PPN 115-21-066 — designate as landmark (Ward 11) (O 1266-12) ..... 1714

Pearl Street Savings and Trust-Broadview Branch — Pearl Rd., 4169-75 — PPN 009-10-001 / 047 — designate as landmark (Ward 13) (O 1062-12) ..... 1714

Sell property at Southeast corner of W. 44th Pl. & Bader Ave. to Kristina and Nicholas Shirak (O 1065-12) ..... 1714

Switzer Apartment Building — East 101st St., 1285-89 — PPN 109-10-126 — designate as landmark (Ward 08) (O 1263-12) ..... 1714

West 20th St. and Moore Ct. — intention to vacate a portion — Capital Projects (Ward 03) (R 1068-12)..... 1728

**Cleveland Clinic Foundation**

East 105th St. — encroach into right — of — way — Electrical Duct Bank (Ward 06) (O 654-12)..... 1713

**Cleveland Housing Network**

Conservation Services for Low Income — Energy, Water and Sewer — Cleveland Public Power Division — Utilities Department — Water Division — Water Pollution Control Division (O 1398-12) ..... 1715

**Cleveland Public Power**

Conservation Services for Low Income — Energy, Water and Sewer — Utilities Department — Water Division — Water Pollution Control Division (O 1398-12) ..... 1715

**Codified Ordinances**

Amend Section 347.17 — Check Cashing Businesses, Short-Term Loan Lenders, Small Loan Lenders and Mortgage Loan Lenders (O 670-12) ..... 1729

**Communications**

Langhenry, Barbara A. — Oath of Office — Director — Law Department (F 1566-12) ..... 1709

Waverly Station Subdivision Phase 1 — Between West 57th St. and West 58th St. — Plat Approval (Ward 15) (F 1499-12) ..... 1709

**Community Development**

Economic Development — Sell Property to Waterford One, LLC. (PPN 142-23-005 / 006) (O 1259-12) .....	1729
---	------

**Condolences**

Conroy, Lou Ann (R 1571-12).....	1709
Greer, Shirley Izena (R 1567-12).....	1709
Lowery, Osceola V. (R 1570-12) .....	1709
McClendon, Gladys Beatrice (R 1569-12) .....	1709
Morgan, Jr., Robert L. (R 1568-12) .....	1709

**Congratulations**

Conway, William E. (R 1574-12).....	1709
Fowler, Chuck (R 1572-12) .....	1709
Hrvatín, Philip (Musician Of The Year) (R 1576-12) .....	1709
Karam, CSA, FACHE, Sr. Judith Ann (R 1573-12).....	1709
Meat Loaf (R 1575-12) .....	1709

**Contracts**

Amend Title & Section 1 of Ord. No. 143-11 — Enernoc Inc. — Demand Response Program (O 1454-12) .....	1715
Capital Projects — Consent with ODOT for the demolition of The Eastbound Innerbelt Bridge (O 899-12) .....	1715
Capital Projects — Consent with The State of Ohio — Construct Eastbound Innerbelt Bridge (O 898-12) .....	1715
Conservation Services for Low Income — Energy, Water and Sewer — Cleveland Public Power Division — Utilities Department — Water Division — Water Pollution Control Division (O 1398-12) .....	1715

**Easements**

Capital Projects — To appropriate up to six easements for The Harvard Avenue Bridge Project (R 1256-12).....	1715
---	------

**Economic Development Department**

Agreement — Vinny's Beverage — Construction/Renovation Improvements (Ward 18 NCF) (O 1562-12).....	1712
Community Development — Sell property to Waterford One, LLC. (PPN 142-23-005 / 006) (O 1259-12) .....	1729
TIF Agreement — Hemingway at 6555, LLC. — Redevelopment of 6555 Carnegie Ave. — (Midtown Tech) (Ward 05) (O 904-12) .....	1714

