

# The City Record

Official Publication of the Council of the City of Cleveland



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May the Second, Two Thousand and Twelve

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**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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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Martin J. Sweeney

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

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

### MAYOR – Frank G. Jackson

Ken Silliman, Secretary to the Mayor, Chief of Staff  
Darnell Brown, Executive Assistant to the Mayor, Chief Operating Officer  
Valarie J. McCall, Executive Assistant to the Mayor, Chief of Government Affairs  
Chris Warren, Executive Assistant to the Mayor, Chief of Regional Development  
Monyka S. Price, Executive Assistant to the Mayor, Chief of Education  
Maureen Harper, Executive Assistant to the Mayor, Chief of Communications  
Andrea V. Taylor, Executive Assistant to the Mayor, Press Secretary  
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, Interim 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, Interim 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 Zoghaib, Commissioner

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

#### DIVISIONS:

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

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

#### OFFICES:

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

#### DIVISIONS:

Motor Vehicle Maintenance – Daniel A. Novak, Commissioner  
Park Maintenance and Properties – Richard L. Silva, Commissioner  
Parking Facilities – 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, MAY 2, 2012

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## CITY COUNCIL

MONDAY, APRIL 30, 2012

The City Record  
Published weekly by the City Clerk,  
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City of Cleveland  
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[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, Reed, Zone.

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY — Alternating

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

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

#### WEDNESDAY — Alternating

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio  
Monday, April 30, 2012

The meeting of the Council was called to order, the President Pro Tempore, Phyllis E. Cleveland, in the Chair.

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

Also present were Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Valarie J. McCall, Chief of Government Affairs, Chris Warren, Chief of Regional Development, Monyka S. Price, Chief of Education, Maureen R. Harper, Chief of Communications, Jenita McGowan, Chief of Sustainability, Natoya J. Walker Minor, Chief of Public Affairs, and Interim Law Director Langhenry, Directors Dumas, Withers, Smith, Wasik, Butler, Cox, Rybka, Southerington, Griffin, Brown, Fumich and Ambrose.

Pursuant to Ordinance No. 2926-76 prayer was offered by Pastor Anthony Singleton of Emmanuel Christian Church, 8201 Superior Avenue located in Ward 7. Pledge of Allegiance.

#### MOTION

On the motion of Council Member Polensek, the reading of the minutes of the last meeting was dispensed with and the journal approved. Seconded by Council Member Pruitt.

#### COMMUNICATIONS

##### File No. 630-12.

From Levin Group, Inc. — Magnolia on Detroit, 8016 Detroit Avenue (Ward 15) — notification letter as general partner of residential rental development project and utilizing multifamily funding programs of the Ohio Housing Finance Agency (OHIA) Received.

##### File No. 631-12.

From Morning Star Tower, Ltd. — Kingsbury Tower and Townhomes, 10600 St. Clair Avenue (Ward 9) — Famicos Foundation and Morning Star Tower Investment, LLC notification letter as general partner and managing general partner of residential rental development project and utilizing multifamily funding programs of the Ohio Housing Finance Agency (OHIA) Received.

##### File No. 632-12.

From New Community Place LP — New Community Place, 7700 Woodland Avenue (Ward 5) — Burten, Bell, Carr Development, Inc. (BBC), PIRHL Developers, LLC (PIRHL), and The Orlean Company (Orlean) — notification letter developing a residential rental development project and utilizing multifamily funding programs of the Ohio Housing Finance Agency (OHIA) Received.

#### FROM OHIO DIVISION OF LIQUOR CONTROL

##### File No. 633-12.

Re: 5407466 — D5, D6 Transfer of Ownership Application, Mac's Sports Grill, LLC, d.b.a. Macs Sports Grill, 17426 Harvard Avenue. (Ward 1) Received.

##### File No. 634-12.

Re: 5196623 — D2, D2X, D3, D3A, D6 — Transfer of Ownership Application — Liffey Enterprises Inc. d.b.a. Black Dog Kitchen and Bar, 850 Euclid Avenue. (Ward 3) Received.

##### File No. 635-12.

Re: 4972485 — C2, C2X Transfer of Ownership Application — Laith Rashid, Inc. d.b.a. Grandpa's Kitchen, 1905 East 55th Street. (Ward 7) Received.

##### File No. 636-12.

Re: 7677636 — D1, D2 Transfer of Ownership and Location Application — Saigon Grille, LLC, d.b.a. Saigon Grille, 3142 Superior Avenue. (Ward 8) Received.

##### File No. 637-12.

Re: 2455386 — C1, C2 Transfer of Ownership Application — 18526 St. Clair, Inc., 18506 St. Clair Avenue. (Ward 11) Received.

**File No. 638-12.**

Re: 0212159 — C1 Transfer of Ownership Application — Anette, Inc., d.b.a. Economy Market, 1st floor and basement front, 5404 Storer Avenue. (Ward 15) Received.

**STATEMENT OF WORK  
ACCEPTANCE****File No. 639-12.**

From Director of Public Utilities — Division of Water Pollution Control — Contract No. PI2011000000049 with United Survey, Inc. for West 14th Street Sewer Relining Project — Date of Acceptance: February 14, 2012. Received.

**File No. 640-12.**

From Director of Public Utilities — Division of Water — Contract No. CT 2002 PI2010000000050 with Terrace Construction for Water Main Replacements on Chalfant Road, Avalon Road, Lattimore Road and Helen Road (City of Shaker Heights). Date of Acceptance: April 11, 2012. Received.

**File No. 641-12.**

From Director of Public Utilities — Division of Water Pollution Control — Contract No. PI2011000000053 with Monte Construction Company, Inc. for Manufacturing Road Sewer Replacement Project — Date of Acceptance: November 25, 2011. Received.

**CONDOLENCE RESOLUTIONS**

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

**Res. No. 642-12**—Willie Daniel Lewis.

**Res. No. 643-12**—Elder David A. Hill.

**CONGRATULATIONS RESOLUTIONS**

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

**Res. No. 644-12**—Charles F. Hawk.  
**Res. No. 645-12**—Tommy & Eva LaVerne Daniels.

**Res. No. 646-12**—Rev. Dr. R.E. Hedgeman.

**Res. No. 647-12**—Janie Mae Hayes.

**RECOGNITION RESOLUTIONS**

The rules were suspended and the following Resolution was adopted without objection:

**Res. No. 648-12**—Asian American & Pacific Islander Heritage Month.

**APPRECIATION RESOLUTIONS**

The rules were suspended and the following Resolution was adopted without objection:

**Res. No. 649-12**—Roshalle M. Woods.

**FIRST READING EMERGENCY  
ORDINANCES REFERRED****Ord. No. 605-12.**

**By Council Members Keane and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Port Control to enter into one or more leases by way of concession with one or more entities for the operation of a valet parking service at Cleveland Hopkins International Airport, for the Depart-**

**ment of Port Control, for a period of three years, with two one-year options to renew, the first of which is exercisable through additional legislative authority.**

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

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

**Section 1.** That notwithstanding and as an exception to any section of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to enter into one or more leases by way of concession with one or more entities, on the basis of competitive proposals, for the operation of a valet parking service at Cleveland Hopkins International Airport for a period of three years with two one-year options to renew, the first of which is exercisable through additional legislative authority.

The selection of the entities for the services shall be made by the Board of Control on the nomination of the Director of Port Control from a list of entities available for employment as may be determined after a full and complete canvass by the Director of Port Control for the purpose of compiling a list. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Port Control, and certified by the Director of Finance.

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

Referred to Directors of Port Control, Finance, Law; Committees on Aviation and Transportation, Finance.

**Ord. No. 606-12.**

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

**An emergency ordinance authorizing the Director of Capital Projects to employ by contract or contracts one or more professional consultants or one or more firms of professional consultants necessary to perform geotechnical and environmental engineering services, environmental material and testing, and other consulting services; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes such easements as are necessary to perform the geotechnical and engineering services.**

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, if the Council and the City sells general obligation bonds which include this purpose, the Director of Capital Projects is authorized to employ by contract or contracts one or more professional consultants or one or more firms of professional consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to perform geotechnical and environmental engineering services, environmental and material testing, and other consulting services.

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

**Section 2.** That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire for right-of-way purposes such easements as are necessary to perform the geotechnical and engineering services. The consideration to be paid for the easements shall not exceed fair market value.

**Section 3.** That the Director of Capital Projects is authorized to execute on behalf of the City all documents necessary to acquire the easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the easements.

**Section 4.** That the cost of the services authorized shall be paid from the fund or funds to which are credited the proceeds of the sale of general obligation bonds for 2012, if authorized by this Council and sold by the City, issued for the purpose which includes the above improvement.

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

Referred to Directors of Capital Projects, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 607-12.**

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

**An emergency ordinance authorizing the Mayor to accept a grant from the Ohio Public Works Commission for the rehabilitation of Cedar Avenue, Phase III, from East 55th Street to East 89th Street; authorizing the Director of Capital Projects to hire one or more consultants for design, engineering and construction services; determining the method of making the public improvement; authorizing the Director to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director to accept cash contributions from public and private entities, NEORSD, and GCRTA for costs associated with the improvement and to enter into agreements; authorizing the Director to enter into agreements with private utility companies to pay charges for the installation of underground lines; authorizing the Director to enter into a Local Project Administration agreement with the Ohio Department of Transportation; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes real property necessary to make the public improvement.**

Whereas, this ordinance constitutes an emergency measure provid-

ing 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 Mayor is authorized to accept a grant in the approximate amount of \$4,008,550, from the Ohio Public Works Commission, acting by and through its Director to finance the public improvement of rehabilitating Cedar Avenue, Phase III, from East 55th Street to East 89th Street (the "Improvement"); that the Mayor is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

**Section 2.** That, provided the City sells the 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, the City of Cleveland is obligated to provide cash matching funds in the amount of the local share.

**Section 3.** That, provided the City sells the 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional design, engineering and construction services necessary for the Improvement.

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

**Section 4.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement as described in this ordinance, for the Office of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

**Section 5.** That, provided the City sells the 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 6.** That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, NEORS, and GCRTA for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement. That the Director of Capital Projects is

authorized to enter into agreements with the entities for this purpose.

**Section 7.** That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

**Section 8.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire for right-of-way purposes real property necessary to make the Improvement. The consideration to be paid for the property shall not exceed fair market value to be determined by the Board of Control.

**Section 9.** That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire property and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property.

**Section 10.** That the Director of Capital Projects is authorized to enter into one or more Local Project Administration agreements with the Ohio Department of Transportation to fund and construct the Improvement.

**Section 11.** That the cost of the contracts, payments, property acquisition, cash match, and other expenditures authorized shall be paid from the fund or funds to which are credited any grant proceeds, the cash match, the fund or funds to which are credited any proceeds from the sale of 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, if the City sells such bonds, cash contributions accepted and appropriated under this ordinance, Fund No. 52 SF 001, proceeds from the Local Project Administration agreement with the State of Ohio, and from any other funds approved by the Director of Finance for this purpose.

**Section 12.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 608-12.**  
**By Council Members Brancatelli, Miller, Cleveland and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Mayor to accept a grant from the Ohio Public Works Commission for the reconstruction of Fleet Avenue from I-77 to Broadway Avenue; authorizing the Director of Capital Projects to apply for and accept grants from the Northeast Ohio Area-wide Coordinating Agency and the Federal Highway Administration for Federal Transportation Enhancement Funds; authorizing the Director of Capital Projects to hire one or more consultants for design, engineering and construction services; determining the method of making the public improvement; authorizing the Director to enter into one or more public improvement contracts for the making of the improvement; authorizing the Director to accept cash contributions from public and private entities, NEORS, and GCRTA for costs associated with the improvement and to**

**enter into agreements; authorizing the Director to enter into agreements with private utility companies to pay charges for the installation of underground lines; authorizing the Director to enter into a Local Project Administration agreement with the Ohio Department of Transportation; and authorizing the Commissioner of Purchases and Supplies to acquire for right-of-way purposes real property necessary to make the public improvement.**

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

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

**Section 1.** That the Mayor is authorized to accept a grant in the approximate amount of \$4,200,000, from the Ohio Public Works Commission, acting by and through its Director to finance the public improvement of reconstructing Fleet Avenue from I-77 to Broadway Avenue (the "Improvement"); that the Mayor is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in this ordinance.

**Section 2.** That, provided the City sells the 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, the City of Cleveland is obligated to provide cash matching funds in the amount of the local share.

**Section 3.** That, provided the City sells the 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, the Director of Capital Projects is authorized to employ by contract or contracts one or more consultants or one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional design, engineering and construction services necessary for the Improvement.

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

**Section 4.** That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement as described in this ordinance, for the Office of Capital Projects, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement.

**Section 5.** That, provided the City sells the 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder or bidders after competitive bidding on a unit basis for the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may

be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

**Section 6.** That the Director of Capital Projects is authorized to accept cash contributions from public or private entities, NEORS, and GCRTA for infrastructure restoration costs associated with relocating, rehabilitating or reconstructing utility infrastructure for the Improvement and costs associated with implementing green infrastructure features to address combined sewer overflows. That the Director of Capital Projects is authorized to enter into agreements with the entities for this purpose.

**Section 7.** That the Director of Capital Projects is authorized to enter into one or more agreements with private utility companies to pay charges for the installation of underground lines in connection with the Improvement.

**Section 8.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire for right-of-way purposes real property necessary to make the Improvement. The consideration to be paid for the property shall not exceed fair market value to be determined by the Board of Control.

**Section 9.** That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire property and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property.

**Section 10.** That the Director of Capital Projects is authorized to enter into one or more Local Project Administration agreements with the Ohio Department of Transportation to fund and construct the Improvement.

**Section 11.** That the Director of Capital Projects is authorized to apply for and accept Federal Transportation Enhancement grant funds from Federal Highway Administration, to construct the Improvement. The Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and

that the funds are appropriated for the purposes described in this ordinance.

**Section 12.** That the Director of Capital Projects is authorized to apply to NOACA to pursue economic assistance, on behalf of the City of Cleveland, for the Improvement.

**Section 13.** That the Director of Capital Projects is authorized to accept the funds from NOACA for the Improvement, and those funds are appropriated for the purposes stated in this ordinance.

**Section 14.** That the cost of the contracts, payments, property acquisition, cash match, and other expenditures authorized shall be paid from the fund or funds to which are credited any grant proceeds authorized under this ordinance, the fund or funds to which are credited any funds received under the Local Project Administration agreement, the fund or funds to which are credited any funds secured by NOACA, the fund or funds to which are credited any proceeds from the sale of 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, if the City sells such bonds, cash contributions accepted and appropriated under this ordinance, Fund No. 52 SF 001, and from any other funds approved by the Director of Finance for this purpose.

**Section 15.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

Referred to Directors of Capital Projects, City Planning Commission, Finance, Law; Committees on Public Service, City Planning, Finance.

