

The City Record

Official Publication of the Council of the City of Cleveland



January the Fifth, Two Thousand and Five

Jane L. Campbell
Mayor

Frank G. Jackson
President of Council

Valarie J. McCall
City Clerk, Clerk of Council

Ward	Name
1	Joseph T. Jones
2	Robert J. White
3	Zachary Reed
4	Kenneth L. Johnson
5	Frank G. Jackson
6	Patricia J. Britt
7	Fannie M. Lewis
8	Sabra Pierce Scott
9	Kevin Conwell
10	Roosevelt Coats
11	Michael D. Polensek
12	Edward W. Rybka
13	Joe Cimperman
14	Nelson Cintron, Jr.
15	Merle R. Gordon
16	Michael C. O'Malley
17	Matthew Zone
18	Jay Westbrook
19	Dona Brady
20	Martin J. Sweeney
21	Michael A. Dolan

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Containing	PAGE
City Council	3
The Calendar	3
Board of Control	3
Civil Service	6
Board of Zoning Appeals	6
Board of Building Standards and Building Appeals	7
Public Notice	7
Public Hearings	7
City of Cleveland Bids	8
Adopted Resolutions and Ordinances	8
Committee Meetings	8
Index	8

DIRECTORY OF CITY OFFICIALS

CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

MAYOR – Jane L. Campbell

Debra M. Janik, Chief of Staff
Darnell Brown, Chief Operating Officer
Timothy Mueller, Executive Assistant
Craig Tame, Executive Assistant
Galen L. Schuerlein, Executive Assistant
_____, Director, Office of Equal Opportunity
Margreat A. Jackson, Legislative Affairs Liaison
Erik Janas, Inter-Governmental Affairs Officer
Lorna Wisham, Chief Public Affairs Officer

DEPT. OF LAW – Subodh Chandra, Director, Teresa Beasley, Chief Counsel, Rm. 106
Karen E. Martines, Law Librarian, Room 100

DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;
Frank Badalamenti, Manager, Internal Audit

DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19
Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122
City Treasury – Algeron Walker, Treasurer, Room 115
Financial Reporting and Control – James Gentile, Controller, Room 18
Information Technology and Services – James S. Higgins, Commissioner, 1404 East 9th Street
Purchases and Supplies – Myrna Branche, Commissioner, Room 128
Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue
Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue

DEPT. OF PUBLIC UTILITIES – Julius Ciaccia, Director, 1201 Lakeside Avenue

DIVISIONS – 1201 Lakeside Avenue
Cleveland Public Power – James F. Majer, Commissioner
Street Lighting Bureau – _____, Acting Chief
Utilities Fiscal Control – Dennis Nichols, Commissioner
Water – John Christopher Nielson, Commissioner
Water Pollution Control – Ollie Shaw, Commissioner

DEPT. OF PORT CONTROL – John C. Mok, Director

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

DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113

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

DEPT. OF PUBLIC HEALTH – Matthew Carroll, Director, Mural Building, 1925 St. Clair Ave.

DIVISIONS: Air Quality – _____, Commissioner
Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.
Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.
Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.

DEPT. OF PUBLIC SAFETY – Sanford E. Watson, Director, Room 230

DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street
Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive
Fire – Paul A. Stubbs, Chief, 1645 Superior Avenue
Police – Edward F. Lohn, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street

DEPT. OF PARKS, RECREATION & PROPERTIES – Natalie A. Ronayne, Director

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

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

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

DEPT. OF PERSONNEL AND HUMAN RESOURCES – Gina Routen, Director, Room 121

DEPT. OF ECONOMIC DEVELOPMENT – Gregory G. Huth, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

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

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.

SINKING FUND COMMISSION – Jane L. Campbell, President; Council President Frank G. Jackson; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director.

BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members: Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, _____, Secretary.

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

BOARD OF REVISION OF ASSESSMENTS – Law Director Subodh Chandra, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities Director _____; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

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

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, Council Member Merle Gordon.

FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud, Doris Honsa, Richard Lenard.

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

MORAL CLAIMS COMMISSION – Law Director Subodh Chandra; Chairman; Finance Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Baulknight, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.

BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorky, Chairman; Earl S. Bumgarner, Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Paul Volpe, Chair; Ted Sande, Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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

Judge	Courtroom
Presiding and Administrative Judge Larry A. Jones	14B
Judge Ronald B. Adrine	15A
Judge Emanuella Groves	13A
Judge Mabel M. Jasper	14D
Judge Kathleen Ann Keough	13D
Judge Mary Eileen Kilbane	14C
Judge Anita Laster Mays	12C
Judge Lauren C. Moore	12B
Judge Raymond L. Pianka (Housing Court Judge)	13B
Judge Angela R. Stokes	15C
Judge Pauline H. Tarver	12A
Judge Robert J. Triozzi	14A
Judge Joseph J. Zone	13C

Earle B. Turner – Clerk of Courts, Michael E. Flanagan – Court Administrator, Paul J. Mizerak – Bailiff; Regina Daniel – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate

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OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, JANUARY 5, 2005

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CITY COUNCIL

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The City Record

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VALARIE J. McCALL

City Clerk, Clerk of Council
216 City Hall

PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL 2002-2005

MONDAY

9:30 A.M. — **Public Parks, Property & Recreation Committee:** Johnson, Chairman; White, Vice Chairman; Cimperman, Dolan, Jones, Rybka, Sweeney.