**Encroachments**

Amend Sect. 1 of Ord. No. 879-12 — Euclid Ave. — right-of-way — 18" X 18" Concrete Square Communication Duct Bank — LDC James LLC — Capital Projects (Ward 08) (O 1228-12).....	1714
Capital Projects — Amend Section 1 of Ord. No. 1094-11 — Permit from USA Parking System Prospect LLC to Rock Ohio Caesars Cleveland LLC (O 1326-12) .....	1714
East 105th St. — right-of-way — Electrical Duct Bank — Cleveland Clinic Foundation (Ward 06) (O 654-12) .....	1713
East 14th St. and Prospect Ave. — right-of-way — Maintaining Existing Basement Walls and Utility Vault Area — PSC Hanna Bldg. LLC. — Capital Projects (Ward 03) (O 1230-12) .....	1714
East 51st St., 1448 — right-of-way — Entrance Canopy & Two Support Posts — Ohio Technical College — Capital Projects (Ward 08) (O 1227-12) .....	1714
Euclid Ave. — right-of-way — Maintaining Building Foundations and Upper Floor Building Faces — Ajappjr Uptown LLC — Capital Projects (Ward 09) (O 1231-12) .....	1714
Hampton Rd. — right-of-way — 15 Ft. By 15 Ft. Public Art Object — Ludlow Community Association — Capital Projects (Ward 04) (O 1229-12).....	1714
Superior Ave., 4515 — right-of-way — Streetscape Amenities — Lutheran Metro Properties, LLC — Capital Projects (Ward 03) (O 893-12) .....	1713
Various Streets — right-of-way — 24 Nodes — Crown Castle Ng East Inc. — Capital Projects (Ward 03) (O 894-12) .....	1713

**Finance Department**

Amend Section 347.17 — Check Cashing Businesses, Short-Term Loan Lenders, Small Loan Lenders and Mortgage Loan Lenders (O 670-12) .....	1729
--	------

**Grants**

Amend Sections 1 & 7 of Ord. No. 1407-12 — Stage 3 of The Towpath Trail Project (O 1541-12) ..... **1730**

**Landmark Commission**

Agora (The Metropolitan Theatre, The Koblitz Bldg., and The Whk Bldg.) — Euclid Ave., 4812-5024 — PPN 103-10-017 Thru 103-10-025 — designate as landmark — City Planning Commission (Ward 08) (O 1261-12) ..... 1714  
 Cory United Methodist Church — East 105th St., 1105-17 — PPN 109-16-001 / 002/ 003/ 035/ 036 — designate as landmark — City Planning Commission (Ward 08) (O 1262-12)..... 1714  
 Film Exchange Building — Payne Ave., 2100-12 and East 21st St., 1701-17 — PPN 102-32-010 — City Planning Commission (Ward 08) (O 1332-12)..... 1715  
 Freedom Christian Assembly Church (Collinwood Christian Church) — East 154th St., 765 — PPN 115-21-066 — designate as landmark — City Planning Commission (Ward 11) (O 1266-12)..... 1714  
 Pearl Street Savings And Trust-Broadview Branch — Pearl Rd., 4169-75 — PPN 009-10-001 / 047 — designate as landmark — City Planning Commission (Ward 13) (O 1062-12)..... 1714  
 Switzer Apartment Building — East 101st St., 1285-89 — PPN 109-10-126 — designate as landmark (Ward 08) (O 1263-12) ..... 1714

**Law Department**

Langhenry, Barbara A. — Oath of Office — Director (F 1566-12) ..... 1709

**Liquor Permits**

Broadway Ave., 5275-79 (1st Fl. & Bsmt.) — transfer of ownership application (Ward 05) (F 1564-12) ..... 1709  
 East 116th St., 3600 — withdraw objection to renewal — repeal Res. 1282-12 (Ward 06) (R 1558-12) ..... 1712  
 East 116th St., 3643 — withdraw objection to transfer of ownership — repeal Res. 1222-12 (Ward 06) (R 1563-12) ..... 1713  
 East 200th St., 788 — transfer of ownership application (Ward 11) (F 1565-12) ..... 1709  
 Freeman Ave., 2102 (1st Fl. & Bsmt.) — withdraw objection to transfer of ownership — repeal Res. 1219-12 (Ward 03) (R 1560-12) ..... 1712  
 Lorain Ave., 10202 — withdraw objection to renewal — repeal Res. 1038-12 (Ward 17) (R 1542-12) ..... **1729**  
 West 25th St., 2700 (Unit B) — withdraw objection to transfer of ownership — repeal Res. 1143-12 (Ward 14) (R 1561-12) ..... 1713