**Ord. No. 609-12.  
By Council Members Miller, Brady and Sweeney (by departmental request).**

**An emergency ordinance to amend Section 4 of Ordinance No. 912-07, passed June 11, 2007, as amended by Ordinance Nos. 637-08, passed June 9,**

**2008, 455-09, passed June 8, 2009, and 678-11, passed June 6, 2011, relating to the public improvement of removing and replacing the Longmeade Avenue, St. John Avenue, and Guardian culverts, and repairing, removing, or replacing various bridges under the 2006 Bridge Plan.**

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 4 of Ordinance No. 912-07, passed June 11, 2007, as amended by Ordinance No. 637-08, passed June 9, 2008, Ordinance No. 455-09, passed June 8, 2009, and Ordinance No. 678-11, passed June 6, 2011, is amended to read as follows:

Section 4. That the cost of the contracts authorized shall be paid from Fund Nos. 20 SF 364, 20 SF 373, 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, **20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, from the fund or funds to which are credited the proceeds of the sale of 2012 General Obligation Bonds authorized by Ordinance No. 274-12, passed April 2, 2012, if the City sells such bonds,** and any other funds approved by the Director of Finance, Request Nos. 173280 and 175533.

**Section 2.** That existing Section 4 of Ordinance No. 912-07, passed June 11, 2007, as amended by Ordinance No. 637-08, passed June 9, 2008, Ordinance No. 455-09, passed June 8, 2009, and Ordinance No. 678-11, passed June 6, 2011, 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.

Referred to Directors of Capital Projects, Finance, Law; Committees on Public Service, Finance.

**Ord. No. 610-12.**

**By Council Members Pruitt and Sweeney (by departmental request).**

**An emergency ordinance to amend Section 56 of Ordinance No. 1689-11, passed November 28, 2011, relating to compensation for various classifications.**

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

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

**Section 1.** That Section 56 of Ordinance No. 1689-11, passed November 28, 2011, is amended to read as follows:

Section 56. Division of Police; Various Positions

The annual salaries of persons appointed to the following classifications within the Division of Police shall be fixed by the Director of Public Safety within the limits established in the following schedules:

	<b>Minimum</b>	<b>Maximum</b>
<b>1. Police Stress Consultant</b> .....	<b>\$60,000.00</b>	<b>\$105,000.00</b>
<b>2. Occupational Medical Director</b> .....	43,107.75	82,687.47
<b>3. Superintendent of Safety Buildings</b> .....	30,086.70	72,474.41

**Section 2.** That existing Section 56 of Ordinance No. 1689-11, passed November 28, 2011, is amended to read as follows:

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

Referred to Directors of Human Resources, Finance, Law; Committees on Employment, Affirmative Action, and Training, Finance.

**Ord. No. 611-12.**  
**By Council Member Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Community Relations to apply for and accept a grant from Cuyahoga County Juvenile Court to conduct the 2012 Community Diversion Program.**

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

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

**Section 1.** That the Director of Community Relations is authorized to apply for and accept a grant in the approximate amount of \$14,400, and any other funds that may become available during the grant term from Cuyahoga County Juvenile Court to conduct the 2012 Community Diversion Program; 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 summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 611-12-A, is made a part of this ordinance as if fully rewritten, is approved in all respects, and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Community Relations shall have the authority to extend the term of the grant during the grant term.

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

Referred to Directors of Community Relations, Finance, Law; Committee on Finance.

**Ord. No. 612-12.**  
**By Council Members Brancatelli and Sweeney (by departmental request).**

**An emergency ordinance appropriating Community Development Block Grant funds for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, fair housing, and administrative costs to implement the programs.**

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 CDBG funds in the amount of \$299,000 are appropriated for anti-predatory lending and foreclosure prevention assistance, financial literacy programs, fair housing, and administrative costs to implement the programs.

**Section 2.** That the Director of Community Development is authorized to enter into one or more contracts with various organizations to provide counseling, training, marketing, program evaluation and other services

required for anti-predatory lending and foreclosure prevention assistance, financial literacy, fair housing activities and to expend funds for administrative costs to implement the programs.

**Section 3.** That the aggregate cost of the contracts and administrative costs shall not exceed \$299,000 and shall be paid from Fund 14 SF 038, Request No. RQS 8006 RL 2012-0062.

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

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

**Ord. No. 613-12.**  
**By Council Members K. Johnson, Brancatelli and Sweeney (by departmental request).**

**An emergency ordinance appropriating Community Development Block Grant funds for expenses for the Project Clean Program; and authorizing the Director of Public Works to enter into one or more contracts with various agencies to implement the Program.**

Whereas, the City of Cleveland has received a Community Development Block Grant, Year 38, from the United States Government; 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 Community Development Block Grant funds in the amount of Nine Hundred Thousand Dollars (\$900,000) from Fund Nos. 14 SF 038, RQS 8006 RL 2012-0058, are appropriated for costs of the Department of Public Works incurred from Fund 19 following the appropriate federal regulations and associated with conducting the Project Clean Program in conjunction with the Community Development Block Grant Program.

**Section 2.** That the Director of Public Works is authorized to enter into one or more contracts with various non-profit and for-profit agencies to provide services necessary to implement the Project Clean Program.

**Section 3.** That prior to expending funds under this ordinance, the Director of Public Works and the Director of Community Development shall enter into a memorandum of understanding for this program.

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

Referred to Directors of Community Development, Public Works, Finance, Law; Committees on Community and Economic Development, Public Parks, Properties, and Recreation, Finance.

**Ord. No. 621-12.**  
**By Council Members Brancatelli and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into one or more contracts with Cleveland Action to Support Housing, Inc. (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs.**

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

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

**Section 1.** That the Director of Community Development is authorized to enter into one or more contracts with Cleveland Action to Support Housing, Inc. (CASH) for administrative costs to implement housing rehabilitation, new housing construction and commercial redevelopment loan programs in the City of Cleveland.

**Section 2.** That the aggregate cost of the contracts shall not exceed \$84,000.00, and shall be paid from Fund No. 14 SF 038, RQS 8006, RL 2012-0060.

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

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

**Ord. No. 622-12.**  
**By Council Members Brancatelli and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Community Development to enter into contracts for Commercial Revitalization and rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and to enter into agreements for eligible costs to community development corporations for implementation of the Storefront Renovation and Commercial Revitalization Programs.**

Whereas, the City has created a Storefront Renovation Program to encourage exterior rehabilitation of buildings in targeted areas in the City of Cleveland; and

Whereas, the City is creating a Commercial Revitalization Program to further encourage rehabilitation, increase the availability of goods and services for low and moderate income residents, and create employment in the City; and

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

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

**Section 1.** That the Director of Community Development is authorized to enter into rebate, grant, and/or loan agreements with Storefront Renovation Program applicants, and contracts for eligible

administrative costs, consulting, or professional services, and expenses to community development corporations for implementation of the Commercial Revitalization and Storefront Renovation Programs. The Director is also authorized to provide compensating balance deposits to a designated lender(s) via Cleveland Action to Support Housing (CASH) or other designee in return for below market interest rate commercial loans to be used in the Storefront Renovation Program.

**Section 2.** That the Director of Community Development is authorized to enter into contracts with Commercial Revitalization Program applicants.

**Section 3.** That the Director of Community Development is authorized to accept program income monies in repayment from community development corporations under the Storefront Renovation Program and to utilize this program income, other Community Development Block Grant program income and Kiosk program income in a revolving fund for additional Commercial Revitalization and Storefront Renovation Program expenditures, and such program income is appropriated for that purpose.

**Section 4.** That the City is authorized to accept promissory notes, naming the City of Cleveland as payee, and mortgages, naming the City of Cleveland as mortgagee, and any other security instrument executed to evidence and secure repayment of loans, costs, and fees under the City's Storefront Renovation Program and Commercial Revitalization Program.

**Section 5.** That the Director of Community Development is authorized to enter into forbearance agreements with any recipient of a validly existing loan, administered by the City for Commercial Revitalization or Storefront Renovation.

**Section 6.** That the Director of Community Development is authorized to collect from persons or entities with whom the City is entering into loan agreements or forbearance agreements an amount equal to any amount spent for services related to such agreements, such as title searches, credit bureau reports and document filing fees. Such fees shall be deposited into Fund No. 14.

**Section 7.** That the total of the contracts and rebate agreements authorized may not exceed \$37,000 and will be paid from Fund No. 14 SF 038, Request No. RQS 8006 RL 2012-0065.

**Section 8.** 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 the after the earliest period allowed by law.

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

**Ord. No. 623-12.**  
By Council Members Brancatelli and Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Community Development to enter into contracts with one or more non-profit agencies to operate a community garden program.

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

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

**Section 1.** That the Director of Community Development is authorized to enter into contracts with one or more non-profit agencies to operate a community gardening program.

**Section 2.** That the cost of the contract or contracts shall not exceed \$141,000.00, and shall be paid from Fund Nos. 14 SF 038, Request No. RQS 8006 RL 2012-0063.

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

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

**Ord. No. 624-12.**  
By Council Member Cimperman.  
An emergency ordinance to amend Section 431.33 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, relating to "Don't Block the Box" intersections.

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 431.33 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, is amended as follows:

**Section 431.33 Obstructing Intersection, Crosswalk or Grade Crossing, Penalty**

(a) No driver shall enter an intersection or marked crosswalk or drive onto any railroad grade crossing unless there is sufficient space on the other side of the intersection, crosswalk or grade crossing to accommodate the vehicle he or she is operating without obstructing the passage of other vehicles, pedestrians, or railroad trains, notwithstanding any traffic control signal indication to proceed.

(b) At all intersections determined by the Police Chief and Commissioner of Traffic Engineering in consultation with the Council Member in whose ward the intersection is located and designated as "Don't Block the Box" intersections, the Commissioner of Traffic Engineering and the Commissioner of Streets shall mark in white paint the area of the intersection into which a vehicle should not enter unless there is sufficient space beyond such area to accommodate the vehicle without obstructing other vehicles, pedestrians or railroad trains. The Commissioner of Traffic Engineering and the Commissioner of Streets shall also erect "Don't Block the Box" signs at each such intersection, which signs shall set forth the penalty for violation of this section.

(c) Whoever violates this section shall be guilty of a 4th degree misdemeanor for the first offense and a 3rd degree misdemeanor for each subsequent offense within one year of the first offense.

**Section 2.** That existing Section 431.33 of the Codified Ordinances of Cleveland, Ohio 1976, as amended by Ordinance No. 1684-76, passed June 29, 1976, 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.

Referred to Directors of Public Safety, Public Works, Finance, Law; Committees on Public Safety, Public Parks, Properties, and Recreation, Legislation, Finance.

**Ord. No. 625-12.**  
By Council Members Reed, J. Johnson, Zone and Brady.

An emergency ordinance to amend Section 433.09 of the Codified Ordinances of Cleveland, Ohio, 1976, enacted by Ordinance No. 105-09, passed April 13, 2009, prohibiting the use of wireless handsets to text message and engage in other forms of communication while driving.

Whereas, Cleveland City Council passed an ordinance on April 13, 2009 prohibiting the use of wireless handsets to text message while driving; and

Whereas, Cleveland City Council adopted a resolution on April 23, 2012 supporting the U.S. Department of Transportation's declaration of April as national Distracted Driving Awareness Month; and

Whereas, according to the Department Of Transportation's website, [Distraction.gov](http://Distraction.gov), using a cell phone while driving delays the driver's reaction time as much as having a blood alcohol concentration of .08, the legal limit for drunk driving; and

Whereas, 37 states across the country have enacted laws banning texting and/or hand-held cell phone use while driving; and

Whereas, distracted driving led to at least 31,000 accidents and automobile crashes in the state of Ohio from 2009 to 2011, and approximately one out of four of those collisions took place in Cuyahoga County, according to information by the State Highway Patrol; and

Whereas, Cuyahoga County led the state of Ohio with 7,087 distracted driving crashes, which is more than the combined total from Franklin, Hamilton and Lucas counties, including major metropolitan areas of Columbus, Cincinnati, and Toledo; and

Whereas, several Cuyahoga County communities, including Brooklyn, South Euclid, North Olmsted, and North Royalton have banned cell phone use and texting while driving; and

Whereas, this Council believes that regulation of cell phone use, in addition to text messaging while driving is necessary for the health and safety of Ohio citizens; 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 Section 433.09 of the Codified Ordinances of the City of Cleveland, Ohio, 1976, as enacted by Ordinance No. 105-09, passed April 13, 2009 is amended to read as follows:

**Section 433.09 Prohibiting the Use of Wireless Handsets to Text Message and Engage in other Forms of Communication While Driving**

(a) As used in this section:

(1) **Engage in other forms of communication** means to use a wireless handset to dial, answer, talk, and/or listen, or to use a computer.

(2) "Text message" means a message sent or received via a process using wireless handsets. For the purposes of this section, an e-mail shall be considered a "text message."

(3) "Wireless handset" means a portable electronic device capable of transmitting or receiving data in the form of a text message and capable of engaging in the other forms of communication defined in (a) (1) above.

(4) "Computer" means a portable electronic device capable of transmitting and/or receiving data.

(b) No person shall use a wireless handset or a computer to compose, send or read text messages or engage in other forms of communication as defined in division (a) (1) of this section while driving a motor vehicle in the City of Cleveland.

(c) Notwithstanding the provisions of division (b), this section shall not be construed to prohibit the use of a wireless handset or computer inside a motor vehicle to compose, send or read a text message or engage in other forms of communication as defined in division (a) (1) of this section when:

(1) A driver using a wireless handset to contact any law enforcement, police officers, emergency services personnel, emergency medical technicians, or fire safety officials to report an emergency situation; or

(2) A driver using a wireless handset inside a motor vehicle while such vehicle is parked, standing or stopped and is removed from the flow of traffic, in accordance with applicable laws or rules, or is stopped due to the inoperability of such vehicle; or

(3) **A driver is using a wireless handset connected to a hands-free device which allows the driver to**

**maintain both hands on the vehicle's steering device while the vehicle is operating; or**

**(4) Safety Personnel are using such communication devices as defined in division (a) of this section in the course of their work, they are exempt from the provisions of this section.**

(d) *Penalty.* Whoever violates this section shall be fined one hundred dollars (\$100.00) for the first offense, two hundred and fifty dollars (\$250.00) for a second offense, and no more than five hundred dollars (\$500.00) for each subsequent offense.

**Section 2.** That the provisions of this ordinance shall not take effect until January 1, 2013.

**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.

Referred to Directors of Public Safety, Finance, Law; Committees on Public Safety, Legislation, Finance.

**FIRST READING ORDINANCE REFERRED**

**Ord. No. 616-12.**

**By Council Member Brancatelli.**

**An ordinance changing the Use Districts of lands bounded by Kenyon Avenue, Broadway Avenue and Ackley Road to Local Retail Business, Two Family or Open Space Recreation as indicated on the attached map (Map Change No. 2393, Sheet Number 6).**

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 Broadway Avenue and its intersection with the northwesterly prolongation of the centerline of Union Avenue;

Thence southeasterly along said centerline of Broadway Avenue to its intersection with the northerly prolongation of E. 65th Street;

Thence southerly along said northerly prolongation of said centerline of E. 65th Street to its intersection with the easterly prolongation of the southerly line of Greystone Group-Broadway Parcel # 2 as shown on the Lot Split and Consolidation Plat for Broadway 65 Associates and recorded in Volume Number 267, Page 17 of Cuyahoga County Map Records;

Thence southwesterly, northwesterly, southwesterly and southeasterly along said prolongation of said southerly line continuing along its southerly prolongation through the centerline of Morgana Avenue to its intersection with the centerline of Kenyon Avenue;

Thence westerly along said centerline of Kenyon Avenue to its intersection with the southerly prolongation of the easterly line of Sublot Number 305 in the Hubbard Cooke, Trustee Subdivision shown on the Recorded Plat in Volume 6, Page 21 of Cuyahoga County Map Records;

Thence northerly along said southerly prolongation of said easterly line to its intersection with the southerly right of way line of Morgana Avenue;

Thence northwesterly along said southerly line of Morganan Avenue to its intersection with the easterly prolongation of the southerly line Sublot Number 296 in the aforementioned Hubbard Cooke, Trustee Subdivision;

Thence westerly along said easterly prolongation of said southerly line and along its westerly prolongation to its intersection with the northwesterly line of Sublot Number 316 in the aforementioned Hubbard Cooke, Trustee Subdivision;

Thence southwesterly along said northwesterly line to its intersection with the southwesterly line of Sublot No. 281 in the aforementioned Hubbard Cooke, Trustee Subdivision;

Thence northwesterly along said southwesterly line and along its northwesterly prolongation to its intersection with the centerline of Ackley Road;

Thence northeasterly along said centerline of Ackley Road and along its northeasterly prolongation to its intersection with the centerline of Broadway Avenue;

Thence southeasterly along said centerline of Broadway Avenue to its intersection with the westerly prolongation of the centerline Union Avenue and the principal place of beginning.

and as identified on the attached map is changed to a Local Retail Business District.