MONDAY—Alternating

11:00 A.M. — **Public Service Committee:** Sweeney, Chairman; Jones, Vice Chairman; Brady, Cimperman, Johnson, O'Malley, Polensek, White, Zone.

11:00 A.M. — **Employment, Affirmative Action & Training Committee:** Lewis, Chairman; Conwell, Vice Chairman; Cintron, Coats, Johnson, Reed, Polensek.

MONDAY

2:00 P.M. — **Finance Committee:** Jackson, Chairman; Sweeney, Vice Chairman; Brady, Britt, Coats, Gordon, O'Malley, Reed, Pierce Scott, Westbrook, White.

TUESDAY

9:30 A.M. — **Community and Economic Development Committee:** Gordon, Chairman; Cimperman, Vice Chairman; Cintron, Coats, Jones, Lewis, Reed, Pierce Scott, Zone.

TUESDAY—Alternating

1:00 P.M. — **Health & Human Services Committee:** Britt, Chairman; Zone, Vice Chairman; Cintron, Conwell, Gordon, Pierce Scott, Polensek.

1:30 P.M. — **Legislation Committee:** White, Chairman; Pierce Scott, Vice Chairman; Dolan, Gordon, Johnson, Rybka, Westbrook.

WEDNESDAY—Alternating

10:00 A.M. — **Aviation & Transportation Committee:** Westbrook, Chairman; Sweeney, Vice Chairman; Britt, Dolan, Gordon, Reed, Rybka.

10:00 A.M. — **Public Safety Committee:** Reed, Chairman; Britt, Vice Chairman; Brady, Cimperman, Coats, Conwell, Jones, White, Zone.

WEDNESDAY—Alternating

1:30 P.M. — **Public Utilities Committee:** Coats, Chairman; O'Malley, Vice Chairman; Brady, Cintron, Jones, Polensek, Sweeney, Westbrook, Zone.

1:30 P.M. — **City Planning Committee:** Cimperman, Chairman, Rybka, Vice Chairman, Conwell, Lewis, O'Malley, Pierce Scott, Westbrook.

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

Rules Committee: Jackson, Chairman; O'Malley, Reed, Sweeney, Westbrook.

Personnel and Operations Committee: Gordon, Chairman; Britt, Cimperman, Coats, Pierce Scott.

Mayor's Appointment Committee: Coats, Chairman; Cintron, Reed, Pierce Scott, Westbrook.

OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

THE CALENDAR

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

NONE

BOARD OF CONTROL

December 29, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, December 29, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto,

Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Absent: Director Williams.

Others: Mike Aboussal, Acting Commissioner, Purchases and Supplies.

Collette Appolito, Director, Office of Equal Opportunity.

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

Resolution No. 729-04.

By Director Baker.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 2136-03, passed February 9, 2004, Superlative Group, Inc., is selected from a list of firms determined after a full and complete canvass by the Director of Finance as the firm to be employed by contract to provide professional services necessary to develop a corporate sponsorship marketing program and to assist the City in marketing, negotiating, and selling corporate sponsorships for City facilities and assets.

Be it further resolved that the Director of Finance is requested to enter into a written contract with Superlative Group, Inc., based upon its June 25, 2004 proposal, which contract shall be prepared by the Director of Law, and shall provide for the furnishing of professional services as described in the proposal for the following fee:

Phase I — \$75,000 upon completion of deliverables set forth in the proposal.

Phase II — Commissions and fees for various deliverables as set forth in the proposal.

Be it further resolved that employment of the following subconsultants by Superlative Group, Inc., under the contract authorized above is approved:

<u>Subconsultant</u>	<u>Percentage Amount</u>
DAR Public Relations (MBE)	20% \$15,000
Dr. Mark Rosentraub	13.3% \$10,000

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Directors Pettus, Wilbur, Director Routen, Acting

Director Pesti, Directors Fumich and Taylor.

Nays: None.

Absent: Directors Williams and Ronayne.

Resolution No. 730-04.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of East Jordan Iron Works, Inc. for an estimated quantity of manholes, castings, pullboxes and grating, item nos. 27 thru 29 and 31 thru 70, for the Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on October 7, 2004, under the authority of Section 129.26, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Four Hundred Forty-Three Thousand Four Hundred Fifty-Two and no/100 Dollars (\$443,452.00) (Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 153268

which shall be certified against such contract in the sum of Fifty Thousand and no/100 Dollars (\$50,000.00).

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Nays: None.

Absent: Director Williams.

Resolution No. 731-04.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Co. for an estimated quantity of manholes, castings, pullboxes and grating, item nos. 71 thru 79, for the Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on October 7, 2004, under the authority of Section 129.26, Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Ninety-Seven Thousand Five Hundred Eighty-Two and 50/100 Dollars (\$97,582.50) (Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into requirement contract for the

commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 153269

which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than the estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Nays: None.

Absent: Director Williams.

Resolution No. 732-04.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Norwalk Concrete Industries for an estimated quantity of manholes, castings, pullboxes and grating, item nos. 1 thru 22 and 24 thru 26, for the Divisions of Cleveland Public Power, Water and Water Pollution Control, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on October 7, 2004, under the authority of Ordinance No. 1630-92, passed September 21, 1992 on the basis of the estimated quantity would amount to Eighty Seven Thousand and no/100 Dollars (\$87,000.00) (1%, Net 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into requirement contract for the commodities, which shall provide for the immediate purchase as the initial amount of the contract of the following:

Requisition No. 153270

which shall be certified against such contract in the sum of Ten Thousand and no/100 Dollars (\$10,000.00).

The requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for the commodities, whether more or less than said estimated quantity, as may be ordered under subsequent requisitions separately certified against the contract.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Nays: None.

Absent: Director Williams.

Resolution No. 733-04.

By Director Ciaccia.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Fabrizi Trucking & Paving Co., Inc. for the public

improvement of West 122nd Street Sewer Replacement Project, (base bid all items including the 10% contingency allowance), for the Division of Water Pollution Control, Department of Public Utilities, received on November 18, 2004, under the authority of Ordinance No. 839-04, passed June 14, 2004, upon a unit basis for the improvement, in the aggregate amount of Six Hundred Forty Three Thousand Seven Hundred Ninety-Four and 80/100 Dollars (\$643,794.80), is affirmed and approved as the lowest responsible bid; and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Fabrizi Trucking and Paving Co., Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>MBE/FBE</u>	<u>WORK</u>
McTech Corporation		
MBE	\$67,500.00	(10.48%)
Cook Paving		
MBE	\$30,000.00	(4.66%)
Friedel Trucking		
FBE	\$27,500.00	(4.27%)
Julian Supply		
FBE	\$ 5,300.00	(.82%)

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Nays: None.

Absent: Director Williams.

Resolution No. 734-04.

By Director Ricchiuto.

Whereas, under the authority of Ordinance No. 838-02, passed by the Council of the City of Cleveland on June 10, 2002, and Resolution No. 279-03 adopted by this Board on May 14, 2003, and Resolution No. 256-04, adopted May 5, 2004, the City, through its Director of Public Service, entered into City Contract No. 61698 with Osborn Engineering Company ("Engineer"), to provide the professional services necessary for building improvements at various Department of Public Safety facilities, a first modification; and

Whereas, the City has requested additional engineering design items for the sixth floor Justice Center expansion, which include the services of a correctional facilities specialist to assist with developing design and cost estimates for the expanded scope of work; and

Whereas, Engineer proposed by its August 2, 2004 letter to perform such additional services; and

Whereas, the City finds Engineer's proposal acceptable and desires to modify the agreement with the Engineer on the basis of such proposal to provide for the performance of and payment for such additional services; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the Director of Public Service is authorized to enter into a second modification to City Contract No. 61698 with Osborn Engineering Company, on the basis of Engineer's August 2, 2004 letter, for the aforementioned additional engineering services and increasing the fees for all services by Seventeen Thousand Five Hundred and No/100 Dollars (\$17,500.00) to a total of Seventy Seven Thousand Three Hundred Ninety Five and No/100 Dollars (\$77,395.00).

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

City Blue Printing (FBE) \$650 (.84%)

Be it further resolved, that all other terms and provisions of City Contract No. 61698 not expressly modified above shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Nays: None.
Absent: Director Williams.

Resolution No. 735-04.

By Director Watson.

Resolved by the Board of Control of the City of Cleveland that the bid of Vance Outdoors, Inc. for an estimated quantity of Taser X26 and accessories, Item Nos. 1 - 6, for the Division of Police, Department of Public Safety, for the period of one (1) year beginning with the date of execution of a contract, received on July 7, 2004, under authority of Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to Fifty-Five Thousand Nine and 15/100 Dollars (\$55,009.15), is affirmed and approved as the lowest and best bid, and the Director of Public Safety is requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 145141 as specified, which shall be certified against such contract in the sum of Fifty-Five Thousand Nine and 15/100 Dollars (\$55,009.15).

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

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director

Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Nays: None.
Absent: Director Williams.

Resolution No. 736-04.

By Director Ronayne.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction Company, Inc., for the public improvement of the building improvements for the city-wide recreation centers, base bid, and alternate 1A, 1B, 1C, 1D, 1E, 3B, 3C, 4A, 4B, 4E, 5A, 5B, 5C, 5D, 6A, 6C, 8A, 8B, 8C, 8E, 8F, 8G, 9A, 9B, 9C, 9E, 10C, 11B, 12D, 13C, 14A, 16A, 17A, 17B, 17C, 17D, 17E, 17F, 17G, 18A, 18B, 20A, 20B, 20C, 20D, 20H, and 20J, for the Department of Parks, Recreation, and Properties, received on November 4, 2004, pursuant to the authority of Ordinance No. 1264-03, passed July 16, 2003, and Ordinance No. 2151-03, passed December 15, 2003, for a gross price for the improvement in the aggregate amount of Four Million Eight Hundred Seventeen Thousand Eight Hundred and no/100 Dollars (\$4,817,800.00), is affirmed and approved as the lowest responsible bid, and the Director of Parks, Recreation, and Properties is authorized to enter into contract for said improvement with said bidder.

Be it further resolved, by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Envirocom Construction Company, Inc., is approved:

<u>Subcontractor</u> <u>MBE/FBE</u>	<u>Amount</u> <u>Percentage</u>
Pearlrock, Inc. MBE	\$665,975 13.82%
Work Best Electric FBE	\$196,845 4.08%
RCE, Inc. MBE	\$187,035 3.88%
London Road Electric Company	\$100,000 2.07%
Miller Plumbing & Heating	\$230,000 4.77%
Owen's Flooring	\$120,000 2.49%
Corcoran Tile	\$ 60,000 1.24%
E.R. Flynn	\$700,000 14.53%
Corporate Floors	\$ 50,000 1.03%

Yeas: None.
Nays: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.
Absent: Director Williams.

