

# The City Record

Official Publication of the Council of the City of Cleveland



March the Twenty-Third, Two Thousand and Eleven

**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

Andrew Watterson, 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 – Robert J. Triozzi, Director, Barbara A. Langhenry, 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 – Richard W. Sensenbrenner, Commissioner, Room 19

Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122

City Treasury – \_\_\_\_\_, Treasurer, Room 115

Financial Reporting and Control – James Gentile, Controller, Room 18

Information Technology and Services – Douglas Divish, Commissioner, 205 W. St. Clair

Avenue

Purchases and Supplies – James E. Hardy, Commissioner, Room 128

Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue

Taxation – Nassim Lynch, Tax Administrator, 205 W. St. Clair Avenue

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

#### DIVISIONS:

Cleveland Public Power – Ivan Henderson, Commissioner

Street Lighting Bureau – \_\_\_\_\_, Acting Chief

Utilities Fiscal Control – Dennis Nichols, Commissioner

Water – \_\_\_\_\_, Commissioner

Water Pollution Control – Ollie Shaw, 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, Interim Director, Mural Building, 75

Erievue Plaza

#### DIVISIONS:

Air Quality – Richard L. Nemeth, Commissioner

Environment – Willie Bess, Commissioner, Mural Building, 75 Erievue Plaza

Health – Karen K. Butler, Commissioner, Mural Building, 75 Erievue 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 – Terrence Ross, Commissioner

Fair Housing and Consumer Affairs Office – \_\_\_\_\_, Manager

Neighborhood Development – \_\_\_\_\_, Commissioner

Neighborhood Services – Louise V. Jackson, Commissioner

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

#### DIVISIONS:

Code Enforcement – Tyrone L. Johnson, Commissioner

Construction Permitting – Timothy R. Wolosz, Commissioner

### DEPT. OF PERSONNEL AND HUMAN RESOURCES – \_\_\_\_\_, 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 Fluckinger.

### SINKING FUND COMMISSION – Frank G. Jackson, President; Council President Martin

J. Sweeney; Betsy Hruby, Asst. Sec’y.; Sharon Dumas, Director.

### BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members; John

Myers, Ozell Dobbins, Joan Shaver Washington, Tim Donovan, 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 – Law Director Robert J. Triozzi, President;

Finance Director Sharon Dumas, Secretary; Council President Martin J. Sweeney.

### BOARD OF SIDEWALK APPEALS – Service Director Jonmarie Wasik, Law Director

Robert J. Triozzi; Council Member Eugene R. Miller.

### BOARD OF REVIEW – (Municipal Income Tax) – Law Director Robert J. Triozzi; 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 – Law Director Robert J. Triozzi; Chairman; Finance

Director Sharon Dumas; Council President Martin J. Sweeney; Councilman Kevin

Kelley.

### POLICE REVIEW BOARD – Thomas Jones, Board Chair Person; Vernon Collier, 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. Iutu, Chairman; Debra Janik, Bracy Lewis, Diane

Downing, Donna Sciarappa, Council President Martin J. Sweeney; Law Director Robert

J. Triozzi.

## CLEVELAND MUNICIPAL COURT

### JUSTICE CENTER – 1200 ONTARIO STREET

#### JUDGE COURTROOM ASSIGNMENTS

#### Judge Courtroom

Presiding and Administrative Judge Ronald B. Adrine – Courtroom 15A

Judge Marilyn B. Cassidy – Courtroom 12B

Judge Michelle Denise Earley – Courtroom 12C

Judge Emanuella Groves – Courtroom 14B

Judge Anita Laster Mays – Courtroom 14C

Judge Lynn McLaughlin-Murray – Courtroom 12A

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. 98

WEDNESDAY, MARCH 23, 2011

No. 5076

## CITY COUNCIL

MONDAY, MARCH 21, 2011

The City Record  
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Address all communications to

**PATRICIA J. BRITT**

City Clerk, Clerk of Council  
216 City Hall

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

#### MONDAY — Alternating

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

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

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

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

#### MONDAY

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

#### TUESDAY

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

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

#### WEDNESDAY — Alternating

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

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

#### WEDNESDAY — Alternating

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

Cleveland, Ohio

Monday, March 21, 2011

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

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

Also present were Mayor Frank G. Jackson, Ken Silliman, Chief of Staff, Darnell Brown, Chief Operating Officer, Valarie J. McCall, Chief of Government Affairs, Maureen Harper, Chief of Communications, Andrea V. Taylor, Press Secretary, Andrew Watterson, Chief of Sustainability, Natoya J. Walker-Minor, Chief of Public Affairs - Interim Director of Office of Equal Opportunity, and Directors Wasik, Triozzi, Dumas, Withers, Smith, Butler, Cox, Rush, Rybka, Nichols, Griffin, Brown, Fumich, Lucille Ambroz, Secretary, Civil Service, and Teresa Stevenson of Legislative Affairs.