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

Beginning in the centerline of Kenyon and its intersection with the southerly prolongation of the easterly line of Sublot Number 305 in the Hubbard Cooke, Trustee Subdivision shown on the recorded plat in Volume 6, Page 21 of Cuyahoga County Map Records;

Thence northerly along said southerly line of Morgana Avenue to its intersection with the easterly prolongation of the southerly line of Sublot Number 297 in the aforementioned Hubbard Cooke, Trustee Subdivision;

Thence westerly along said southerly line and continuing along the southerly line of Sublot Numbers 297, 296, 295, 294, 282, 281 to its intersection with the northwesterly line of Sublot Number 316 in the aforementioned Hubbard Cooke, Trustee Subdivision;

Thence southwesterly along said northwesterly line to its intersection with the westerly line thereof;

Thence southerly along said westerly line and along its southerly prolongation to its intersection with the centerline of Kenyon Avenue;

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

and as identified on the attached map is changed to a Two Family Residential District and a 1 Height District

**Section 3.** That the Use District of lands bounded and described as follows:  
Beginning in the centerline of E. 65th Street at its intersection with the easterly prolongation of the centerline of Kenyon Avenue;

Thence westerly along said centerline of Kenyon Avenue to its intersection with the southerly prolongation of the westerly line of Sublot Number 302 in the Hubbard Cooke, Trustee Subdivision shown on the recorded plat in Volume 6, Page 21 of Cuyahoga County Map Records;

Thence northerly along said southerly prolongation of said westerly line to its intersection with the southerly line of Greystone Group-Broadway Parcel # 2 as shown on the Lot Split and Consolidation Plat for Broadway 65 Associates and recorded in Volume Number 267, Page 17 of Cuyahoga County Map Records;

Thence easterly, southeasterly and easterly again along said southerly line and continuing along its easterly prolongation to its intersection with the centerline of E. 65th Street;

Thence southerly along said centerline of E. 65th Street to its intersection with the easterly prolongation of the centerline of Kenyon Avenue and the principal place of beginning.

and as identified on the attached map is changed to an Open Space and Recreation Use District.  
**Section 4.** That the changed designation of lands described in Section 1 through 3 shall be identified as Map Change No. 2393, Sheet No. 6 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 5.** 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. 614-12.

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

An emergency ordinance approving the collective bargaining agreement with the Treasurers and Ticket Sellers Union, Local 756; and to amend Section 45 of Ordinance No. 1689-11, passed November 28, 2011, relating to compensation for various classifications.

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

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

Section 1. That under division (B) of Section 4117.10 of the Revised Code, this Council approves the collective bargaining agreement with the Treasurers and Ticket Sellers Union, Local 756, under the terms contained in File No. 614-12-A, for the period from April 1, 2010 through March 31, 2013, and which provides, among other things, for an increase in the salaries and wages for members of the bargaining unit under the following schedule:

Increase	Approximate Date of Increase*
0%	April 1, 2010
0%	April 1, 2011
3%	April 1, 2012

\* Wage increases shall be effective as follows:

(a) If April 1st falls in the first week of a pay period, then the wage increase shall be effective commencing at the beginning of that pay period; or

(b) If April 1st falls in the second week of a pay period, then the wage increase shall be effective commencing at the beginning of the next pay period.

Section 2. That Section 45 of Ordinance No. 1689-11, passed November 28, 2011, is amended to read as follows:

Section 45. Treasurers and Ticket Sellers Union, Local 756. That salaries and compensation in the following classifications shall be fixed by the appointing authority in accordance with the schedule appearing after each classification:

	Minimum	Maximum
1. Assistant Manager of Box Office.....	\$23,333.40	\$52,862.83
2. Box Office Cashier.....	10.33	17.44

Section 3. That existing Section 45 of Ordinance No. 1689-11, passed November 28, 2011, is repealed.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 615-12.

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

An emergency ordinance authorizing the Director of Capital Projects to enter into contract with Zenith Systems LLC for the immediate purchase of labor, equipment, and materials necessary to repair the West 3rd Street lift bridge; and to enter into contract with TranSystems Corporation Ohio for the immediate professional services necessary for the bridge repairs.

Whereas, the West 3rd Street lift bridge is inoperable and closed to vehicular and pedestrian traffic due to failure of the bridge's major mechanical and electrical operating systems; and

Whereas, ODOT road construction has closed and will require future closings of various Flats roads, so that re-opening of the bridge is required to reduce, eliminate, and preclude lengthy, time-consuming, costly, inefficient, and environmentally damaging detours of heavy truck and other commercial and consumer vehicular traffic to and from the Flats locations the bridge connects; and

Whereas, the Director of Capital Projects has determined, based on considerations of movable bridge repair capability and experience, project approach, immediate availability, project delivery capability and completion date, quality, cost, and safety, that the City should con-

tract with Zenith Systems L.L.C. for the immediate purchase of labor, equipment, and materials necessary to repair the West 3rd Street lift bridge, including all components; and

Whereas, the Director of Capital Projects has also determined, based on the above-stated considerations, that the City should contract with TranSystems Corporation Ohio, for the immediate engagement of professional engineering services relating to the bridge repair; and

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

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

Section 1. That the Director of Capital Projects is authorized to make a written contract with Zenith Systems L.L.C., based upon its April 11, 2012 proposal, as amended April 18, 2012, for the immediate purchase of labor, equipment, and materials necessary to repair the West 3rd Street lift bridge, including all components, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis, for the Office of Capital Projects, for an estimated cost of \$1,438,286.

Section 2. That the Director of Capital Projects is authorized to make a written contract with TranSystems Corporation Ohio, based substantially upon its April 27, 2012 proposal, for immediate engagement of the profes-

sional engineering services necessary for repair of the West 3rd Street lift bridge, for the Office of Capital Projects.

Section 3. That the cost of the contracts authorized shall be paid from Fund Nos. 20 SF 380, 20 SF 383, 20 SF 394, 20 SF 500, 20 SF 506, 20 SF 510, 20 SF 520, 20 SF 528, 20 SF 534, 20 SF 540, and from the fund or funds to which are credited the proceeds from the sale of 2012 general obligation bonds authorized by Ordinance No. 274-12, passed April 2, 2012, if the City sells such bonds, Request No. RQS 0103, RL 2012-82.

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.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

Ord. No. 617-12.

By Council Member Sweeney. An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Gaylord LLC for professional services necessary to implement a public information plan

**and review of the City's demolition strategy and other supportive neighborhood reinvestment programs for Cleveland City Council.**

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 Clerk of Council is authorized to enter into an agreement with Gaylord, LLC for the professional services necessary to implement a public information plan and review of the City of Cleveland's demolition strategy and other supportive neighborhood reinvestment programs, which includes an assessment of what data are needed to support a messaging plan to advocate the importance of and economic value in such demolition to the City's recovery from the housing and foreclosure crisis for Cleveland City Council.

The agreement shall be certified in an amount not to exceed \$20,000.00 from fund 11-006.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 618-12.**

**By Council Member Sweeney.**

**An emergency ordinance authorizing the Clerk of Council to enter into an agreement with Thunder Tech for the professional services necessary to provide ongoing improvements and upgrades to the existing Cleveland City Council website.**

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 Clerk of Council is authorized to enter into an agreement with Thunder Tech for the professional services necessary to provide ongoing improvements and upgrades to the existing Cleveland City Council website.

The cost of all services under this agreement shall not exceed \$12,000 and shall be paid for from fund 11-006.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**Ord. No. 619-12.**

**By Council Member Sweeney.**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of computer hardware and software and maintenance services for Cleveland City Council for a period of one year with two one-year options to renew and authorizing the purchase through cooperative agreements using state procedures of computer hardware, software and maintenance services for Cleveland City Council and the Clerk of Council.**

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

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

**Section 1.** That the Director of Finance is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of one year, with two one-year options to renew, of the necessary items of hardware and software, including maintenances services, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Cleveland City Council. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Clerk of Council determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term. The first term and both of the two one-year options may be taken by the Director of Finance without additional legislative authority of Council.

**Section 2.** That the costs of the contract or contracts shall be charged against fund no. 11 Sub fund 006 by the Director of Finance and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a requisition against the contract or contracts certified by the Director of Finance.

**Section 3.** That under Section 108(b) of the Charter of the City of Cleveland, the purchase of hardware, software and maintenance services for such hardware and software may be made through cooperative agreements using state procedures. The Clerk of Council and/or the Director of Finance may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases or fund the services, and may enter into one or more contracts with the vendors selected through that cooperative process. Such contracts shall be paid for from fund no. 11 sub fund 006.

**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 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

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

**Res. No. 620-12.**

**By Council Members Brady, Conwell and J. Johnson.**

**An emergency resolution urging the United States House of Representatives to pass the Violence Against Women Act to reauthorize over \$650 million dollars in programs to help prevent and respond to domestic and sexual abuse.**

Whereas, last week the U.S. Senate overwhelmingly approved the reauthorization of the Violence Against Women Act; and

Whereas, the Senate bill, which was crafted in consultation with law enforcement groups and victims advocates, is now in the U.S. House of Representatives; and

Whereas, reauthorization of this bill would help to prevent domestic violence, of which in Ohio, there were over 38,000 incidents last year; and

Whereas, members of the House should work quickly to pass this most important bill; 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 urges the United States House of Representatives to pass the Violence Against Women Act to reauthorize over \$650 million dollars in programs to help prevent and respond to domestic and sexual abuse.

**Section 2.** That the Clerk is directed to transmit copies of this resolution to all members of the House of Representatives representing Cuyahoga County.

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 627-12.**

**By Council Member Kelley.**

**An emergency resolution objecting to the transfer of ownership of a C1, C2 and D6 Liquor Permit to 4475 Pearl Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1, C2 and D6 Liquor Permit from Convenient Food Mart, Inc., DBA Conve-

nient Food Mart #3-098, 4475 Pearl Road, Cleveland, Ohio 44109, Permanent Number 17092740060 to Ghazawi, Inc., DBA Convenient Food Mart #3-098, 4475 Pearl Road, Cleveland, Ohio 44109, Permanent Number 3174612; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1, C2 and D6 Liquor Permit from Convenient Food Mart, Inc., DBA Convenient Food Mart #3-098, 4475 Pearl Road, Cleveland, Ohio 44109, Permanent Number 17092740060 to Ghazawi, Inc., DBA Convenient Food Mart #3-098, 4475 Pearl Road, Cleveland, Ohio 44109, Permanent Number 3174612; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 628-12.**

**By Council Member Polensek.**

**An emergency resolution objecting to the transfer of ownership of a C1 and C2 Liquor Permit to 18506 St. Clair Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a C1 and C2 Liquor Permit from D B Ohio Enterprise, Inc., DBA Food Plus All, 18506 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 18795700005 to 18506 St. Clair, Inc., 18506 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 2455386; and

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

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

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

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

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

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

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

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

**Section 1.** That Council does hereby record its objection to the transfer of ownership of a C1 and C2 Liquor Permit from D B Ohio Enterprise, Inc., DBA Food Plus All, 18506 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 18795700005 to 18506 St. Clair, Inc., 18506 St. Clair Avenue, Cleveland, Ohio 44110, Permanent Number 2455386; and requests the Director of Liquor Control to set a hearing for said application in accordance with provisions of Section 4303.26 of the Revised Code of Ohio.

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

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

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

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**Res. No. 629-12.**

**By Council Member Zone.**

**An emergency resolution withdrawing objection to the renewal of a C1 Liquor Permit at 5110 Clark Avenue and Drive Up Window and repealing Resolution No. 992-11, objecting to said renewal.**

Whereas, this Council objected to a C1 Liquor Permit to 5110 Clark Avenue and Drive Up Window by Resolution No. 992-11 adopted by the Council on July 20, 2011; 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 Liquor Permit to Clark Petroleum, LLC, 5110 Clark Avenue and Drive Up Window, Cleveland, Ohio 44102, Permanent Number 15255190005 be and the same is hereby withdrawn and Resolution No. 992-11 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 18. Nays 0. Read second time. Read third time in full. Adopted. Yeas 18. Nays 0.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 255-12.**

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

An emergency ordinance authorizing the Director of Public Works to enter into one or more contracts with the National Youth Sports Program to provide a youth summer sports, nutrition, health, and life skills development program for 2012.

Approved by Directors of Public Works, Finance, Law; Passage recommended by Committees on Public Parks, Properties and Recreation, Finance, when amended, as follows:

1. In Section 2, line 1, strike "\$50,000" and insert "\$150,000"; and in line 2, after "Fund", strike "No." and insert "Nos. 14 SF 037 and".

Amendment agreed to.  
The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. 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. 495-12.**

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance to pay as Moral Claims the sums opposite the names of the claimants.

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

1. In Section 1, at the list of claimants under "Department of Public Works", line 3, at "Faidiga, Thomas J.", strike the amount of "115.53" and insert "313.55".

Amendment agreed to.

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. 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. 570-12.**

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing and directing the purchase, lease or lease to purchase by requirements contract of various types of vehicles and apparatus for various Divisions in the Departments of Public Works and Public Safety, among others.

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

The rules were suspended. Yeas 18. Nays 0. Read second time. Read third time in full. Passed. Yeas 18. Nays 0.

**THIRD READING EMERGENCY ORDINANCE PASSED**

**Ord. No. 550-12.**

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

An ordinance authorizing the amendment and extension of the franchise with Cleveland Thermal, LLC for the transmission and supply of steam and water for heating, cooling and power purposes.

Read third time in full. Passed. Yeas 18. Nays 0.

**MOTION**

By Council Member Polensek, seconded by Council Member Pruitt and unanimously carried that the absence of Council Member Martin J. Sweeney, be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 8:00 p.m. to meet on Monday, May 7, 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

**BOARD OF CONTROL**

April 25, 2012

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, April 25, 2012 at 10:48 a.m. with Interim Director Langhenry presiding.

Present: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Absent: Mayor Jackson.  
Others: Natoya Walker-Minor, Interim Director, Office of Equal Opportunity.

Jim Hardy, Commissioner, Division of Purchases & Supplies.

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

**Resolution No. 153-12.**

By Director Dumas.