Resolution No. 737-04.

By Director Ronayne.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Envirocom Construction Company, Inc., for the public improvement of the building improvements for the City owned recreation centers, base bid and alternates 1A, 1B, 1C, 1D, 1E, 2B, 3A, 3B, 3C, 4A, 4B, 4E, 4F, 5A, 5B, 5C, 5D, 6A, 6C, 7B, 8A, 8B, 8C, 8E, 8F, 8G, 9A, 9B, 9C, 9E, 10A, 10C, 11C, 12D, 13A, 13C, 14A, 16A, 17A, 17B, 17C, 17D, 17E, 17F, 17G, 18A, 18B, 20A, 20B, 20C, 20D, 20G, 20H, and 20J, for the Department of Parks, Recreation, and Properties, received on November 4, 2004, pursuant to the authority of Ordinance No. 1264-03, passed July 16, 2003, and Ordinance No. 2151-03, passed December 15, 2003, for a gross price for the improvement in the aggregate amount of Four Million Nine Hundred Eighty-Two Thousand Two Hundred Dollars (\$4,982,200.00), is affirmed and approved as the lowest responsible bid, and the Director of Parks, Recreation, and Properties is authorized to enter into a contract for the said improvement with the said bidder.

Be it further resolved, that the employment of the following sub-contractor's by Envirocom Construction Company, Inc., is approved:

<u>Subcontractor</u> <u>MBE/FBE</u>	<u>Amount</u> <u>Percentage</u>
Pearlrock, Inc. MBE	\$715,975 14.37%
Work Best Electric FBE	\$201,182 4.04%
RCE, Inc. MBE	\$185,985 3.73%
London Road Electric Company	\$100,000 2.01%
Miller Plumbing and Heating	\$230,000 4.62%
Owen's Flooring	\$120,000 2.41%
Corcoran Tile	\$ 60,000 1.20%
E.R. Flynn	\$700,000 14.1%
Corporate Floors	\$ 50,000 1.0%

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Nays: None.
Absent: Director Williams.

Resolution No. 738-04.

By Director Ronayne.

Be it resolved by the Board of Control of the City of Cleveland that the bid of R. W. Clark Company,

Inc., for the public improvement of the photo lab relocation to the convention center, base bid, and alternate 1 and 2, for the Department of Parks, Recreation, and Properties, received on December 1, 2004, pursuant to the authority of Ordinance No. 837-02, passed June 10, 2002, for a gross price for the improvement in the aggregate amount of One Hundred Eighty Seven Thousand Five Hundred Ninety and no/100 Dollars (\$187,590.00), is hereby affirmed and approved as the lowest responsible bid, and the Director of Parks, Recreation, and Properties is authorized to enter into contract for said improvement with said bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by R. W. Clark Company, Inc., is hereby approved:

<u>Subcontractor</u> <u>MBE/FBE</u>	<u>Amount</u> <u>Percentage</u>
Post Painting FBE	\$ 5,800 3.09%
Gateway Electric MBE	\$36,490 19.45%
Cohara Construction	\$15,000 7.99%
D & R Carpet	\$ 5,000 2.66%
Commerce Plumbing	\$17,480 9.31%
R. J. Heating	\$14,700 7.83%

Yeas: Mayor Campbell, Director Chandra, Acting Directors Dumas, McGuirk, Directors Mok, Ricchiuto, Carroll, Acting Director Pettus, Director Ronayne, Acting Director Wilbur, Director Routen, Acting Director Pesti, Directors Fumich and Taylor.

Nays: None.

Absent: Director Williams.

JEFFREY B. MARKS,
Secretary

CIVIL SERVICE NOTICES

General Information

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

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

EXAMINATION RESULTS: Each applicant whether passing or failing will be notified of the results of the examination as soon as the com-

mission has graded the papers. Thereafter, eligible lists will be established which will consist of the names of those candidates who have been successful in all parts of the examination.

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

REYNALDO GALINDO,
President

SCHEDULE OF THE BOARD OF ZONING APPEALS

TUESDAY, JANUARY 18, 2005

9:30 A.M.

Calendar No. 04-320: 12705 Buckeye Road (Ward 6)

Christian Valley Baptist Church, owner, and Deacon Sammie Johnson, appeal to erect a 14' x 30' one-story addition to the east side of an existing church building, situated on an approximate 70' x 123' lot in a Residence Office District on the north side of Buckeye Road at 12705 Buckeye Road; subject to the limitations of Section 337.10 and by reference to Section 337.02 (One-Family District), a church is required to be 15' from any adjoining premises in a Residence District not used for a similar purpose and the proposed church addition abuts a Two-Family District at the rear property line; and Section 359.01 requires the Board of Zoning Appeals approval for an addition to the existing nonconforming use.