Pursuant to Ordinance No. 2926-76, the opening prayer was offered by Rev. Ron Lee, Pastor of Calvary Congregational Church located at 4424 Lee Road, Ward 1. Pledge of Allegiance.

#### MOTION

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

#### FROM THE DEPARTMENT OF LIQUOR CONTROL

**File No. 378-11.**

Re: #47036590 — D5F, D6 Stock Application - Poseidon Investment Group, LLC, dba East 55th Street Marina, 5555 N. Marginal Road & Patio. (Ward 8). Received.

**File No. 379-11.**

Re: #6247727 — C2 New Application — Murray Hill Market, LLC, dba Murray Hill Market, 2072 Murray Hill Road. (Ward 9). Received.

#### CONDOLENCE RESOLUTIONS

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

**Res. No. 383-11**—Charles Vernon Dixon, Sr.

**Res. No. 396-11**—James H. Miller.

**Res. No. 397-11**—Robert M. Gallagher.

**Res. No. 398-11**—Sabrina Riggins.

**Res. No. 399-11**—Bob Fisher, Jr.

**Res. No. 400-11**—Mary Holt.

**Res. No. 401-11**—Calvin Humphreys.

#### CONGRATULATION RESOLUTIONS

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

**Res. No. 384-11**—Joe Bradac.

**Res. No. 385-11**—Nancy Slapnik.

**Res. No. 386-11**—William Zabukovec.

**Res. No. 387-11**—Yvonne Simons.

**Res. No. 388-11**—Joey Miskulin.

**Res. No. 389-11**—Annie Mack.

**Res. No. 390-11**—Agnes E. Turk.

**Res. No. 391-11**—Robert H. Kravos, Jr.

**Res. No. 392-11**—Richard A. "Dick" Koss.

**Res. No. 393-11**—The St. Lawrence Choir.

#### RECOGNITION RESOLUTIONS

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

**Res. No. 394-11**—David S. Goodman, Esq.

**Res. No. 395-11**—Richard P. Stovsky.

#### FIRST READING ORDINANCES REFERRED

**Ord. No. 357-11.**

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 Youth Opportunities Unlimited for the administration, implementation, and management of the 2011 Cleveland Youth Summer Employment 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 Public Utilities is authorized to enter into one or more contracts with Youth

Opportunities Unlimited for the administration, implementation, and management of the 2011 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 \$441,944.43 and be paid from Fund Nos. 52 SF 001, 54 SF 001, and 58 SF 001, Request No. RQS 2002, RL 2011-45.

**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 Utilities, Finance, Law; Committees on Public Utilities, Finance.

**Ord. No. 358-11.**  
**By Council Members Kelley and Sweeney (by departmental request).**  
**An emergency ordinance authorizing the Director of Public Utilities to employ one or more professional consultants to provide general environmental, health, safety, sustainability, engineering, and other services needed for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, on an as-needed basis, for a period up to two years.**

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 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 services necessary to provide general environmental, health, safety, sustainability, and engineering services including but not limited to employee health and safety services, geotechnical services, industrial hygiene services, materials testing and analyses, water treatment process analyses, laboratory testing services, hazardous substance identification and analyses, forensic investigations, energy audits, environmental sampling and analysis, and other related professional consulting services needed for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, on an as-needed basis, for a period up to two years.

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

**Section 2.** That the cost of the contract or contracts authorized shall be

paid from Fund Nos. 52 SF 001, 54 SF 001, and 58 SF 001, Request No. RQS 2002, RL 2011-37.

**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 Utilities, Finance, Law; Committees on Public Utilities, Finance.

**Ord. No. 359-11.**  
**By Council Members Kelley and Sweeney (by departmental request).**  
**An emergency ordinance authorizing the purchase by one or more requirement contracts of diving and underwater inspections, for the Division of Water, Department of Public Utilities, for a period up to two years.**

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of diving and underwater inspections, 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 Water, Department of Public Utilities. 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 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. (RQN 2002, RL 2011-5)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities 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.