Resolved, by the Board of Control of the City of Cleveland that the bid of Ohio Bulk Transfer Co. Inc., for an estimated quantity of sales of various scrap metals materials, all items, for the various divisions of City government, for a period of one year beginning with the date of execution of a contract, with two options to renew, each for a one-year period, received on April 19, 2012 under the authority of Section 181.18 of the Codified Ordinances of Cleveland, Ohio, 1976, which on the basis of the estimated quantity would amount to \$576,505.00, is affirmed and approved as the highest and best bid, and the Director of Finance is requested to enter into a requirement contract for the goods and/or services.

The requirement contract shall further provide that the Contractor shall purchase the City's entire quantities of the various scrap metals, whether more or less than the estimated quantities, as may be available during the period of the contract.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 154-12.**

By Director Withers.

Be it resolved, by the Board of Control of the City of Cleveland that the bid of Terrace Construction Co., Inc. for the public improvement of construction and installation of replacement sewers and repair and rehabilitation of existing sewers at various locations, base bid items including 10% contingency allowance, for the Division of Water Pollution Control, Department of Public Utilities, received on Decem-

ber 9, 2011, under the authority of Section 129.292 of Codified Ordinances of Cleveland, Ohio, 1976, upon a unit basis for the improvements to be performed as ordered during the period of one (1) year starting upon execution of a contract, at the unit prices set forth in the bid, which on the basis of the estimated work to be done would amount to \$475,805.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is requested to enter into a 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 the sum of \$400,000.00.

The requirement contract shall further provide that the contractor will perform so much of the balance of the work as may be ordered under subsequent requisitions separately certified against the 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 of the City of Cleveland that the employment of the following subcontractors to Terrace Construction Co., Inc. for the above-mentioned public improvement by requirement is approved;

**SUBCONTRACTOR CSB/MBE/FBE WORK**

Rockport Construction CSB/FBE  
\$110,000.00 (23.119%)

The Vallejo Co. CSB/MBE  
\$ 33,000.00 (6.936%)

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 155-12.**

By Director Smith.

Whereas, under the authority of Ordinance Nos. 2380-02, 468-04, 1853-06 and 1329-08, passed by the Council of the City of Cleveland on December 16, 2002, April 26, 2004, December 11, 2006 and October 20, 2008, respectively, and Board of Control Resolution No. 348-11, adopted July 20, 2011, the City through its Director of Port Control, entered into Contract No. PS2011\*185 with S. B. Friedman & Company ("Consultant"), to provide professional services necessary to prepare planning studies for the various divisions of the Department of Port Control for a period of two years, with two two-year options to renew; and

Whereas, the City has determined the need to develop a comprehensive development plan for a mixed-use hotel, office and retail complex at Cleveland Hopkins International Airport; and

Whereas, the Consultant has proposed by its letter dated March 21, 2012 to perform the additional work necessary for an amount of \$186,080.00; 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 first modification to City Contract No. PS2011\*185 between the City of Cleveland and S. B. Friedman & Company to create a comprehensive development plan for a mixed-use hotel, office and retail complex at Cleveland Hopkins International Airport as set forth in Consultant's letters dated March 21, 2012. The amount to be paid for all services shall be increased by \$186,080.00 from \$289,000.00 to a total amount not to exceed \$475,080.00.

Be it further resolved that the amounts attributed to the following subconsultants approved in Board of Control Resolution No. 348-11, adopted July 20, 2011, are amended as follows:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
McGuinness Unlimited, Inc.	1.17% CSB/FBE	\$5,600.00
City Architecture, Inc.	7.78% CSB	\$37,000.00
Berusch Development Partners, LLC	4.21% CSB	\$20,000.00

Be it further resolved that the following additional subconsultant to S. B. Friedman & Company under City Contract No. PS2011\*185 is approved:

<u>Subconsultant</u>	<u>Percentage</u>	<u>Amount</u>
Hotel & Leisure Advisors, LLC	2.48% Non-CSB	\$11,800.00

Be it further resolved that all other terms of Resolution No. 348-11 not expressly amended by this resolution shall remain unchanged and in full force and effect.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 156-12.**  
By Director Smith.

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Article 8 of the Agreement and Lease between the City of Cleveland and the Original Scheduled Airlines and the Additional Scheduled Airlines, the 2012 Annual Budget and calculation of the Rentals and Landing Fee Rates are adopted effective January 1, 2012, as follows:

**Landing Fee Rates:**

Not to exceed

Signatory Landing Fee (per 1,000 lbs.)	\$5.75
Non-Signatory Scheduled Category A (per 1,000 lbs.)	\$7.19
Non-Signatory Scheduled Category B (per 1,000 lbs.)	\$8.63

**Airline Rental Rates:**

Not to exceed

**Main Terminal Area**

Premium Terminal Rental Rate (per square foot)	\$454.23
Standard Terminal Rental Rate (75% factor)	\$340.67
Bag-Makeup Terminal Rental Rate (50% factor)	\$227.11
Baggage Roadway Terminal Rental Rate (30% factor)	\$136.27

**Concourse A Rental Rates**

Premium Terminal Rental Rate (per square foot)	\$277.05
Standard Terminal Rental Rate (75% factor)	\$207.79
Bag-Makeup Terminal Rental Rate (50% factor)	\$138.53
Baggage Roadway Terminal Rental Rate (30% factor)	\$83.12

**Concourse B Rental Rates**

Premium Terminal Rental Rate (per square foot)	\$273.34
Standard Terminal Rental Rate (75% factor)	\$205.01
Bag-Makeup Terminal Rental Rate (50% factor)	\$136.67
Baggage Roadway Terminal Rental Rate (30% factor)	\$82.00

**Concourse C Rental Rates**

Premium Terminal Rental Rate (per square foot)	\$226.73
Standard Terminal Rental Rate (75% factor)	\$170.05
Bag-Makeup Terminal Rental Rate (50% factor)	\$113.37
Baggage Roadway Terminal Rental Rate (30% factor)	\$68.02

**Concourse D Rental Rates**

Premium Terminal Rental Rate (per square foot)	\$197.87
Standard Terminal Rental Rate (75% factor)	\$148.40
Bag-Makeup Terminal Rental Rate (50% factor)	\$98.93
Baggage Roadway Terminal Rental Rate (30% factor)	\$59.36

**Airline Constructed Concourse Rental Rates**

Premium Terminal Rental Rate (per square foot)	\$201.70
Standard Terminal Rental Rate (75% factor)	\$151.27
Bag-Makeup Terminal Rental Rate (50% factor)	\$100.85
Baggage Roadway Terminal Rental Rate (30% factor)	\$60.51

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 157-12.**

By Director Smith.  
Whereas, under the authority of Section 571.85 of the Codified Ordinances of Cleveland, Ohio, 1976, the Director of Port Control is authorized to fix fees for parking aircraft on City-owned and operated ramp areas at Cleveland Hopkins International Airport and Burke Lake-

front Airport in the amounts as the Director deems appropriate, and as approved by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that under the authority of Section 571.85 of the Codified Ordinances of Cleveland, Ohio 1976, the following fees fixed by the Director of Port Control for parking aircraft at non-leased, City-owned and operated ramp areas adjacent to the terminal building at Cleveland Hopkins International Airport are set and approved:

Public Aircraft;	No Charge
Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, and Private Aircraft transporting persons for business purposes;	\$100.00

Be it further resolved by the Board of Control of the City of Cleveland, that under the authority of Section 139.051 of the Codified Ordinances of Cleveland, Ohio, 1976, the following landing fees at Burke Lakefront Airport, as fixed by the Commissioner of Burke Lakefront Airport, are approved:

Public Aircraft;	No Charge
Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, and Private Aircraft transporting persons for business purposes	
Single Engine Aircraft and Helicopters:	\$5.00
Multi-Engine Aircraft by Gross Weight as follows:	
0-5,000 lbs.	Up to \$7.00
5,001-10,000 lbs.	Up to \$10.00
10,001-12,500 lbs.	Up to \$12.00
12,501-97,999 lbs.	Up to \$1.50 per 1,000 lbs. gross wt.
98,000 lbs. and over	Up to \$2.00 per 1,000 lbs. gross wt.

Be it further resolved that under the authority of Section 571.85 of the Codified Ordinances of Cleveland, Ohio, 1976, the following fees fixed by the Director of Port Control for parking aircraft on City-owned and operated ramp areas at Burke Lakefront Airport are set and approved:

**DAILY PARKING/TIE-DOWN FEES ON DESIGNATED CITY RAMPS**

Public Aircraft and Mercy Flights	No Charge
Private Aircraft, Commercial Aircraft, Corporate Aircraft, Scheduled Air Carrier Aircraft, and Private Aircraft transporting persons for business purposes:	
For periods from 0-2 hours:	No Charge

For periods from 2-24 hours, and for each additional 24 hour period, or portion thereof as follows:

Single-Engine Aircraft and Helicopters: \$5.00

Multi-Engine Aircraft Weight as follows:

0-10,000 lbs. \$5.00  
 10,000 lbs.-12,500 lbs. \$10.00  
 12,501 lbs.-and over \$1.00 per 1,000 lbs. gross wt.

**MONTHLY PARKING/TIE-DOWN FEES ON DESIGNATED CITY RAMPS**

Single-Engine and Helicopters \$50.00

Multi-Engine Aircraft by Weight as follows:

0 - 10,000 lbs. \$50.00  
 10,001 lbs. and over \$100.00

Be it further resolved for the purpose of this Resolution, the following definitions shall apply:

"Commercial Aircraft" shall mean an aircraft carrying persons or property for compensation or hire.

"Corporate Aircraft" shall mean a company owned aircraft transporting persons or property for business purposes.

"Gross Weight" shall mean the maximum allowable certified gross landing weight.

"Mercy Flight" shall mean an air medical transport flight that is operated by a non-profit or a for-profit provider of air medical transport where the flight is provided at no cost.

"Private Aircraft" shall mean an aircraft that is not a Commercial Aircraft, Corporate Aircraft, Public Aircraft, or Scheduled Air Carrier Aircraft.

"Public Aircraft" shall mean an aircraft used in the service of a government entity at the local, state or federal level.

"Scheduled Air Carrier" shall mean an airline that submits schedules in advance and reports landings on a monthly basis to the Department of Port Control.

Be it further resolved that Resolution No. 239-11, adopted May 25, 2011, is rescinded effective January 1, 2012, and that the charges and fees shall be in force and effect for a period not to exceed one year from January 1, 2012 to December 31, 2012.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
 Absent: Mayor Jackson.

**Resolution No. 158-12.**

By Directors Cox and Dumas.  
 Be it resolved, by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 263-12, passed by the Council of the City of Cleveland on March 26, 2012, Snider Blake Business Service, Inc. is selected upon nomination of the Director of Public Works from a list of firms determined after a full and complete canvass as the temporary employment agency to be employed

by the contract for the purpose of supplementing the regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to supply temporary and seasonal personnel for the Department of Public Works.

Be it further resolved Cleveland that under the authority of Ordinance No. 263-12, passed by Council of the City of Cleveland on March 26, 2012, Snider Blake Business Service, Inc. is selected upon nomination of the Director of Finance from a list of firms determined after a full and complete canvass as the temporary employment agency to be employed by contract for the purpose of supplementing regularly employed staff of several departments of the City of Cleveland to perform the professional services necessary to supply temporary and seasonal personnel for the Department of Finance.

Be it further resolved that the Director of Public Works and Director of Finance are authorized to enter into a written contract or contracts with Snider Blake Business Service, Inc. ("Agency"), based on its January 27, 2012 proposal, to supply temporary and seasonal personnel for seasonal programs for Director of Public Works and Director of Finance during the 12-month period beginning upon execution of a contract, which contract shall be prepared by the Director of Law and shall include such additional provisions as that Director considers necessary to benefit and protect the interest. The fees for services to be performed under the contracts authorized, as stated in the Agency's proposal, including charges for drug testing and criminal background checks shall be:

POSITIONS

<u>SUPPLIED</u>	<u>SEE</u>
Park Maintenance Aides	\$12.34 per hour and, if the City's Fair Employment Living Wage increases, an amount equal to 123.6% of the Fair Employment Wage determined under Section 189.02 of the Codified Ordinances of Cleveland Ohio 1976.
Project Clean Aides	
Seasonal Supervisors	\$12.64 per hour and, if the City's Fair Employment Living Wage increases, an amount equal to 123.6% of the Fair Employment Wage, determined under Section 189.02 of the Codified Ordinances of Cleveland, Ohio 1976, plus \$0.25 per hour.

Be it further resolved that the employment of the following subcontractor is approved:

<u>NAME</u>	<u>DOLLAR AMOUNT PERCENTAGE</u>
New Management, Inc. CSB/MBE	\$2,000,000.00 48%
Diversity Employment Services, Inc.	\$750,000.00 18%

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
 Absent: Mayor Jackson.

**Resolution No. 159-12.**

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 118-25-112 located at 7314 Carnegie Avenue in Ward 5; and

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

Whereas, Phyllis Gamble has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist;

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Phyllis Gamble for the sale and development of Permanent Parcel No. 118-25-112 located at 7314 Carnegie Avenue, Cleveland, Ohio 44103, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
 Absent: Mayor Jackson.

**Resolution No. 160-12.**

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 103-31-042 located at 2393 East 38th Street in Ward 5; and



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

Whereas, Natosha Czuba proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 181021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Natosha Czuba for the sale and development of Permanent Parcel No. 103-31-042 located at 2393 East 38th Street, Cleveland, Ohio 44115, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 161-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 124-03-059 located at 2483 East 57th Street in Ward 5; and

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

Whereas, Shiloh Baptist Church has proposed to the City to purchase and develop the parcel for Green Space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale.

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that

under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Shiloh Baptist Church for the sale and development of Permanent Parcel No. 124-03-059 located at 2483 East 57th Street, Cleveland, Ohio 44104, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 162-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 126-30-012 and 126-30-013 located at 2985-2989 East 79th Street in Ward 5; and

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

Whereas, St. Paul Missionary Baptist Church has proposed to the City to purchase and develop the parcel for Green Space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with St. Paul Missionary Baptist Church for the sale and development of Permanent Parcel Nos. 126-30-012 and 126-30-013 located at 2985-2989 East 79th Street, Cleveland, Ohio 44104, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$200.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 163-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 021-37-018 located at 3512 West 137th Street in Ward 18; and

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

Whereas, Norbert S. Long has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 18 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Norbert S. Long for the sale and development of Permanent Parcel No. 021-37-018 located at 3512 West 137th Street, Cleveland, Ohio 44114, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$420.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 164-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 118-24-029 located at 2244 East 76th Street in Ward 5; and

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

Whereas, Tony Hugley has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Tony Hugley for the sale and development of Permanent Parcel No. 118-24-029 located at 2244 East 76th Street, Cleveland, Ohio 44103, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 165-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel Nos. 118-24-103, 118-24-104 and 118-24-105 located on East 73rd Street in Ward 5, and

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

Whereas, Tanya M. Holmes has proposed to the City to purchase and develop the parcel for Green Space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 5 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Tanya M. Holmes for the sale and development of Permanent Parcel Nos. 118-24-103, 118-24-104 and 118-24-105 located on East 73rd Street, Cleveland, Ohio 44103, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1,200.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 166-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 127-15-046 located at Fuller Avenue in Ward 6; and

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

Whereas, Lisa Willis has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Lisa Willis for the sale and development of Permanent Parcel No. 127-15-046 located at Fuller Avenue, Cleveland, Ohio 44104, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$400.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 167-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 134-21-070 located at 9006 Macomb Avenue in Ward 2; and

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

Whereas, Elgerita Morrow Clark has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 2 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Elgerita Morrow Clark for the sale and development of Permanent Parcel No. 134-21-070 located at 9006 Macomb Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 168-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 126-01-107 located at 8214 Quincy Avenue in Ward 6; and

Whereas, Section 183.021 of the Codified Ordinances of Cleveland,

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

Whereas, Apostolic Overcoming Holy Church of God, Incorporated has proposed to the City to purchase and develop the parcel for Open Space; and

Whereas, the following conditions exist:

1. The member of Council from Ward 6 has consented to the proposed sale;

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Apostolic Overcoming Holy Church of God, Incorporated for the sale and development of Permanent Parcel No. 126-01-107 located at 8214 Quincy Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$100.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 169-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 109-17-062 located at 10940 Grantwood Avenue in Ward 8; and

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

Whereas, Michael D. Johnson, Jr. has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 8 has neither disapproved or requested a hold on the proposed sale in the 45 or more days passed since receiving notification of it.