Calendar No. 04-321: 13528-30 Miles Avenue (Ward 1)

Marvin Butler, owner, appeals to change from a poultry house to wrecking, storage and auto repair, the use of an existing 48' x 76' one-story, brick building, situated on an approximate 38,400 s/f lot in a Semi-Industry District on the south side of Miles Avenue at 13528-30 Miles Avenue; contrary to Section 345.03, the proposed use is not permitted in the Semi-Industry District but first permitted in a General Industry District and is subject to Sections 345.04(a)(4) that require auto wrecking to be in an area of 50,000 s/f; and open storage with auto wrecking to be enclosed by a minimum 7' high solid, masonry wall or slightly solid, non-transparent, well-maintained substantial fence, as stated in Sections 345.04(a)(3) of the Codified Ordinances.

Calendar No. 04-322: 11415-39 St. Clair Avenue (Ward 9)

City of Cleveland Land Bank, owner, and Dave Ali, prospective purchaser, appeal to construct a parking lot on a 102' x 124' corner lot in a Local Retail Business District on the northwest corner of East 115th Street and St. Clair Avenue at 11415-39 St. Clair Avenue; contrary to Section 352.11, no transition landscaping strip is provided, where an 8' wide strip with 75% year-round

opacity is required to separate the Local Retail District from the abutting One-Family District; and a 6' front yard setback is proposed along St. Clair Avenue, contrary to Section 357.04(a) that requires a 20' setback; and the Yards and Courts Regulations for the rear portion of a corner lot, prohibit a parking space in the required 10' building line setback from the side street line on the rear third of the corner lot in a Local Retail District; and on the rear of a corner lot in any use district where the rear lot line of the corner lot is also the side line of the butt lot in the rear, no parking space shall be constructed nearer to the side street at the rear line of the corner lot than the building line of the butt lot (20'), provided that for each foot the building on the corner lot sets in from the rear lot line, it may be set one foot nearer to the side street line, as defined in Sections 357.05(b)(1)(2) of the Codified Ordinances.

Calendar No. 04-323: 10705 Superior Avenue (Ward 8)

Leona Albritton, owner, and Alfreda Davis, tenant, appeal to establish a Type A Day Care use in an existing 2 1/2-story, two family dwelling house, situated on a 40' x 140' lot in a General Retail Business District on the north side of Superior Avenue at 10705-07 Superior Avenue; the proposed use abuts a Two-Family District and by reference as regulated in a Multi-Family District in Section 337.08(e)(3), a day care and its uses, if located less than 15' from a Residential District, requires the Board of Zoning Appeals approval and also to determine if there are adequate yard spaces and other safeguards to preserve the character of the neighborhood and if the use is appropriately located and designed to meet a community need without adversely affecting the neighborhood, as stated in Section 337.02(f)(3)C of the Codified Ordinances.

Calendar No. 04-324: 4700 Marcie Drive (Ward 15)

Thomas and Carolyn Bennett, owners, appeal to install 24' of 6' high wooden fence, facing east and north, along portions of a corner lot and to erect a 29' x 8' frame deck at the front of an existing one family dwelling, situated on a 125' x 32' irregular shaped corner lot in an A1 One-Family District on the west side of Marcie Drive at 4700 Marcie Drive; contrary to Section 358.04, a 6' high fence is proposed in the front yard where a fence height of not more than 4' is allowed; and as proposed, the fence is within the front yard setback, contrary to Section 357.05(b) that requires the front building line for the premises be determined by the adjoining lot to the north but that it may be set one foot closer to the street for every one foot away from the side lot line; and open porches may not project more than 6' and not aggregate a vertical area in any story more than 20% of the area of the facade, as stated in Section 357.13(b)(4) of the Codified Ordinances.

Calendar No. 04-325: 525 Literary Road (Ward 13)

Sutton Builders, owner, appeal to erect a 20' x 38' three-story frame, two family dwelling and accessory garage on a 25' x 116' lot in a Multi-Family District on the south side of Literary Road at 525 Literary Road; contrary to Section 357.04(A) a front yard depth of 10' is provided and 17.4' is required; and subject to the limitations of Sections 337.23(a) and 357.09(2)A, the accessory garage is an 8' distance instead of 10' from a main building on the adjoining lot and the proposed dwelling is likewise less than a 10' distance; and contrary to Sections 357.09(2)B, an interior side yard of 1.5' is provided and 3' is required and a 1.81' width is provided, where a corner lot shall not have less than a 5' width, and the total width of side yards equals 3.31' instead of the 10' requirement; and contrary to Section 355.05, a lot size of 2,900 s/f is provided where 6,000 s/f is required and the maximum gross floor area of 1,500 s/f is provided where 3,000 s/f is required and a 40' height is provided where the district allows 35' as stated, Section 353.01 of the Codified Ordinances.

Calendar No. 04-326: 619 Literary Road (Ward 13)

Sutton Builders, owner, appeal to erect a 20' x 38' three-story frame, two family dwelling and accessory garage on a 25' x 116' lot in a Multi-Family District on the south side of Literary Road at 619 Literary Road; contrary to Section 357.04(A) a front yard depth of 10' is provided and 17.4' is required; and subject to the limitations of Sections 357.09(2)A and 357.09(2)B, no building shall be erected less than 10' from a main building on an adjoining lot; and an interior side yard of 1.5' is provided where 3' is required and there is a 1.81' side yard width where a corner lot shall not have less than a 5' width, and the total width of side yards equals 3.31' instead of the 10' requirement; and contrary to Section 355.05, a lot size of 2,900 s/f is provided where 6,000 s/f is required and the maximum gross floor area of 1,500 s/f is provided where 3,000 s/f is required and the 40' height provided is contrary to the 35' that is allowed according to Section 353.01 of the Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, JANUARY 3, 2005

At the meeting of the Board of Zoning Appeals on Monday, January 3, 2005, the following appeals were heard by the Board:

Calendar No. 04-307: 5300 Brookpark Road

Sun Properties, owner and Central Catholic Activity Center, tenant, appealed to change from a warehouse to a bingo hall the use of an existing one-story building in split

zoning for Semi-Industry and General Industry Districts; subject to conditions.