**Oath of Office**

Langhenry, Barbara A. — Director — Law Department (F 1566-12)..... 1709

**Ohio Department of Transportation (ODOT)**

Capital Projects — Consent with ODOT for the demolition of The Eastbound Innerbelt Bridge (O 899-12) ..... **1715**  
 Capital Projects — Consent with The State of Ohio — Construct Eastbound Innerbelt Bridge (O 898-12) ..... **1715**  
 Capital Projects — Giving final consent to The State of Ohio for W. 61 S St., Madison Ave., and West 74th St. Bridges (Ward 15) (O 1528-12) ..... 1711  
 Consent with ODOT for replacement of Buckeye Rd. Bridge over to RTA — Intersection of Woodhill Rd. & Shaker Blvd. (O 896-12) ..... 1713

**Peddlers**

Harris, Robert — Peddling (Ward 04) (O 1544-12) ..... **1730**

**Permits**

Amend Sect. 1 of Ord. No. 879-12 — Euclid Ave. — encroach into right-of-way — 18" X 18" Concrete Square Communication Duct Bank — LDC James LLC — Capital Projects (Ward 08) (O 1228-12) ..... 1714  
 Capital Projects — Amend Section 1 of Ord. No. 1094-11 — Change Encroachment Permit from USA Parking System Prospect LLC to Rock Ohio Caesars Cleveland LLC (O 1326-12) ..... 1714  
 East 14th St. and Prospect Ave. — encroach into right-of-way — Maintaining Existing Basement Walls and Utility Vault Area — PSC Hanna Bldg. LLC. — Capital Projects (Ward 03) (O 1230-12) ..... 1714  
 East 51st St., 1448 — encroach into right-of-way — Entrance Canopy & Two Support Posts — Ohio Technical College — Capital Projects (Ward 08) (O 1227-12) ..... 1714  
 Euclid Ave. — encroach into right-of-way — Maintaining Building Foundations and Upper Floor Building Faces — Ajappjr Uptown LLC — Capital Projects (Ward 09) (O 1231-12) ..... 1714  
 Hampton Rd. — encroach into right-of-way — 15 Ft. By 15 Ft. Public Art Object — Ludlow Community Association — Capital Projects (Ward 04) (O 1229-12) ..... 1714  
 Harris, Robert — Peddling (Ward 04) (O 1544-12) ..... **1730**

**Plats**

Waverly Station Subdivision Phase 1 — Between West 57th St. and West 58th St. — Plat Approval (Ward 15) (F 1499-12) .....	1709
---	------

**Public Improvements**

Capital Projects — Appropriate Property for Ackley Rd. & Broadway Ave. Intersection (Ward 12) (O 895-12) .....	1713
--	------

**Public Works**

Amend Sections 1 & 7 of Ord.No. 1407-12 — Stage 3 of The Towpath Trail Project (O 1541-12) .....	1730
Cuyahoga County Solid Waste Management Plan (R 1338-12) .....	1728

**Purchases and Supplies Division**

Amend Sections 1 & 7 of Ord.No. 1407-12 — Stage 3 of The Towpath Trail Project (O 1541-12) .....	1730
Community Development & Economic Development — Sell Property to Waterford One, LLC. (PPN 142-23-005 / 006) (O 1259-12) .....	1729
Sell Property at Southeast Corner of W. 44th Pl. & Bader Ave. to Kristina And Nicholas Shirak (O 1065-12) .....	1714