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Michael D. Johnson, Jr. for the sale and development of Permanent Parcel No. 109-17-062 located at 10940 Grantwood Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 170-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 110-17-077 located at 903 East 129th Street in Ward 10; and

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

Whereas, Angela Small has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 has neither disapproved or requested a hold on the proposed sale in the 45 or more days passed since receiving notification of it.

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Angela Small for the sale and development of Permanent Parcel No. 110-17-077 located at 903 East 129th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 171-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 110-17-124 located at 910 East 130th Street in Ward 10; and

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

Whereas, Denneryll Green has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 has neither disapproved or requested a hold on the proposed sale in the 45 or more days passed since receiving notification of it.

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Denneryll Green for the sale and development of Permanent Parcel No. 110-17-124 located at 910 East 130th Street, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson.

**Resolution No. 172-12.**

By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 111-09-051 located at Eddy Road in Ward 10; and

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

Whereas, Eric Gregory has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 has neither disapproved or requested a hold on the proposed sale in the 45 or more days passed since receiving notification of it.

2. The proposed purchaser of the parcel is neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Eric Gregory for the sale and development of Permanent Parcel No. 111-09-051 located at Eddy Road, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$430.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 173-12.**  
By Director Rush.

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

Whereas, under the Program, the City has acquired Permanent Parcel No. 111-11-065 located at 12610 Cornado Avenue in Ward 10; and

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

Whereas, Margaret Wheat has proposed to the City to purchase and develop the parcel for Yard Expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 10 has neither disapproved or requested a hold on the proposed sale in the 45 or more days passed since receiving notification of it.

2. The proposed purchaser of the parcel is neither tax delinquent nor

in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of Codified Ordinances of Cleveland, Ohio 1976, the Commissioner of Purchases and Supplies is authorized, when directed by the Director of Community Development, and the Mayor is requested to execute an Official Deed for and on behalf of the City of Cleveland, with Margaret Wheat for the sale and development of Permanent Parcel No. 111-11-065 located at 12610 Cornado Avenue, according to the Land Reutilization Program in such manner as best carries out the intent of the program.

Be it further resolved that the consideration for said parcel shall be \$1.00, which amount is determined to be not less than the Fair Market value of said parcel for uses according to the Program.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson.

**Resolution No. 174-12.**  
By Director Dumas.

Whereas, under Board of Control Resolution No. 461-10, adopted on November 10, 2010, the City of Cleveland entered into City Contract No. 1505-RC21000000000179 with Valley National Gases, WV LLC, dba Valley National Gases for an estimated quantity of welding equipment, supplies and materials, all items, for the various divisions of City government, Department of Finance; and

Whereas, by its letter, Valley National Gases LLC, Inc. informed the City that on January 1, 2012, Valley National Gases WV LLC formally merged with Matheson Tri-Gas, Inc., purchased the assets of Valley National Gases WV LLC, and will honor all quotes, purchase orders, terms and conditions that the City previously agreed upon with Valley National Gases WV LLC, dba Valley National Gases, under City Contract No. 1505-RC20100000000179; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland, that this Board acknowledges and consents to the assignment of City Contract No. 1505-RC20100000079 from Valley National Gases WV LLC to Matheson Tri-Gas, Inc.

Be it further resolved that the Director of Finance is authorized to execute any Documents necessary to affect and recognize the consent to the assignment of City Contract No. 1505-RC20100000000179 authorized above. A copy of the consent to assignment and the assignment of Contract No. 1505-RC2010000000079 shall be filed with the original of the contract in the custody of the Commissioner of Accounts.

Yeas: Interim Director Langhenry, Acting Director Hardy, Directors Withers, Smith, Cox, Butler, Acting Director Bounds, Directors Rush, Southerington, Nichols, Fumich and Rybka.

Nays: None.  
Absent: Mayor Jackson.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

Application blanks must be properly filled out on the official form prescribed by the Civil Service Commission and filed at the office of the commission not later than the final closing date 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**  
**5/11/12 - 5/17/12**

Announ- cement No.	Exam Method	Classi- fication	Exam Type
59	WR	Airport Maintenance Worker (Field)	Open
60	EE	Bridge Oiler	Open
61	WR	Chief Clerk	Open
62	EE	Contract Compliance Officer	Open
63	EE/Oral	Emergency Medical Technician	Open
64	EE	Engineering & Construction Inspector	Open
65	WR/Perf	Paver	Open
66	EE	Public Health Sanitarian I	Open
67	WR	Traffic Sign & Marking Technician	Open
68	WR	Welder/ Fabricator	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. 59**

**AIRPORT MAINTENANCE WORKER (FIELD) (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 \$11.97- \$18.35 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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, assists in maintenance and repair work requiring mechanical ability and familiarity with airport equipment, facilities, and buildings. Duties may include but are not limited to snow removal, landscaping, concrete, asphalt, fencing, sewer, grass cutting, and crack-sealing repairs. Must be familiar with the operation and mechanism of building appurtenances, hand held power tools, and larger power equipment and vehicles used in facilities maintenance work. Performs other job-related duties as required. Follows all operations and safety policies. 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 from an accredited high school program or GED is required. The equivalent of one year of full time paid experience in the operation of heavy duty equipment and construction related equipment and other vehicles is required. A valid State of Ohio Class "B" Commercial Driver's License is required, a Class "A" CDL is preferred. Must be able to lift and carry 90 pounds. Must have basic writing, communication, and computer skills. Must be able to work non-standard work weeks/shifts including holidays within a 24-hour operation in all weather conditions and work overtime during snow removal operations. Must comply with a Transportation Security Administration (TSA) ten-

year employment background check and fingerprint-based criminal history records check.

**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.

**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.

**AN EQUAL OPPORTUNITY EMPLOYER**

**APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 60**

**BRIDGE OILER (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 \$10.00 - \$17.16 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.**

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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.

**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 direct supervision, cleans and lubricates mechanical swing/lift bridges and related bridge equipment. Climbs and descends steps and ladders as high as 130 feet and crawls along catwalks over water. Cleans and inspects all equipment and machinery, utilizing correct tools and/or equipment. May operate a motor vehicle. 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. Four years of full-time paid experience maintaining industrial machinery is required. A valid State of Ohio Driver's License is required. Must be able to work in all types of weather and be able to lift and carry 60 pounds.

**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. 61

CHIEF CLERK (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 \$22,050.00 - \$46,165.29 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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 general direction, supervises and performs clerical activities for a city division or major subdivision. Performs the more difficult, complex, or specialized clerical duties. 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. An Associate's Degree is

required. Five years of full time paid progressively responsible clerical or secretarial experience is required. (Substitution: One year of experience would substitute for each year of college education lacking). Must be computer literate.

**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. 62

CONTRACT COMPLIANCE OFFICER (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 \$26,273.96 - \$68,744.81 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.

**NOTE: APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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 deter-

mined 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, is responsible for effectuating contracts. Establishes operative procedures, reposts forms, and recommends regulations for facilitation of such Program. Meets with bidders and contractors for the purpose of clarifying the requirements of said Program and also for the conducting of pre-award conferences, evaluating "affirmative action" plans by said bidders and contractors assuring full compliance with equal employment opportunity. Oversees the filing of reports by bidders and contractors both prior to and subsequent to the award of contracts containing information as to the employment practices, policies, programs and statistics of the bidders and contractors. Ensures project site reports are completed on a periodic basis to assure continued compliance with contractor commitments made in connection with the Program. Makes recommendations to the Mayor or Director of the using department as to sufficiency of apparent successful bidder's compliance with the Program. In event of non-compliance with contractor commitments made under the Program, recommends sanctions as prescribed by the City's Equal Employment Ordinances. Performs 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, Business Administration, Political Science, or related field with coursework in Construction management, Basic Accounting, Research Skills, and Financial Analysis from an accredited four year college or university is required. Three years of full time paid related experience in government or private industry is required. (Substitution: Two years of full time experience will substitute for each year of college education of lacking.) Supervisory experience is preferred. 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. 63

#### EMERGENCY MEDICAL 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 \$12.66 - \$21.66 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 2012.

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

#### EXAMINATION INFORMATION

**TYPE: EXPERIENCE EVALUATION:** Forty percent of applicant's grade will be determined based on Education and Experience found in Resume.

**ORAL INTERVIEW:** Sixty percent of applicant's grade will be determined based on an oral interview.

**NOTE: THE CIVIL SERVICE COMMISSION RESERVES THE RIGHT TO REVIEW AND EVALUATE ANY AND ALL INFORMATION CON-**

**TAINED IN THE APPLICATION OR RESUME. LACK OF HONESTY WILL RESULT IN IMMEDIATE REMOVAL FROM THE ELIGIBLE LIST.**

#### DUTIES OF THE POSITION

Under general supervision, transports sick and injured persons by ambulance to specified locations. Responds to 911 ambulance calls and operates an emergency vehicle in an appropriate and safe manner in accord with the State and Local Laws. Administers pre-hospital care treatment within the limits defined by law within the Division of Emergency Medical Service and the State of Ohio. Completes patient care reports and related documentation thoroughly, complying with all billing requirements as set forth by providers and the City of Cleveland. Conducts equipment and supply inventories on vehicles while also maintaining routine daily vehicle inspection. Follows all policy and procedures according to the City of Cleveland and the Division of Emergency Medical Service. Completes the EMS Cadet Training Academy comprised of an initial 320 hr. (minimum) classroom training and certification classes, 80 hr. (minimum) field training and agility testing, as well as continuing education sessions and meetings. Demonstrates competency in EMT/Paramedic knowledge. Attends and participates in operations and safety training classes when scheduled and demonstrates competence in protocols, skills and the standard of care set forth by the Division of Emergency Medical Service (demonstration of competence may be determined by exam). Performs other related duties as may be assigned or required to meet emergency situations. 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. Must have a current State of Ohio-EMT certification which must be maintained throughout employment. State of Ohio-Paramedic and Firefighter II certifications are preferred but not required. A valid State of Ohio Driver's License with less than six (6) points is required and must be maintained throughout employment. Must be able to lift and carry 100 pounds and be able to meet the physical demands of the position.

**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. 64

**ENGINEERING AND CONSTRUCTION INSPECTOR (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 \$17.26 - \$20.44 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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.

**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 supervision, inspects the construction of sewers. Examines paving

construction and maintenance work. Insures compliance with contract plans, specifications, and good workmanship, and performs relative 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. Two years of full time paid field experience in inspection and construction of civil engineering projects is required. (Substitution: A Construction Technician certification may substitute for experience.) 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. 65

**PAVER (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 \$22.32 - \$35.53 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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.  
**PERFORMANCE EXAMINATION:** Applicants will be required to prepare/install pavement.

**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 supervision, prepares beds for, and lays various types of brick and stone block pavements. Performs related duties as required. **TYPICAL TASKS:** Prepares sub-base. Lays brick, stone, and other types of block pavement material. Grades and levels sand for paving bases. Sorts out defective bricks. Supervises the work of pounders and laborers. Supervises tamping of sub-base and paving. 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. Four years of full time paid commercial concrete work (roadways or building) is required. A valid Commercial Driver's License, Class "B" is required within six months of the date of hire. Must be able to lift and carry a minimum of 70 pounds.

**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. 66

#### PUBLIC HEALTH SANITARIAN I (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 \$12.78 - \$18.32 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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.

**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

Investigates complaints of unsanitary conditions in dwellings, alleys, vacant lots, or business establishments. Inspects transients' lodging and trailer camps for overcrowding, defective plumbing, fire hazards and related undesirable conditions. Enforces ordinance pertaining to animal vectors of disease. Maintains sanitary surveillance of swimming pools, bathing beaches, and other recreational facilities. 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, an Associate's Degree from an accredited college or university is preferred. One year of full time paid experience working in the Environmental Health field as well as a thorough knowledge of health code ordinances is required. A valid State of Ohio Driver's License is required. Must be able to lift and carry a minimum of 30 pounds.

**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. 67

#### TRAFFIC SIGN & MARKING 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 \$13.68 - \$17.17 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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 direct supervision, performs specific duties of road marking, sign erection, metal shop, metal cleaning, shop maintenance, unit office, and related work as performed in the Traffic Sign and Paint Unit, Division of Traffic Engineering and Parking. Works with hand tools, mechanical paint spray equipment, and self-propelled striping equipment for crosswalks and confined areas. Responsible for proper operation and routine maintenance of assigned equipment. Uses special tools, such as air-powered tools, lifting equipment, and cutting torches. Is assigned to special sign construction equipment and vehicles or is in charge of sign or marking crew and equipment. Prepares and executes work orders and implements record systems. Responsible, under direction, for unit office duties, field checking, traffic signs, stock room duties, and issuance of materials. Checks sign installation for utility clearance. Acts as liaison with utilities personnel as required. Performs other job-related duties as required. Follows all operations and safety policies. 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 valid State of Ohio Driver's License is required, an Ohio Commercial Driver's License - Class "B" is required within six months of the date of hire. Must be able to lift and carry at least thirty pounds.

**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.

**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.

AN EQUAL OPPORTUNITY EMPLOYER

APPROVED C.S.C. MINUTES  
ANNOUNCEMENT NO. 68

WELDER/FABRICATOR (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 \$20.36 - \$24.40 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, MAY 11, 2012 UNTIL 4:30 P.M. ON THURSDAY, MAY 17, 2012.

**NOTE:** APPLICATIONS WILL NOT BE ACCEPTED AFTER 4:30 P.M. ON THURSDAY, MAY 17, 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, does oxyacetylene and electric welding on iron, steel, and other metals. Measures, cuts, assembles, welds, and fabricates replacements as needed on equipment, vehicles, and structures. 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. Three years of full time paid welding experience is required. Must have layout and blueprint reading experience as well as experience in fabricating parts. Experience in Burning, Arc-Welding, Mig-Welding, and Tig-Welding is required. A welding training certificate is required. 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

ROBERT BENNETT,  
President

May 2, 2012

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, MAY 14, 2012

9:30 A.M.

**Calendar No. 12-66:** 8220 Carnegie Avenue (Ward 6)

PNC Bank NA, owner, appeals to erect two (2) 2'-11" x 15'-9" twenty-five (25) feet high message reader board signs attached to the corner facade of an existing building, contrary to Section 350.14(c), a zero setback is requested and a setback of 3 feet from the property line is required, according to the Schedule of Location Regulations (Retail) Side Lot Lines in the Cleveland Codified Ordinances.