Calendar No. 04-308: 5320 Brookpark Road

Sun Properties, owner, and Hilltopper Girls Athletic Association, tenant, appealed to change from a warehouse to a bingo hall the use of an existing one-story building in split zoning for Semi-Industry and General Industry Districts; subject to conditions.

Calendar No. 04-309: 5360 Brookpark Road

Sun Properties, owner, and Our Lady of the Cedars, tenant, appealed to change from a warehouse to a bingo hall the use of a one-story building in split zoning for Semi-Industry and General Industry Districts; subject to conditions.

Calendar No. 04-310: 5370 Brookpark Road

Sun Properties, owner, and Irene and George Smirnov, tenants, appealed to change from a warehouse to a bingo hall the use of a one-story building in split zoning for Semi-Industry and General Industry Districts; subject to conditions.

Calendar No. 04-311: 1440 West 57th Street

Emad Wahba appealed to erect a two-story room addition to a non-conforming three family dwelling in a Two-Family District.

Calendar No. 04-312: 11703 Corlett Avenue

Phillipi Missionary Baptist Church appealed to erect a free-standing 6' x 4' sign and reader board in the front yard of a nonconforming church in a Multi-Family District.

Calendar No. 04-313: 2420 Fairdale Avenue

Leonard Mach appealed to install a three level deck system in the rear yard of a one family dwelling in an A1 One-Family District.

Calendar No. 04-225: 16911 Euclid Avenue

Roderick McClendon appealed to establish a used car sales lot as an additional use with an existing non-conforming car repair garage in a Local Retail Business District.

Calendar No. 04-293: 2444 West 7th Street

Parkhill Associates appealed to erect a two-story dwelling on a 33' x 160' lot in a Two-Family District.

Calendar No. 04-294: 2448 West 7th Street

Parkhill Associates appealed to erect a two-story dwelling on a 36' x 160' lot in a Two-Family District.

Calendar No. 04-295: 2452 West 7th Street

Parkhill Associates appealed to erect a two-story dwelling on a 33' x 153' lot in a Two-Family District.

Calendar No. 04-296: 2454 West 7th Street

Parkhill Associates appealed to erect a two-story dwelling on a 33' x 151' lot in a Two-Family District.

The following appeals were **Denied:**

None.

The following appeals were **Postponed:**

Calendar No. 04-259: 917 East 105th Street postponed to January 18, 2005.

Calendar No. 04-290: Erievue Land Company LLC, 1301 East 9th Street postponed to January 18, 2005.

In Executive Session on January 3, 2005, the following appeals heard by the Board on December 20, 2004 were adopted and approved.

The following appeals were **Approved:**

Calendar No. 04-304: 1240 West 9th Street

West Ninth Street Properties LLC appealed to erect an eleven-story condominium building in a D5 and B4 Limited Retail Business District.

Calendar No. 04-305: 3467 West 41st Street

Neil Mohney appealed to construct a 20' x 20' accessory garage in a General Retail Business District.

Calendar No. 04-306: 3458 East 140th Street

Katie Tufts appealed to erect a 22' x 22' accessory garage on an existing nonconforming foundation in a Multi-Family District.

Calendar No. 04-263: 7524 Spafford Avenue

Gwendolyn Gartin appealed to erect a 5' x 8'-6" landing and a 3' x 4' manufactured wheelchair lift onto an existing front porch of a one family dwelling in a Two-Family District.

The following appeal was **Denied:**

Calendar No. 04-302: 3816 East 153rd Street

Roosevelt Taylor appealed to convert a single family dwelling to a two family dwelling in an A1 One-Family District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

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 ven-

ture 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, JANUARY 14, 2005

Paint and Paint Supplies, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 2195-04, passed by the Council of the City of Cleveland, December 15, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JANUARY 7, 2005 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 26, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

December 29, 2004 and January 5, 2005

WEDNESDAY, JANUARY 19, 2005

Labor and Materials Necessary to Maintain and Repair Elevators, Escalators and Moving Walkways, for the Various Divisions of the Department of Port Control, as authorized by Ordinance No. 1478-04, passed by the Council of the City of Cleveland, October 18, 2004. THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JANUARY 7, 2005 AT 10:00

A.M., CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, MAIN CONFERENCE ROOM, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135.

December 29, 2004 and January 5, 2005

WEDNESDAY, JANUARY 26, 2005

Photo Lab Supplies, for the Division of Police, Department of Public Safety, as authorized by Ordinance No. 783-04, passed by the Council of the City of Cleveland, July 14, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, JANUARY 19, 2005 AT 10:00 A.M., DIVISION OF POLICE, 1300 ONTARIO, 7TH FLOOR, CLEVELAND, OHIO 44113.