**Recognition**

32nd Masons of The Ancient And Accepted Scottish Rite, Valley of Cleveland (R 1577-12) .....	1709
Crosby, Drs. Edward & Shirley (R 1578-12) .....	1709
The Mama Luke Movement (R 1579-12) .....	1709

**Regional Transit Authority**

Assault on Public Transit Workers (R 1557-12) .....	1712
Consent with ODOT for replacement of Buckeye Rd. Bridge over to RTA — Intersection of Woodhill Rd. & Shaker Blvd. (O 896-12) .....	1713

**Resolution of Support**

Assault on Public Transit Workers (R 1557-12) .....	1712
Capital Projects — To appropriate up to six easements for The Harvard Avenue Bridge Project (R 1256-12) .....	1715
Cuyahoga County Solid Waste Management Plan (R 1338-12) .....	1728

**Resolutions — Miscellaneous**

Assault on Public Transit Workers (R 1557-12) .....	1712
Cuyahoga County Solid Waste Management Plan (R 1338-12) .....	1728

**State of Ohio**

Assault on Public Transit Workers (R 1557-12) .....	1712
Capital Projects — Giving final consent for W. 61 St., Madison Ave., and West 74th St. Bridges (Ward 15) (O 1528-12) .....	1711

**Street Vacation**

Amsterdam Rd., N.E. and Syracuse Ave., N.E. — intention to vacate a portion — Capital Projects — City Planning Commission (Ward 11) (R 910-12) .....	1728
East 66th Pl. (Lexington Avenue N.E., northerly to its terminus) — intention to vacate a portion — Capital Projects — City Planning Commission (Ward 07) (R 1066-12) .....	1728
West 20th St. and Moore Ct. — intention to vacate a portion — Capital Projects — City Planning Commission (Ward 03) (R 1068-12) .....	1728

**Streets — Name**

East 34th St. (Central Ave. to Project Ave.) — Secondary Name of Preston H. Terry Jr. Way — City Planning Commission — Capital Projects (Ward 05) (O 1226-12) .....	1714
---	------

**Utilities Department**

Amend Title & Section 1 of Ord.No. 143-11 — contract — Enernoc Inc. — Demand Response Program (O 1454-12) .....	1715
Conservation Services for Low Income — Energy, Water and Sewer — Cleveland Public Power Division — Water Division — Water Pollution Control Division (O 1398-12) .....	1715



**Ward 01**

Community Development & Economic Development — Sell Property to Waterford One, LLC.  
 (PPN 142-23-005 / 006) (O 1259-12) ..... 1729  
 Lowery, Osceola V. — Condolence (R 1570-12) ..... 1709

**Ward 02**

Capital Projects — To appropriate up to six easements for The Harvard Avenue Bridge  
 Project (R 1256-12) ..... 1715

**Ward 03**

Capital Projects — Amend Section 1 of Ord. No. 1094-11 — Change Encroachment Permit from  
 USA Parking System Prospect LLC to Rock Ohio Caesars Cleveland LLC (O 1326-12)..... 1714  
 East 14th St. and Prospect Ave. — encroach into right-of-way — Maintaining Existing  
 Basement Walls and Utility Vault Area — PSC Hanna Bldg. LLC. — Capital  
 Projects (O 1230-12) ..... 1714  
 Freeman Ave., 2102 (1st Fl. & Bsmt.) — withdraw objection to transfer of ownership — repeal  
 Res. 1219-12 — liquor permit (R 1560-12) ..... 1712  
 Superior Ave., 4515 — encroach into right-of-way — Streetscape Amenities — Lutheran Metro  
 Properties, LLC — Capital Projects (O 893-12)..... 1713  
 Various Streets — encroach into right-of-way — 24 Nodes — Crown Castle Ng East Inc. —  
 Capital Projects (O 894-12)..... 1713  
 West 20th St. and Moore Ct. — intention to vacate a portion — Capital Projects —  
 City Planning Commission (R 1068-12) ..... 1728