**Calendar No. 12-67:** 4492 Douse Avenue (Ward 5)

Lisa Liuzzo, owner, appeals to erect a 15'-2" x 24' two-story frame, reverse gable, accessory garage addition, attached to an existing 21'-6" x 18' gable garage on a corner lot located in a B1 Two-Family District; proposing a distance of 5 feet contrary to Section 337.23(a) that requires a minimum distance of 10 feet from any main building on an adjoining lot in a residence district and requesting a maximum gross floor area of 1,118.4 square feet where 663 square feet is allowed under Section 337.23A; and proposing an 18'-10" mean height and overall height of 21'-6" contrary to the restriction of 15 feet for the maximum height allowed for an accessory garage in a residence district under Section 353.05 in the Cleveland Codified Ordinances.

**Calendar No. 12-70:** 15707-15801 St. Clair Avenue (Ward 11)

Collinwood/Nottingham Village Development Corporation and DiCiccio & Sons, Inc., owners, and DG Strategic II, LLC, prospective purchaser, appeal to construct a retail store on consolidated parcels located in C2 Local Retail Business and B1 Two-Family Districts; subject to the provisions under Section 359.01, the substitution, enlargement or other change of a nonconforming use requires the Board of Zoning Appeals approval; and a portion of the existing parking lot for the current use extends into the Residential District; and signage for the proposed retail store requires approval of the City Planning Commission in accordance with the standards under Section 350.16 in the Cleveland Codified Ordinances.

Secretary

**REPORT OF THE BOARD OF ZONING APPEALS**

**MONDAY, APRIL 30, 2012**

At the meeting of the Board of Zoning Appeals on Monday, April 30, 2012, the following appeals were heard by the Board.

The following appeals were **APPROVED:**

**Calendar No. 12-58:** 1020-30 Euclid Avenue  
CR Truman, LP, appealed to change use from offices to apartments in an E5 General Retail Business District.

**Calendar No. 12-59:** 1120 Chester Avenue  
Chester/12, Ltd. appealed to change use from offices to apartments in an E5 General Retail Business District.

**Calendar No. 12-65:** 12402 Britton Drive  
Phillip White appealed to erect 40 linear feet of 7 foot high wood, privacy fence in the side front yard of a corner parcel in an A1 One-Family District.

**Calendar No. 11-202:** 3007 Clinton Avenue  
Storer Meat Company appealed to change use from meat processing to storage, warehouse and distribution in a D1 Residence Industry District; subject to conditions.

The following appeal was **DENIED:**

**Calendar No. 12-56:** 11885 Bellaire Road  
Yakup Cukurcavir appealed to establish an open sales lot (used car sales) on consolidated parcels in a C1 Local Retail Business District.

The following appeals were **WITHDRAWN:**

None.

The following appeals were **DISMISSED:**

None.

The following appeals were **POSTPONED:**

**Calendar No. 12-54:** 6607 Park Avenue postponed to 5-29-12.

**Calendar No. 12-12:** 5418 Fleet Avenue postponed to 6-4-12.

**Calendar No. 12-30:** 5700 Lorain Avenue postponed to 6-11-12.

The following appeals heard by the Board on April 23, 2012 were adopted and approved on April 30, 2012.

The following appeals were **APPROVED:**

**Calendar No. 12-51:** 5320 Stanard Avenue  
Cuyahoga County Board of Developmental Disabilities, owner, and Solutions at Work appealed for a addition to an existing school in a B1 Two-Family District.

**Calendar No. 12-57:** 4178 West 59th Street  
Sharon Clemons appealed to erect 124 lineal feet of 4 feet high chain link fence in the front yard area of a parcel in an A1 One-Family District; subject to conditions.

The following appeal was **DENIED:**

**Calendar No. 11-191:** 3821 Lorain Avenue  
Mig Ltd. Company and Ellen Mueller, appealed to establish use as a motor vehicle service garage (tire installation) in a D3 Local Retail Business District.

Secretary

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

Re: Report of the Meeting of April 25, 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-295-11.**

RE: Appeal of Ben Stefanski, Owner of the One Dwelling Unit Single-Family Residence One Story Frame Property located on the premises known as 6615 Chambers Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 17, 2011 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 thirty (30) days in which to obtain permits and ninety (90) days, both from the enactment of the resolution, 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, noting the disposition of the Appellant and the condition of the property. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Gallagher.

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

\* \* \*

**Docket A-301-11.**

RE: Appeal of Storer Meat Co., Inc., Owner of the Property, located on the premises known as 3007 Clinton Avenue, from an ABATEMENT ORDER, dated September 12, 2011 of the Chief of the Division of Fire, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

No action this date, the docket is rescheduled for May 9, 2012.

**Docket A-307-11.**

RE: Appeal of Ben Stefanski, Owner of the Three Dwelling Units Three-Family Residence Two Story Frame Property located on the premises known as 6619 Chambers Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 23, 2011 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 thirty (30) days in which to obtain permits and ninety (90) days, both from the enactment of the resolution, 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, noting the disposition of the Appellant and the condition of the property. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Bradley.

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

\* \* \*

**Docket A-311-11.**

RE: Appeal of Nadja Hutchins, Owner of the Property located on the premises known as 2014 West 53rd Street from an ADJUDICATION ORDER, dated August 3, 2011 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, noting that no details were submitted with the statement of appeal for the Chapter 34 verification that the building would not require a sprinkler system. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Saab.

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

\* \* \*

**Docket A-312-11.**

RE: Appeal of John M. Olivo, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 14705 Saranac Road from a CONDEMNATION ORDER — MAIN STRUCTURE., dated March 23, 2011 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-312-11 has been WITHDRAWN at the request of the Appellant.

\* \* \*

**Docket A-314-11.**

RE: Appeal of Matthew M. Martinez, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 3484 West 120th Street from a NOTICE OF VIOLATION — FIRE DAMAGE, dated September 6, 2011 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-314-11 has been WITHDRAWN at the request of the Appellant.

\* \* \*

**Docket A-316-11.**

RE: Appeal of Mohamed Mosleh and Kamel Mosleh, Owner of the One Dwelling Unit Single Family Residence One & One/half Story Frame Property located on the premises known as 11701 Harvard Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE & GARAGE, dated August 24, 2011 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 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. Bradley and seconded by Mr. Maschke.

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

\* \* \*

**Docket A-317-11.**

RE: Appeal of Mr. & Mrs. Jesse Davidson, Owner of the One Dwelling Unit Single-Family Residence One & One/half Story Frame Property located on the premises known as 3147 West 58th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated March 21, 2011 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-317-11 have been POSTPONED; to be rescheduled for May 9, 2012.

\* \* \*

**Docket A-318-11.**

RE: Appeal of Mr. & Mrs. Jesse Davidson, Owner of the Twp Dwelling Units Two-Family Residence Twp & One/half Story Frame (Front), One Dwelling Unit Single-Family Residence One Story Frame Property (Rear), and One Story Garage - Detached; Wood Frame Property located on the premises known as 3150 West 46th Street (Front/Rear) from a CONDEMNATION ORDER — MAIN STRUCTURES & GARAGE, dated February 17, 2011 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-318-11 have been POSTPONED; to be rescheduled for May 9, 2012.

\* \* \*

**Docket A-319-11.**

RE: Appeal of James Spencer III, Owner of the MXD Uses - Multiple Masonry Property located on the

premises known as 13824 St. Clair Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 12, 2011 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 thirty (30) days in which to obtain permits and nine (9) 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, noting that the evidence and testimony presented indicates that the Condemnation Order was properly issued. Motion so in order. Motioned by Mr. Gallagher and seconded by Mr. Mr. Bradley.

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

\* \* \*

**Docket A-320-11.**

RE: Appeal of Charisse Dawson, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property, located on the premises known as 15311 Shiloh Road from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 7, 2011 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 to the Department of Building and Housing for supervision and any required further action, noting that no work has been done, no contact has been made with the Building Department, and no permits have been obtained. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

\* \* \*

**Docket A-322-11.**

RE: Appeal of Christopher Stennis, Owner of the One Dwelling Unit Single-Family Residence Two & One/half Story Frame Property located on the premises known as 3406 East 104th Street from a NOTICE OF VIOLATION — FIRE DAMAGE, dated September 9, 2011 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 thirty (30) days in which to obtain permits and six (6) months in which to complete abatement of the violations with the provision that the Appellant can reapply to the Board for additional time if satisfactory progress is being made, 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-323-11.**

RE: Appeal of LRG Development LLC, Owner of the Two Dwelling Units Two-Family Residence Two & One/half Story Frame Property located on the premises known as 3562 East 149th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated August 12, 2011 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 thirty (30) days in which to obtain permits and three (3) months in which to abate the violations, the property is REMANDED 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-324-11.**

RE: Appeal of Jasmine Ganaway, Owner of the Two Dwelling Units Two-Family Residence Two One/half Story Frame Property, located on the premises known as 3716 East 146th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 13, 2011 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 thirty (30) days in which to obtain permits and three (3) months in which 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. Gallagher.

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

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**Docket A-325-11.**

RE: Appeal of James Kilfoyle, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 10609 Bernard Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 29, 2011 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 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. Maschke and sec-

ended by Mr. Bradley.

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

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**Docket A-329-11.**

RE: Appeal of Case Western Reserve University, Owner of the Property located on the premises known as 11421 Bellflower Road from a NOTICE OF VIOLATION — HVAC, dated April 1, 2011 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 permit the exhaust fan to remain with the provision that the windows adjacent to the fan be sealed to comply with code requirements, noting that the testimony presented and photographic evidence indicates that the Violation Notice was properly issued. 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-333-11.**

RE: Appeal of Real Estate Asset Management, Owner of the R-2 Residential – Non-transient; Apartments (Shared Egress) Two & One/half Story Frame Property located on the premises known as 5514 Linton Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated April 8, 2011 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 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. Maschke and seconded by Mr. Bradley.

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

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**Docket A-334-11.**

RE: Appeal of Karla Shim, Owner of the R-2 Residential – Permanent Housing – (Shared Egress) Property located on the premises known as 3417 East 139th Street from a LIMITATION ON THE PERMIT, dated October 19, 2011 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 thirty (30) days in which to obtain all required permits and nine (9) months 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. Saab.

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

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**Docket A-339-11.**

RE: Appeal of Brendan Walton, Owner of the MXD Mixed Uses – Multiple Uses In One Building Two & One/half Story Frame Property located on the premises known as 5718 Lorain Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated September 22, 2011 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 based upon the photographic evidence presented and testimony from the neighborhood and inspector that no work has been done, to find that the Violation Notice was properly issued, the appeal for additional time is DENIED; 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.

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**Docket A-341-11.**

RE: Appeal of East 37th Street, LLC, Owner of the S-2 Storage – Low Hazard (Non-combustibles) Property located on the premises known as 2626 East 37th Street from a NOTICE OF VIOLATION — FIRE DAMAGE, dated September 21, 2011 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-314-11 has been WITHDRAWN at the request of the Appellant.

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**Docket A-71-12.**

RE: Appeal of Donovan Francis, Owner of the Residential Property located on the premises known as 4411 West 143rd Street from an ADJUDICATION ORDER, dated March 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, reviewing the location and dimensions of the windows in question, a motion is in order at this time to grant the variance and permit the window size of seven (7) square feet to be deemed adequate for safe exiting from the basement. 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-91-12.**

RE: Appeal of Joe Sidari, Owner of the Property located on the premises known as 12016 Mayfield

Road from an ADJUDICATION ORDER, dated February 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 variance required to erect the awning per the drawings presented. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Bradley.

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

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**EXTENSION OF TIME:**

**Docket A-295-10.**

David Williams – 12004 Soika Avenue:

A motion is in order at this time to grant the Appellant 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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**AMENDED RESOLUTIONS:**

**Docket A-302-11.**

Evelyn Ocasio – 1937 West 50th Street:

FROM: ...to find that the Condemnation Order was properly issued and to DENY any additional time to renovate the property, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action...

TO: ...grant the Appellant four (4) months in which to complete abatement of the violations with additional time obtainable from the Board if progress is satisfactory at the end of that time, noting that permits are to be obtained within thirty (30) days, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action...

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

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**Docket A-303-11.**

Evelyn Ocasio – 1939 West 50th Street:

FROM: ...to find that the Condemnation Order was properly issued and to DENY any additional time to renovate the property, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action...

TO: ...grant the Appellant four (4) months in which to complete abatement of the violations with additional time obtainable from the Board if progress is satisfactory at the end of that time, noting that permits are to be obtained within thirty (30) days, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action...

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

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**Docket A-304-11.**  
Evelyn Ocasio - 1941 West 50th Street:

FROM:...to find that the Condemnation Order was properly issued and to DENY any additional time to renovate the property, the property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action...

TO: ...grant the Appellant four (4) months in which to complete abatement of the violations with additional time obtainable from the Board if progress is satisfactory at the end of that time, noting that permits are to be obtained within thirty (30) days, the property is REMANDED at this time 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. Gallagher and seconded by Mr. Maschke 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-122-10 — Dorris Diamond
- A-288-11 — Ghassan Haddad
- A-289-11 — Igor Kmits
- A-290-11 — A.H. Investment Properties
- A-292-11 — Union Miles Dev. Corp.
- A-293-11 — Belinda & Sajjad Shakir
- A-296-11 — Dean Berens
- A-298-11 — Wagner Industries
- A-300-11 — Tim Yarian
- A-306-11 — Brenda O'Steen
- A-308-11 — Hammond Prosperity LLC
- A-309-11 — Hammond Prosperity LLC
- A-33-12 — Cleveland Clinic
- A-76-12 — Greater Cleveland Domed
- A-79-12 — Glidden House Hotel

Yeas: Messrs. Denk, Gallagher, Bradley, Maschke. Nays: None. Not Voting: Mr. Saab.

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Gallagher and seconded by Mr. Maschke 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):

April 11, 2012

Yeas: Messrs. Denk, Gallagher, Bradley, Maschke. Nays: None. Not Voting: Mr. Saab.

\* \* \*

JOSEPH F. DENK  
Chairman

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

**Notice of Public Hearing  
By the Council Committee  
On City Planning**

**Mercedes Cotner  
Committee Room 217  
City Hall, Cleveland, Ohio  
On Wednesday, May 9, 2012  
1:00 p.m.**

Notice is hereby given to all interested property owners that the Council Committee on City Planning will hold a public hearing in the Mercedes Cotner Committee Room 217, City Hall, Cleveland, Ohio, on May 9, 2012, at 1:00 p.m., to consider the following ordinance now pending in the Council:

**Ord. No. 737-10.**

By Council Member Cleveland.  
An ordinance changing the Use, Area and Height Districts of land bounded by Quincy Ave., E. 79 St., E. 71st St., Platt Ave. and Woodland Ave. to a Semi-Industry District, a 'C' Area District and a '1' Height District (Map Change No. 2323; Sheet No. 5).

**Ord. No. 746-10.**

By Council Members Mitchell and Cleveland.  
An ordinance changing the Use and Height Districts of lands on the south side of Cedar Ave. between E. 76 St. and E. 80 St. to Local Retail Business and a '2' Height District (Map Change No. 2334; Sheet No. 5).

**Ord. No. 747-10.**

By Council Member Mitchell.  
An ordinance changing the Use, Area and Height Districts of lands on the south side of Central Avenue between E. 79 St. and E. 83 St. to Multi-Family Residential, a 'C' Area District and a '1' Height District (Map Change No. 2331; Sheet No. 5).