December 29, 2004 and January 5, 2005

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

NO MEETINGS

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

Board of Control — Cleveland Public Power Division

Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to East Jordan Iron Works, Inc. — Dept. of Public Utilities (BOC Res. 730-04)..... 4
Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Co. — Dept. of Public Utilities (BOC Res. 731-04) 4
Manholes, castings, pullboxes and grating — contract per Ord. 1630-92 to Norwalk Concrete Industries — Dept. of Public Utilities (BOC Res. 732-04) 4

Board of Control — Finance Department

Corporate sponsorship marketing program — contract per Ord. 2136-03 to Superlative Group, Inc. (BOC Res. 729-04) 3

Board of Control — Parks, Recreation and Properties Department

Photo lab relocation — contract per Ord. 837-02 to R.W. Clark Company, Inc. (BOC Res. 738-04) 5
Recreation center improvements — contract per Ord. 1264-03, 2151-03
to Envirocom Construction Company, Inc. — rejected (BOC Res. 736-04)..... 5
Recreation center improvements — contract per Ord. 1264-03, 2151-03
to Envirocom Construction Company, Inc. (BOC Res. 737-04) 5

Board of Control — Police Division

Taser X26 and accessories — contract per C.O. Sec. 135.065 to Vance Outdoors, Inc. — Dept. of Public Safety (BOC Res. 735-04) 5

Board of Control — Professional Service Contracts

Corporate sponsorship marketing program — contract per Ord. 2136-03 to Superlative Group, Inc. — Dept. of Finance (BOC Res. 729-04) 3
Public Safety building improvements (6th floor Justice Center expansion) — modify Contract #61698 per BOC Res. 279-03, as modified by BOC Res. 256-04 — Dept. of Public Service (BOC Res. 734-04) 4

Board of Control — Public Improvement Contracts

Photo lab relocation — contract per Ord. 837-02 to R.W. Clark Company, Inc. — Dept. of Parks, Recreation and Properties (BOC Res. 738-04) 5
Recreation center improvements — contract per Ord. 1264-03, 2151-03 to Envirocom Construction Company, Inc. — Dept. of Parks, Recreation and Properties (BOC Res. 737-04) 5
West 122nd Street sewer replacement project — contract per Ord. 839-04 to Fabrizi Trucking & Paving Co., Inc. — Division of Water Pollution Control, Dept. of Public Utilities (BOC Res. 733-04) 4

Board of Control — Public Safety Department

Building improvements (6th floor Justice Center expansion) — modify Contract #61698 per BOC Res. 279-03, as modified by BOC Res. 256-04 — Dept. of Public Service (BOC Res. 734-04) 4
Taser X26 and accessories — contract per C.O. Sec. 135.065 to Vance Outdoors, Inc. - Division of Police (BOC Res. 735-04) 5

Board of Control — Public Service Department

Public Safety building improvements (6th floor Justice Center expansion) — modify Contract #61698 per BOC Res. 279-03, as modified by BOC Res. 256-04 (BOC Res. 734-04) 4

Board of Control — Public Utilities Department

Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to East Jordan Iron Works, Inc. — Divisions of Water, Water Pollution Control and Cleveland Public Power (BOC Res. 730-04) 4
Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Co. — Divisions of Water, Water Pollution Control and Cleveland Public Power (BOC Res. 731-04) 4
Manholes, castings, pullboxes and grating — contract per Ord. 1630-92 to Norwalk Concrete Industries — Divisions of Water, Water Pollution Control and Cleveland Public Power (BOC Res. 732-04) 4
West 122nd Street sewer replacement project — contract per Ord. 839-04 to Fabrizi Trucking & Paving Co., Inc. — Division of Water Pollution Control (BOC Res. 733-04) 4

Board of Control — Requirement Contracts

Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to East Jordan Iron Works, Inc. — Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 730-04) 4
Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Co. — Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 731-04) 4
Manholes, castings, pullboxes and grating — contract per Ord. 1630-92 to Norwalk Concrete Industries — Divisions of Water, Water Pollution Control and Cleveland Public Power, Dept. of Public Utilities (BOC Res. 732-04) 4
Taser X26 and accessories — contract per C.O. Sec. 135.065 to Vance Outdoors, Inc. — Division of Police, Dept. of Public Safety (BOC Res. 735-04) 5

Board of Control — Water Division

Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to East Jordan Iron Works, Inc. — Dept. of Public Utilities (BOC Res. 730-04)..... 4

Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Co. — Dept. of Public Utilities (BOC Res. 731-04) 4

Manholes, castings, pullboxes and grating — contract per Ord. 1630-92 to Norwalk Concrete Industries — Dept. of Public Utilities (BOC Res. 732-04) 4

Board of Control — Water Pollution Control Division

Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to East Jordan Iron Works, Inc. — Dept. of Public Utilities (BOC Res. 730-04) 4

Manholes, castings, pullboxes and grating — contract per C.O. Sec. 129.26 to Consolidated Electrical Distributors, Inc., d.b.a. Leader Electric Supply Co. — Dept. of Public Utilities (BOC Res. 731-04) 4

Manholes, castings, pullboxes and grating — contract per Ord. 1630-92 to Norwalk Concrete Industries — Dept. of Public Utilities (BOC Res. 732-04) 4

West 122nd Street sewer replacement project — contract per Ord. 839-04 to Fabrizi Trucking & Paving Co., Inc. — Dept. of Public Utilities (BOC Res. 733-04) 4