**Ward 04**

Consent with ODOT for replacement of Buckeye Rd. Bridge over to RTA — Intersection  
 of Woodhill Rd. & Shaker Blvd. (O 896-12) ..... 1713  
 Greer, Shirley Izena — Condolence (R 1567-12) ..... 1709  
 Hampton Rd. — encroach into right-of-way — 15 Ft. By 15 Ft. Public Art Object — Ludlow  
 Community Association — Capital Projects (O 1229-12)..... 1714  
 Harris, Robert — Peddling (O 1544-12)..... 1730

**Ward 05**

Broadway Ave., 5275-79 (1st Fl. & Bsmt.) — transfer of ownership application —  
 liquor permit (F 1564-12)..... 1709  
 East 34th St. (Central Ave. to Project Ave.) — Secondary Name of Preston H. Terry Jr. Way —  
 City Planning Commission — Capital Projects (O 1226-12) ..... 1714  
 Economic Development — TIF Agreement — Hemingway at 6555, LLC, — Redevelopment  
 of 6555 Carnegie Ave. — (Midtown Tech) (O 904-12)..... 1714

**Ward 06**

East 105th St. — encroach into right — of — way — Electrical Duct Bank — Cleveland Clinic  
 Foundation (O 654-12) ..... 1713  
 East 116th St., 3600 — withdraw objection to renewal — repeal Res. 1282-12 — liquor permit  
 (R 1558-12) ..... 1712  
 East 116th St., 3643 — withdraw objection to transfer of ownership — repeal Res. 1222-12 —  
 liquor permit (R 1563-12) ..... 1713  
 McClendon, Gladys Beatrice — Condolence (R 1569-12) ..... 1709  
 Morgan, Jr., Robert L. — Condolence (R 1568-12) ..... 1709

**Ward 07**

East 66th Pl. (Lexington Avenue N.E., northerly to its terminus) — intention to vacate  
 a portion — Capital Projects — City Planning Commission (R 1066-12) ..... 1728

**Ward 08**

Agora (The Metropolitan Theatre, The Koblitz Bldg., and The Whk Bldg.) — Euclid  
 Ave., 4812-5024 — PPN 103-10-017 Thru 103-10-025 — designate as landmark — City  
 Planning Commission (O 1261-12)..... 1714  
 Amend Sect. 1 of Ord. No. 879-12 — Euclid Ave. — encroach into right -of- way — 18" X 18"  
 Concrete Square Communication Duct Bank — LDC James LLC — Capital Projects  
 (O 1228-12) ..... 1714  
 Cory United Methodist Church — East 105th St., 1105-17 — PPN 109-16-001 / 002/ 003/ 035/  
 036 — designate as landmark — City Planning Commission (O 1262-12) ..... 1714  
 East 51st St., 1448 — encroach into right-of-way — Entrance Canopy & Two Support Posts —  
 Ohio Technical College — Capital Projects (O 1227-12) ..... 1714  
 Film Exchange Building — Payne Ave., 2100-12 and East 21st St., 1701-17 — PPN 102-32-010 —  
 City Planning Commission (O 1332-12) ..... 1715