**Ord. No. 748-10.**

By Council Member Mitchell.  
An ordinance changing the Use, Area and Height Districts of lands on the south side of Central Ave. to Quincy Ave. between E. 82 St. and E. 83 St. to Open Space and Recreation, an 'A' Area District and a '1' Height District (Map Change No. 2330; Sheet No. 5).

**Ord. No. 749-10.**

By Council Member Mitchell.  
An ordinance changing the Use and Height Districts of lands on the northwest corner of E. 79 St. and Quincy Ave. to Local Retail Business and a '1' Height District (Map Change No. 2332; Sheet No. 5).

**Ord. No. 755-10.**

By Council Member Mitchell.  
An ordinance changing the Use District of land on the north side of Woodland east of East 79th St. and west of E. 86 St. shown shaded on the attached map to a Residence-Industry District (Map Change No. 2324; Sheet No. 5).

**Ord. No. 757-10.**

By Council Member Cleveland.  
An ordinance changing the Use District of land on the northwest corner of Woodland and E. 79th St. to Local Retail Business (Map Change No. 2325; Sheet No. 5).

**Ord. No. 758-10.**

By Council Member Mitchell.  
An ordinance changing the Use District of lands on the north side of Quebec Ave., between E. 103 St. and E. 105 St. south of Cedar Ave. to Residence Office District (Map Change No. 2328; Sheet No. 5).

**Ord. No. 759-10.**

By Council Member Mitchell.  
An ordinance changing the Use and Height Districts of lands on the south side of Quincy Ave. between E. 79 St. and E. 82nd St. to Local Retail Business and a '1' Height District (Map Change No. 2329; Sheet No. 5).

**Ord. No. 760-10.**

By Council Member Mitchell.  
An ordinance changing the Use District of lands on the southeast corner of Quincy Ave. and E. 93rd St. to Institutional-Research (Map Change No. 2327; Sheet No. 5).

**Ord. No. 761-10.**

By Council Member Mitchell.  
An ordinance changing the Use and Height Districts of lands on the north side of Quincy Ave. between E. 93 St. and E. 105 St. to Local Retail Business, a 'C' Area District and a '1' Height District (Map Change No. 2333; Sheet No. 5).

**Ord. No. 1225-11.**

By Council Member Zone.  
An ordinance to change the Use District of land located on the northwest corner of W. 65th Street and Storer Avenue from Shopping Center to General Industry (Map Change No. 2369, Sheet Number 2).

**Ord. No. 277-12.**

By Council Members Cummins and Cimperman.  
An ordinance to change the Use, Area and Height Districts of lands fronting on Scranton Road between Parafine Avenue to land south of Barber Avenue to Local Retail, Multi-Family or Two Family, a 'B' Area District and a 1 Height District as shown shaded on the attached map (Map Change No. 2387, Sheet Numbers 1).

**Ord. No. 278-12.**

By Council Member Cummins.  
An ordinance to change the Use and Area Districts of land fronting on Scranton Road between Wade Avenue and Castle Avenue to Open Space and Recreation, One or Two Family Residential and an A or B Area District as shown shaded on the attached map (Map Change No. 2389, Sheet Number 1).

**Ord. No. 279-12.**

By Council Member Cummins.  
An ordinance to change the Use and Height Districts of lands fronting on the east and west sides of Scranton Road near Buhner Avenue and Kinkel Avenue as shown shaded on the attached map to a Multi-Family Residential District and a 1 Height District (Map Change No. 2388, Sheet Number 1).

**Ord. No. 285-12.**

By Council Member Cummins.  
 An ordinance establishing a Pedestrian Retail Overlay District (PRO) on land fronting on West 25 Street between Barber Avenue and Library Avenue and To change the Use, Area and Height Districts of land located on the east and west sides of West 25th Street and Clark Avenue to General or Local Retail and Multi-Family, a 'C' Area District and a 2 or a 1 Height District as identified on the attached maps (Map Change No. 2390, Sheet Numbers 1 & 2).

All interested persons are urged to be present or to be represented at the above time and place.

Phyllis E. Cleveland  
 Chair  
 Committee on City Planning

April 25, 2012 and May 2, 2012

**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, MAY 18, 2012**

**File No. 54-12 — Purchase New Electric Motors and Pumps Including Labor and Materials**, for the Division of Property Management, Department of Public Works, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MAY 3, 2012 AT 10:30 A.M. CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 12 (CUSTODIAN'S OFFICE), CLEVELAND, OHIO 44114.

April 25, 2012 and May 2, 2012

**WEDNESDAY, MAY 23, 2012**

**File No. 51-12 — Labor and Materials Necessary to Maintain and Repair Heating, Ventilation and Air Conditioning Systems**, for the Various Divisions of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MAY 3, 2012 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS, CLEVELAND, OHIO 44114.

**File No. 52-12 — Purchase of Necessary Items of Fencing and Gates, Including Labor and Materials for Repair and Installation (Re-Bid)**, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 808-11, Passed by the Council of the City of Cleveland, July 20, 2011.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MAY 8, 2012 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

**File No. 53-12 — Maintain and Repair Automatic Doors, Including Labor and Installation**, for the Various Divisions of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 4, 2012 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

**File No. 57-12 — Necessary Items of Air Filters to Maintain and Repair Heating, Ventilation and Air Conditioning Systems**, for the

Various Divisions of Port Control, Department of Port Control, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** MONDAY, MAY 7, 2012 AT 10:00 A.M. THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS, CLEVELAND, OHIO 44114.

April 25, 2012 and May 2, 2012

**THURSDAY, MAY 24, 2012**

**File No. 55-12 — Purchase of Various Compressor, Vehicle Lifts and Related Equipment Repair**, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1330-A-10, passed by the Council of the City of Cleveland, December 16, 2012.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 4, 2012 AT 10:30 A.M. THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 56-12 — Towing and Winching Services**, for the Division of Motor Vehicle Maintenance, Department of Public Works, as authorized by Ordinance No. 1330-A-10, passed by the Council of the City of Cleveland, December 16, 2012.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 4, 2012 AT 10:00 A.M. THE DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49TH STREET, CLEVELAND, OHIO 44105.

**File No. 58-12 — Tree Trimming Services**, for the Division of Cleveland Public Power, Department of Public Utilities, as authorized by Ordinance No. 628-11, passed by the Council of the City of Cleveland, December 16, 2012.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MAY 4, 2012 AT 10:30 A.M. THE TOM L. JOHNSON BUILDING, 1300 LAKE SIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 59-12 — Tasers and Related Equipment**, for the Division of Police, Department of Public Safety, as authorized by Section 135.065 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MAY 3, 2012 AT 10:00 A.M. THE CLEVELAND POLICE HEADQUARTERS, 1300 ONTARIO, 7TH FLOOR, POLICE ACADEMY AVENUE, CLEVELAND, OHIO 44113.

April 25, 2012 and May 2, 2012

**ADOPTED RESOLUTIONS  
AND ORDINANCES**

**Res. No. 579-12.**

**By Council Members Reed, Brancatelli, Polensek, J. Johnson, Zone and Mitchell.**

**An emergency resolution supporting the U.S. Department of Transportation's declaration of April as national Distracted Driving Awareness Month.**

Whereas, the U.S. Department of Transportation has declared April national Distracted Driving Awareness Month, continuing Secretary Ray LaHood's push to enact laws banning texting and hand-held cell phone use while driving; and

Whereas, according to the Department of Transportation's website, Distraction.gov, using a cell phone while driving delays the driver's reaction time as much as having a blood alcohol concentration of .08, the legal limit for drunk driving; and

Whereas, drivers who use hand-held devices are four times more likely to get into a crash serious enough to cause injury, and texting drivers are 23 times more likely to be involved in a crash, according to the Department of Transportation; and

Whereas, during a two-week period of stepped up law enforcement, police in Hartford, Connecticut wrote approximately 4,956 tickets and Syracuse, New York police issued 4,446 tickets for violations involving talking or texting on cell phones; and

Whereas, as a result of effective law enforcement and public-service announcements, hand-held cell phone use dropped 56 percent in Hartford and 38 percent in Syracuse, and texting while driving decreased by 68 percent in Hartford and 42 percent in Syracuse; and

Whereas, 37 states across the country have enacted laws banning texting and/or hand-held cell phone use while driving; and

Whereas, distracted driving led to at least 31,000 accidents and automobile crashes in the state of Ohio from 2009 to 2011, and approximately one out of four of those collisions took place in Cuyahoga County, according to information by the State Highway Patrol; and

Whereas, a recently released State Highway Patrol analysis of crash reports linked 74 fatal automobile crashes over a three year period to distracted driving; and

Whereas, Cuyahoga County led the state of Ohio with 7,087 distracted driving crashes, which is more than the combined total from Franklin, Hamilton and Lucas counties, including major metropolitan areas of Columbus, Cincinnati and Toledo; 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 supports the U.S. Department of Transportation's declaration of April as national Distracted Driving Awareness Month.

**Section 2.** That the Clerk of Council is directed to transmit copies of this resolution to U.S. Department of Transportation Secretary Ray LaHood.

**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 April 23, 2012.

Effective April 26, 2012.

**Res. No. 580-12.**

**By Council Members Brancatelli, Westbrook, Dow, Brady, Mitchell, J. Johnson, Cimperman, Conwell, Cummins, K. Johnson, Keane, Kelley, Miller, Polensek, Pruitt, Reed, Zone and Sweeney.**

**An emergency resolution urging the U.S. House of Representatives to support the passage of H.R. 4210 the Restore Our Neighborhoods Act of 2012, which will establish \$4,000,000,000 in new funding through bonding to take on significant residential and commercial structure demolition projects in urban areas.**

Whereas, vacant, uninhabitable, ravaged properties often become a breeding ground for crime and fires, and require a disproportionate amount of government maintenance, from securing properties against criminal activity to removal of garbage and rodents to demolition, all at a cost to taxpayers; and

Whereas, vacant, uninhabitable, ravaged properties reduce city tax revenue in three ways: they are often tax delinquent; their low value means they generate little in taxes; and they depress property values across an entire neighborhood; and

Whereas, the citizens who live in a neighborhood with many vacant and abandoned properties have great difficulty obtaining homeowner's insurance, mortgages and loans for home improvements; and

Whereas, vacant properties degrade and devalue the quality of life for remaining residents, isolating and weakening the neighborhood, and increasing the likelihood that property values will continue to decline and further abandonment will set in; and

Whereas, the City of Cleveland has demolished 6,000 vacant buildings since 2006 at a cost of approximately \$42,000,000; and

Whereas, the City of Cleveland still has approximately 15,000 vacant structures and has limited financial capacity to fund additional demolition at that scale; and

Whereas, H.R. 4210 will create National Urban Demolition Bonds, which will provide \$4 billion for states and establish land banks to issue 30-year demolition bonds; and

Whereas, those states which have been highly impacted by foreclosed and abandoned homes will also benefit from the passage of H.R. 4210; and

Whereas, the H.R. 4210 will allow for more flexibility than the Neighborhood Stabilization Program (NSP), 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.** Urging the U.S. House of Representatives to support the passage of H.R. 4210, the Restore Our Neighborhoods Act of 2012, which will establish \$4,000,000,000 in new funding through bonding to take on significant residential and commercial structure demolition projects in urban areas.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to Barack Obama, President of the United States, John Boehner, Speaker, U.S. House of Representatives, Marcia Fudge, Congresswoman, Steven LaTourette, Congressman, Marcy Kaptur, Congresswoman, Dennis Kucinich, Congressman, John Kasich, the Governor of the State of Ohio, Frank G. Jackson, Mayor, City of Cleveland.

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

Adopted April 23, 2012.

Effective April 26, 2012.

**Res. No. 581-12.**

**By Council Member Cimperman.**  
**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 75 Public Square, Unit 101 and repealing Resolution No. 1166-11, objecting to said renewal.**

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 75 Public Square, Unit 101 by Resolution No. 1166-11 adopted by the Council on August 17, 2011; 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 D1, D2, D3, D3A and D6 Liquor Permit to Prime 75, inc., 75 Public Square, Unit 101, Cleveland, Ohio 44113, Permanent Number 7085792 be and the same is hereby withdrawn and Resolution No. 1166-11, 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 April 23, 2012.

Effective April 26, 2012.



**Res. No. 582-12.  
By Council Member Pruitt.  
An emergency resolution with-  
drawing objection to the transfer of  
liquor license of a D1, D2, D3, D3A and  
D6 Liquor Permit at 16800 Miles Road  
and repealing Resolution No. 218-12,  
objecting to said transfer.**

Whereas, this Council objected to the transfer of liquor license of a D1, D2, D3, D3A and D6 Liquor Permit to Sipp & Chat, Inc., 16800 Miles Road, Cleveland, Ohio 44128, Permanent Number 8194664 by Resolution No. 218-12 adopted by the Council on February 27, 2012; and

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

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

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

**Section 1.** That objection to a D1, D2, D3, D3A and D6 Liquor Permit to Sipp & Chat, Inc., 16800 Miles Road, Cleveland, Ohio 44128, Permanent Number 8194664 be and the same is hereby withdrawn and Resolution No. 218-12, 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.

Adopted April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 243-12.  
By Council Members Brady,  
Polensek, Westbrook, Mitchell, Cum-  
mins and J. Johnson.**

**An emergency ordinance to amend  
Section 623.10 of the Codified Ordin-  
ances of Cleveland, Ohio, 1976, as  
amended by Ordinance No. 1020-76,  
passed June 14, 1976, relating to spray  
painting property.**

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

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

**Section 1.** That Section 623.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1020-76, passed June 14, 1976, is hereby amended to read as follows:

**Section 623.10 Spray Painting Prop-  
erty**

(a) No person shall intentionally, maliciously or recklessly destroy, damage or deface in any way any public or private property by the use of spray paint or any other paint or any other similar substance. Public or private property shall include the following:

(1) Public or private buildings, including sidewalks about such grounds and all appurtenances thereto, fences or trees;

(2) Public street lights, fire hydrants, pumps, fountains, inlets, manholes or sewer venturers;

(3) Telephone or telegraph wires or electric wires of any kind or the poles sustaining or attaching thereto;

(4) Statues, monuments or plaques;

(5) Official notices or signs posted by the State, the City or any other public agency.

(b) (1) Whoever violates this section is guilty of spray painting property, a misdemeanor of the first degree.

(2) In addition to any other penalty imposed, as a separate and independent penalty, whoever violates this section shall be ordered to either, (i) make restitution by monetary payment for the loss or damage incurred on the property at that location where the offender committed the violation or, (ii) at his or her own cost, remove the spray paint from the property at that location where the offender committed the violation and to restore by physical labor the property to its former condition; and, also at his or her own cost, to perform one hundred (100) hours of community service removing spray paint from other public or private property.

**Section 2.** That existing Section 623.10 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1020-76, passed June 14, 1976, 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 April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 253-12.  
By Council Members Kelley and  
Sweeney (by departmental request).**

**An emergency ordinance authoriz-  
ing the Director of Public Utilities to  
enter into one or more contracts with  
Youth Opportunities Unlimited for  
the administration, implementation,  
and management of the 2012 Cleve-  
land Youth Summer Employment Pro-  
gram.**

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 Public Utilities is authorized to enter into one or more contracts with Youth Opportunities Unlimited for the administration, implementation, and management of the 2012 Cleveland Youth Summer Employment Program, which will include painting fire hydrants and other assignments. If arranged by the Director of Public Utilities through negotiations with suburban communities, then the youth opportunities may include activities in those communities.