Board of Zoning Appeals — Report

Brookpark Road, 5300, (Ward 16) — Sun Properties, owner, c/o Dale Serne, agent and Central Catholic Activity Center, tenant — appeal heard on 1/3/05 (Cal. 04-307)..... 7

Brookpark Road, 5320, (Ward 16) — Sun Properties, owner, c/o Dale Serne, agent and Hilltopper Girls Athletic Association, tenant — appeal heard on 1/3/05 (Cal. 04-308)..... 7

Brookpark Road, 5360, (Ward 16) — Sun Properties, owner, c/o Dale Serne, agent and Our Lady of the Cedars, tenant — appeal heard on 1/3/05 (Cal. 04-309) 7

Brookpark Road, 5370, (Ward 16) — Sun Properties, owner, c/o Dale Serne, agent and Irene and George Smirnov, tenant — appeal heard on 1/3/05 (Cal. 04-310)..... 7

Corlett Avenue, 11703, (Ward 2) — Phillipi Missionary Baptist Church, c/o Rev. G.E. Martin, owner — appeal heard on 1/3/05 (Cal. 04-312) 7

East 105th Street, 917, (Ward 8) — James Lee Richardson, owner — appeal postponed to 1/18/05 on 1/3/05 (Cal. 04-259)..... 7

East 140th Street, 3458, (Ward 3) — Katie Tufts, owner — appeal granted and adopted on 1/3/05 (Cal. 04-306) 7

East 153rd Street, 3816, (Ward 3) — Roosevelt Taylor, owner — appeal denied and adopted on 1/3/05 (Cal. 04-302)..... 7

East 9th Street, 1301, (Ward 13) — Erieview Land Company, LLC a.k.a., Minshall Development Company, owner, c/o Aaron Rupert, agent — appeal postponed to 1/18/05 on 1/3/05 (Cal. 04-290)..... 7

Euclid Avenue, 16911, (Ward 10) — Roderick McClendon, owner — appeal heard on 1/3/05 (Cal. 04-225)..... 7

Fairdale Avenue, 2420, (Ward 16) — Leonard Mach, owner — appeal heard on 1/3/05 (Cal. 04-313)..... 7

Spafford Avenue, 7524, (Ward 12) — Gwendolyn Gartin, owner — appeal granted and adopted on 1/3/05 (Cal. 04-263)..... 7

West 41st Street, 3467, (Ward 14) — Neil Mohny, owner — appeal granted and adopted on 1/3/05 (Cal. 04-305) 7

West 57th Street, 1440, (Ward 17) — Emad Wahba, owner — appeal heard on 1/3/05 (Cal. 04-311)..... 7

West 7th Street, 2444, (Ward 13) — Parkhill Associates c/o Brian McCreary, owner — appeal heard on 1/3/05 (Cal. 04-293) 7

West 7th Street, 2448, (Ward 13) — Parkhill Associates c/o Brian McCreary, owner — appeal heard on 1/3/05 (Cal. 04-294) 7

West 7th Street, 2452, (Ward 13) — Parkhill Associates c/o Brian McCreary, owner — appeal heard on 1/3/05 (Cal. 04-295) 7

West 7th Street, 2454, (Ward 13) — Parkhill Associates c/o Brian McCreary, owner — appeal heard on 1/3/05 (Cal. 04-296) 7

West 9th Street, 1240, (Ward 13) — West Ninth Street Properties LLC c/o Mike Marous, agent — appeal granted and adopted on 1/3/05 (Cal. 04-304) 7

Board of Zoning Appeals — Schedule

Buckeye Road, 12705, (Ward 6) — Christian Valley Baptist Church, owner, c/o Deacon Sammie Johnson — appeal to be heard on 1/18/05 (Cal. 04-320)..... 6

Literary Road, 525, (Ward 13) — Sutton Builders, owner — appeal to be heard on 1/18/05 (Cal. 04-325)..... 7

Literary Road, 619, (Ward 13) — Sutton Builders, owner — appeal to be heard on 1/18/05 (Cal. 04-326)..... 7

Marcie Drive, 4700, (Ward 15) — Thomas and Carolyn Bennett, owners — appeal to be heard on 1/18/05 (Cal. 04-324) 6

Miles Avenue, 13528-30, (Ward 1) — Marvin Butler, owner — appeal to be heard on 1/18/05 (Cal. 04-321)..... 6

St. Clair Avenue, 11415-39, (Ward 9) — City of Cleveland Land Bank, owner, and Dave Ali, prospective purchaser — appeal to be heard on 1/18/05 (Cal. 04-322)..... 6

Superior Avenue, 10705, (Ward 8) — Leona Albritton, owner, and Alfreda Davis, tenant — appeal to be heard on 1/18/05 (Cal. 04-323) 6

City of Cleveland Bids

Elevators, escalators and moving walkways, labor and materials to maintain and repair — Department of Port Control — per Ord. 1478-04 — bid due January 19, 2005 (advertised 12/29/2004 and 1/5/2005) 8

Paint and paint supplies — Department of Finance — per Ord. 2195-04 — bid due January 14, 2005 (advertised 12/29/2004 and 1/5/2005) 8

Photo lab supplies — Department of Public Safety — Division of Police — per Ord. 783-04 — bid due January 26, 2005 (advertised 12/29/2004 and 1/5/2005) 8