Switzer Apartment Building — East 101st St., 1285-89 — PPN 109-10-126 — designate as landmark (O 1263-12) .....	1714
<b>Ward 09</b>	
Assault on Public Transit Workers (R 1557-12) .....	1712
Crosby, Drs. Edward & Shirley — Recognition (R 1578-12) .....	1709
East 110th St. (North of Saint Clair Ave.) — Change Use, Area and Height District — City Planning Commission (O 1084-12) .....	1715
Euclid Ave. — encroach into right-of-way — Maintaining Building Foundations and Upper Floor Building Faces — Ajappjr Uptown LLC — Capital Projects (O 1231-12) .....	1714
<b>Ward 11</b>	
32nd Masons of The Ancient And Accepted Scottish Rite, Valley of Cleveland — Recognition (R 1577-12) .....	1709
Amsterdam Rd., N.E. and Syracuse Ave., N.E. — intention to vacate a portion — Capital Projects — City Planning Commission (R 910-12) .....	1728
East 200th St., 788 — transfer of ownership application — liquor permit (F 1565-12) .....	1709
Freedom Christian Assembly Church (Collinwood Christian Church) — East 154th St., 765 — PPN 115-21-066 — designate as landmark — City Planning Commission (O 1266-12) .....	1714
Hrvatín, Philip (Musician of The Year) — Congratulations (R 1576-12) .....	1709
<b>Ward 12</b>	
Amend Section 347.17 — Check Cashing Businesses, Short-Term Loan Lenders, Small Loan Lenders and Mortgage Loan Lenders (O 670-12) .....	1729
Capital Projects — Appropriate Property for Ackley Rd. & Broadway Ave. Intersection (Ward 12) (O 895-12) .....	1713
<b>Ward 13</b>	
Amend Section 347.17 — Check Cashing Businesses, Short-Term Loan Lenders, Small Loan Lenders and Mortgage Loan Lenders (O 670-12) .....	1729
Pearl Street Savings And Trust-Broadview Branch — Pearl Rd., 4169-75 — PPN 009-10-001 / 047 — designate as landmark — City Planning Commission (Ward 13) (O 1062-12) .....	1714
Sell Property at Southeast corner of W. 44th Pl. & Bader Ave. to Kristina and Nicholas Shirak (O 1065-12) .....	1714
<b>Ward 14</b>	
West 25th St., 2700 (Unit B) — withdraw objection to transfer of ownership — repeal Res. 1143-12 — liquor permit (R 1561-12) .....	1713
<b>Ward 15</b>	
Amend Section 347.17 — Check Cashing Businesses, Short-Term Loan Lenders, Small Loan Lenders and Mortgage Loan Lenders (O 670-12) .....	1729
Capital Projects — Giving final consent to The State of Ohio for W. 61 S St., Madison Ave., and West 74th St. Bridges (O 1528-12) .....	1711
Clark Ave. and W. 65th St. (Intersection) and Storer Ave. (Between W. 63rd St. & W. 67 Pl.) — Change Use Districts — City Planning Commission (O 1559-12) .....	1710
Conway, William E. — Congratulations (R 1574-12) .....	1709
Fowler, Chuck — Congratulations (R 1572-12) .....	1709
Karam, CSA, FACHE, Sr. Judith Ann — Congratulations (R 1573-12) .....	1709
The Mama Luke Movement — Recognition (R 1579-12) .....	1709
Waverly Station Subdivision Phase 1 — Between West 57th St. and West 58th St. — Plat Approval (F 1499-12) .....	1709
<b>Ward 17</b>	
Lorain Ave., 10202 — withdraw objection to renewal — repeal Res. 1038-12 — liquor permit (R 1542-12) .....	1729
<b>Ward 18</b>	
Economic Development — agreement — Vinny's Beverage — Construction/Renovation Improvements (Ward 18 NCF) (O 1562-12) .....	1712
Meat Loaf — Congratulations (R 1575-12) .....	1709
<b>Ward 19</b>	
Conroy, Lou Ann — Condolence (R 1571-12) .....	1709

**Water Division**

Amend Title & Section 1 of Ord. No. 143-11 — contract — Enernoc Inc. — Demand Response  
 Program (O 1454-12)..... 1715

Conservation Services for Low Income — Energy, Water and Sewer — Cleveland Public  
 Power Division — Utilities Department — Water Pollution Control Division (O 1398-12)..... 1715

**Water Pollution Control Division**

Conservation Services for Low Income — Energy, Water and Sewer — Cleveland Public  
 Power Division — Utilities Department — Water Division (O 1398-12)..... 1715

**Zoning**

Clark Ave. and W. 65th St. (Intersection) and Storer Ave. (Between W. 63rd St. & W. 67 Pl.) —  
 Change Use Districts — City Planning Commission (Ward 15) (O 1559-12)..... 1710

East 110th St. (North of Saint Clair Ave.) — Change Use, Area and Height District — City  
 Planning Commission (Ward 09) (O 1084-12)..... 1715