**Section 2.** That the cost of the contract or contracts authorized shall not exceed \$484,154 and be paid from Fund Nos. 52 SF 001, 54 SF 001, and 58 SF 001, Request No. RQS 2002, RL 2012-21.

**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 April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 270-12.  
By Council Members Conwell,  
Mitchell and Sweeney (by departmen-  
tal request).**

**An emergency ordinance to amend  
Sections 621.10 and 621.11 of the Cod-  
ified Ordinances of Cleveland, Ohio,  
1976, as amended by Ordinance No.  
1414-86, passed November 3, 1986 and  
Ordinance No. 1020-76, passed June 14,  
1976, relating to telecommunications  
harassment and threatening or  
harassing telecommunications.**

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 621.10 and 621.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1414-86, passed November 3, 1986 and Ordinance No. 1020-76, passed June 14, 1976, are amended to read as follows:

**Section 621.10 Telecommunications  
Harassment**

(a) No person shall knowingly make or cause to be made a telecommunication, or knowingly permit a telecommunication to be made from a telecommunications device under the person's control, to another, if the caller does any of the following:

(1) Fails to identify the caller to the recipient of the telecommunication and makes the telecommunication with purpose to harass or abuse any person at the premises to which the telecommunication is made, whether or not actual communication takes place between the caller and a recipient;

(2) Describes, suggests, requests, or proposes that the caller, the recipient of the telecommunication, or any other person engage in sexual activity, and the recipient or another person at the premises to which the telecommunication is made has requested, in a previous telecommunication or in the immediate telecommunication, that the caller not make a telecommunication to the recipient or to the premises to which the telecommunication is made;

(3) During the telecommunication, violates Section 621.06 or Section 2903.21 of the Revised Code;

(4) Knowingly states to the recipient of the telecommunication that the caller intends to cause damage to or destroy public or private property, and the recipient, any member of recipient's family, or any other person who resides at the premises to which the telecommunication is made owns, leases, resides, or works in, will at the time of the destruction or damaging be near or in, has the responsibility of protecting, or insures the property that will be destroyed or damaged;

(5) Knowingly makes the telecommunication to the recipient of the

telecommunication, to another person at the premises to which the telecommunication is made, or to those premises, and the recipient or another person at those premises previously has told the caller not to make a telecommunication to those premises or to any persons at those premises.

(b) No person shall make or cause to be made a telecommunication, or permit a telecommunication to be made from a telecommunications device under the person's control, with purpose to abuse, threaten, or harass another person.

(c) Whoever violates this section is guilty of telecommunication harassment, a misdemeanor of the first degree.

(d) This section shall not apply in any case in which the proscribed conduct constitutes a felony under Section 2917.21 of the Revised Code.

(e) As used in this Section:

(1) "Caller" means the person described in division (a) of this section who makes or causes to be made a telecommunication or who permits a telecommunication to be made from a telecommunications device under that person's control.

(2) "Sexual activity" has the same meaning as in Section 619.01 and shall also include all conduct constituting "sexual activity" as defined in Section 2907.01 of the Revised Code.

(3) "Telecommunication" means the origination, emission, dissemination, transmission, or reception of data, images, signals, sounds, or other intelligence or equivalence of intelligence of any nature over any communications system by any method, including, but not limited to, a fiber optic, electronic, magnetic, optical, digital, or analog method. [R.C. 2913.01]

(4) "Telecommunications device" means any instrument, equipment, machine, or other device that facilitates telecommunication, including, but not limited to, a computer, computer network, computer chip, computer circuit, scanner, telephone, cellular telephone, pager, personal communications device, transponder, receiver, radio, modem, or device that enables the use of a modem. [R.C. 2913.01]

(f) Nothing in this section prohibits a person from making a telecommunication to a debtor that is in compliance with the "Fair Debt Collection Practices Act," 91 Stat. 874 (1977), 15 U.S.C. 1692, as amended, or the "Telephone Consumer Protection Act," 105 Stat. 2395 (1991), 47 U.S.C. 227, as amended. [R.C. 2917.21]

**Section 621.11 Threatening or Harassing Telecommunications**

(a) No person shall, while communicating with any other person over a telecommunications device, threaten to do bodily harm or use or address to such other person any words or language of a lewd, lascivious or indecent character, nature or connotation for the sole purpose of annoying such other person; nor shall any person make a telecommunication to any other person repeatedly or cause any person to be a telecommunications recipient repeatedly for the sole purpose of harassing or molesting such other person or his family.

Any use, communication or act prohibited by this section may be deemed to have occurred or to have been committed at either the place at which the telecommunication was made or was received.

(b) As used in this section, "telecommunications device" has the same meaning as in Section 621.10.

(c) Whoever violates this section is guilty of a threatening or harassing telecommunication, a misdemeanor of the first degree.

**Section 2.** That existing Sections 621.10 and 621.11 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1414-86, passed November 3, 1986 and Ordinance No. 1020-76, passed June 14, 1976, are

**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 April 23, 2012.

Effective April 26, 2012.

**Ord. No. 398-12.  
By Council Members Conwell and Sweeney (by departmental request).**

**An emergency ordinance to amend the title and Sections 1, 2, 4, and 6 of Ordinance No. 812-10, passed July 14, 2010, relating to the 2009 Port Security Grant.**

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

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

**Section 1.** That the title and Sections 1, 2, 4, and 6 of Ordinance No. 812-10, passed July 14, 2010, are amended to read as follows:

An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Public Safety for the 2009 Port Security Grant; authorizing one or more standard contracts for a vehicle needed to implement the grant; and authorizing one or more requirement and standard contracts for materials, equipment, supplies, and services, including training, needed to implement the grant.

**Section 1.** That the Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$267,665, and any other funds that may become available during the grant term from the United States Department of Public Safety to conduct the 2009 Port Security Grant; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

**Section 2.** That the summary for the grant, File No. 812-10-A and 812-10-B, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, including the obligation of the City of Cleveland to provide cash matching funds in the amount of \$89,222, from Fund No. 11 SF 006 is approved in all respects and shall not be changed without additional legislative authority.

**Section 4.** That the Director of Public Safety is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the period during the grant term, for each or all of the following items: one vehicle to tow the smaller boats and store dive equipment, and materials, equipment, supplies, and services, including training, needed to implement the grant to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Department of Public Safety.

**Section 6.** That the cost of the contract or contracts authorized shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance and the cash match.

**Section 2.** That the existing title and Sections 1, 2, 4, and 6 of Ordinance No. 812-10, passed July 14, 2010, are repealed.

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

Passed April 23, 2012.

Effective April 26, 2012.

**Ord. No. 403-12.  
By Council Members Cimperman and Sweeney (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of cremation services for indigent dead, for the Division of Health, Department of Public Health, for a term of two years, with two one-year options to renew, exercisable by the Director of Public Health.**

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 Public Health is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period of two years, with two one-year options to renew, exercisable by the Director of Public Health of the necessary items of cremation services for indigent dead, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Health, Department of Public Health. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 2.** That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance. (RQN 5005, RL 2012-20)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements with other governmental agencies. The Director of Public Health may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

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

Passed April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 409-12.**  
**By Council Members Kelley and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Utilities to enter into one or more contracts with SourceLink, Ohio LLC to provide various services relating to the customer care and billing system for the Divisions of Water and Cleveland Public Power, for a period up to two years, with two one-year options to renew, the first of which requires additional legislative authority.**

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

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

**Section 1.** That the Director of Public Utilities is authorized to enter into one or more contracts with SourceLink, Ohio LLC for professional services necessary to provide various services relating to the customer care and billing systems for the Divisions of Water and Cleveland Public Power, including but not limited to bill printing and mailing services for utility bills, delinquent and reminder notices, bill design, and other bill inserts, on the basis of their proposal dated March 12, 2012, in the total sum of \$1,795,574, for the Department of Public Utilities, for a period up to two years, with two one-year options to renew, the first of which requires additional legislative authority. The contract or contracts shall be paid from Fund Nos. 52 SF 001 and 58 SF 001, Request No. RQS 2002, RL 2012-11.

**Section 2.** That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take

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

Passed April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 454-12.**  
**By Council Members Conwell and Sweeney (by departmental request).**

**An emergency ordinance authorizing the Director of Public Safety to apply for and accept a grant from the United States Department of Homeland Security for the FY 2010 Assistance to Firefighters Grant - Fire Prevention & Safety Program; and to enter into one or more requirement contracts without competitive bidding with the Knox Company for the purchase and installation of the Knox Sentralock Master Key Retention System in emergency suppression vehicles within the Division of Fire, including labor.**

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 Public Safety is authorized to apply for and accept a grant in the approximate amount of \$53,600, and any other funds that may become available during the grant term from the United States Department of Homeland Security to conduct the FY 2010 Assistance to Firefighters Grant - fire Prevention & Safety Program; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the entire application for the grant contained in the file described below.

**Section 2.** That the entire application for the grant, presented to the Finance Committee of this Council at a public hearing on this legislation and set forth in File No. 454-12-A, is made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide cash matching funds in the sum of \$10,720 from Fund No. 11 SF 006, is approved in all respects, and shall not be changed without additional legislative authority.

**Section 3.** That the Director of Public Safety shall have the authority to extend the term of the grant during the grant term.

**Section 4.** That this Council determines that the within commodities are non-competitive and cannot be secured from any source other than the Knox Company. Therefore, the Director of Public Safety is authorized to make one or more written requirement contracts with the Knox Company, for the requirements for a period not to exceed the grant term of the necessary items of the purchase and installation of the Knox Sentralock Master Key Retention system in emergency suppression vehicles within the Division of Fire, including labor if needed, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division

of Fire, Department of Public Safety.

**Section 5.** That the costs of the requirement contract shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of the initial purchase, which purchase, together with all later purchases, shall be made on order of the Commissioner of Purchases and Supplies under a delivery order against the contract or contracts certified by the Director of Finance.

**Section 6.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Safety may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

**Section 7.** That the cost of the contracts and other expenditures authorized shall be paid from fund or funds to which are credited the grant proceeds accepted under this ordinance and the cash match.

**Section 8.** 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 April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 574-12.**  
**By Council Member Sweeney.**  
**An emergency ordinance authorizing the Clerk of Council to make payment using the City credit card for continued use of the domain name for Cleveland City Council.**

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.** Notwithstanding any provisions of the Codified Ordinances to the contrary, the Clerk of Council is authorized to make payment to using the City credit card in an amount up to \$500.00 for continued use of the domain name for Cleveland City Council.

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

Passed April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 575-12.**  
**By Council Member Sweeney.**  
**An emergency ordinance authorizing the Clerk of Council to enter into one or more summer internship agreements with various individuals to provide assistance to the Office of the Clerk and the members of Cleveland City Council in any and all matters related to official Council business.**

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 Clerk of Council is authorized to enter into one or more summer internship agreements with various individuals to provide assistance to the Office of the Clerk and the members of Cleveland City Council in any and all matters related to official Council business, as may be directed by the Clerk or her designees. The agreements may be for terms of any number of weeks starting on or after May 1st and ending on or before August 31st. The individuals shall be paid on an hourly basis in an amount not to exceed 10.00 per hour and shall be certified from fund number 01, subfund 001, department 0101, object 6320.

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

Passed April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 576-12.  
By Council Member Dow.**

**An emergency ordinance authorizing the Director of the Department of Public Works to enter into an agreement with the E.M.S. Rams Youth Development Group, Inc. for the Rams Youth Football and Cheerleading Sports Program through the use of Ward 7 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 Public Works be authorized to enter into an agreement with the E.M.S. Rams Youth Football and Cheerleading Sports Program for the public purpose of providing organized recreational sports activities to city of Cleveland youth through the use of Ward 7 Neighborhood Capital Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$5,000 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.

Passed April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 577-12.  
By Council Members Cleveland, Reed and Mitchell.**

**An emergency ordinance authorizing the Director of the Department of Economic Development to enter into an agreement with the EL Hasa Temple No. 28 Shrine Temple owned by Mr. William Strawbridge for building renovations and interior improvements through the use of Ward(s) 5, 2 and 6 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 Development be authorized to enter into an agreement with the El Hasa Temple No. 28 Shrine Temple owned by Mr. William Strawbridge located at 1004 Union Avenue, Cleveland, Ohio for the public purpose of exterior building renovations and interior improvements for economic development and new job creation in the city of Cleveland through the use of Ward(s) 5, 2 and 6 Neighborhood Capital Funds.

**Section 2.** That the cost of said contract shall be in an amount not to exceed \$3,000 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.

Passed April 23, 2012.  
Effective April 26, 2012.

**Ord. No. 578-12.  
By Council Member Reed.**

**An emergency ordinance authorizing and directing the Director of Capital Projects to issue a permit to the Progressive Street Club to hang 32 flags from the intersection of East Boulevard and Martin Luther King, Jr. Drive going north to Farrington Avenue, for the period from April 24, 2012 to May 25, 2012, inclusive, publicizing the American flag for peace.**

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 the provision of Section 623.13 of the Codified Ordinances, of Cleveland, Ohio, 1976, the Director of the Department of Capital Projects is hereby authorized and directed to issue a permit to the Progressive Street Club to install, maintain and remove 32 flags from the intersection of East Boulevard and Martin Luther King, Jr. Drive going north to Farrington Avenue, for the peri-

od from August 25, 2011 to September 24, 2011, inclusive. Said banner shall be approved by the Director of Capital Projects, in consultation with the Director of Public Safety, as to type, method of affixing and location so as not to interfere with any sign erected and maintained under the requirements of law or ordinance. The permission of the owner of any pole from which a flag will be hung must be obtained prior to issuance of the permit. No commercial advertising shall be printed or permitted on said flag and said flag shall be removed promptly upon the expiration of said permit.

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

Passed April 23, 2012.  
Effective April 26, 2012.

**COUNCIL COMMITTEE MEETINGS**

**Monday, April 30, 2012  
9:30 a.m.**

**Public Parks, Properties and Recreation Committee:** Present: K. Johnson, Chair; Conwell, Vice Chair; Brancatelli, Cimperman, Dow, Polensek, Reed.

**2:00 p.m.**

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

**Tuesday, May 1, 2012  
9:30 a.m.**

**Community and Economic Development Committee:** Present: Brancatelli, Chair; Dow, Vice Chair; Cimperman, Cummins, J. Johnson, Pruitt, Westbrook, Zone. *Authorized Absence:* Miller.

**1:30 p.m.**

**Employment, Affirmative Action and Training Committee:** Present: Pruitt, Chair; J. Johnson, Mitchell, Westbrook. *Authorized Absence:* Miller, Vice Chair; Cummins, K. Johnson.

**Wednesday, May 2, 2012  
10:00 a.m.**

**Public Safety Committee:** Present: Conwell, Chair; Polensek, Vice Chair; Brady, Cleveland, Cummins, Dow, Miller, Mitchell, Zone.

**1:30 p.m.**

**Public Utilities Committee:** Present: Kelley, Chair; Brady, Vice Chair; Conwell, Miller, Polensek, Pruitt, Westbrook. *Authorized Absence:* Cummins, Dow. Pro tempore: Cleveland, J. Johnson, Mitchell.

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