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

**Ord. No. 360-11.**  
**By Council Members Kelley and Sweeney (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of hauling and disposal of water treatment plant residuals, for the Division of Water, Department of Public Utilities, for a period up to two years.**

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of hauling and disposal of water treatment plant residuals, 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 Water, Department of Public Utilities. 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 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. (RQN 2002, RL 2011-3)

**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 Utilities 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.

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

**Ord. No. 361-11.**  
**By Council Members Kelley and Sweeney (by departmental request).**

**An emergency ordinance authorizing the purchase by one or more requirement contracts of water mains, fire hydrants, service connections, and appurtenances, including concrete repair, tree lawn restoration, and labor and installation if necessary, for the Division of Water, Department of Public Utilities, for a period up to two years.**

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 make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a period up to two years of the necessary items of water mains, fire hydrants, service connections, and appurtenances, including concrete repair, tree lawn restoration, and labor and installation if necessary, 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 Water, Department of Public Utilities. 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.

**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 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. (RQN 2002, RL 2011-2)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities 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.

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

**Ord. No. 362-11.**

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

**An emergency ordinance authorizing the purchase by one or more requirement contracts of various sized PVC and FRE ductline materials, for the Division of Cleveland Public Power, Department of Public Utilities, for a period up to two years.**

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 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 or two years of the necessary items of various sized PVC and FRE ductline materials, including but not limited to conduit, fittings, elbows, spacers, expanders, reducers, adhesives and related materials necessary to construct electrical ductlines, 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 Cleveland Public Power, Department of Public Utilities. 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. The Director of Public Utilities is authorized to enter into one or more contracts with a term of two years instead of one year when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Utilities by comparing the bids received for both terms.

**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 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. (RQN 2004, RL 2011-4)

**Section 3.** That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Utilities 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.

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

**Ord. No. 363-11.**

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

**An emergency ordinance authorizing the purchase by one or more requirement contracts for the transfer and disposal of solid waste, for the Division of Waste Collection and Disposal, Department of Public Works, for a term of one year or a term of two years, with three one-year options to renew, the second of which is exercisable by the Director 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 the Director of Public Works 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 term of one year or a term of two years, with three one-year options to renew,

for the necessary items of the transfer and disposal of solid waste, and the provision, as the Board of Control shall determine, of the necessary landfill, transfer station and/or materials recovery facility requirements, in the approximate amount as purchased during the preceding term, purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Waste Collection and Disposal, Department of Public Works. Bids shall be taken in a manner that permits an award to be made for all items of services 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. The Director of Public Works is authorized to enter into one or more contracts with a term of two years, with three one-year options to renew, instead of one year, with three one-year options to renew, when there is a financial advantage to the City. For purposes of this ordinance, a financial advantage shall be determined by the Director of Public Works by comparing the bids received for both terms. The second of the three one-year options to renew may not be exercised without additional legislative authority, but whether or not to exercise the first and third optional years shall be at the discretion of the Director of Public Works and shall not require additional legislative authority.

Bids shall also be taken so as to permit an award to be made for provision of such services citywide or by separate contracts for the districts determined by the Director of Public Works.

**Section 2.** That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Director of Public Works may require that each bid be accompanied by a single bond securing both the execution of a contract and the performance of the term of each contract. If a single bond securing both execution and performance is required by the Director, it shall be substantially in accordance with the form attached as Exhibit "A". Each bond, whether to secure the execution of a contract, its performance, or both, shall be in an amount determined by the Director of Public Works. Each bond submitted to secure the contract or contracts authorized by this ordinance shall be executed by a surety authorized to do business in the State of Ohio and shall be acceptable to the Director of Law.

**Section 3.** That the cost of the contract or contracts shall be charged against the proper appropriation account 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. (RQN 4003, RL 2011-6)

**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.

**BID GUARANTY AND CONTRACT BOND**

KNOW ALL MEN BY THESE PRESENTS, that we the \_\_\_\_\_

(Name and Address) as Principal and \_\_\_\_\_

(Name of Surety) as Surety are hereby held and firmly bound unto the City of Cleveland, hereinafter called the Obligee, in the penal sum hereinafter stated, pertaining to the bid submitted by the Principal to the Obligee on \_\_\_\_\_ (date) to undertake the project known \_\_\_\_\_

The penal sum referred to herein shall be \_\_\_\_\_

For the payment of the penal sum well and truly to be made, we hereby jointly and severally bind ourselves, our heirs, executors, administrators, successors, and assigns.

THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, that whereas the above named Principal has submitted a bid on the above referred project;

NOW, THEREFORE, if the Obligee accepts the bid of the Principal and the Principal fails to enter into a proper contract in accordance with the bid, plans, details, specifications, and bills of material; and in the event the Principal pays to the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid and such larger amount for which the Obligee may in good faith contract with the next lowest and best bidder to perform the work covered by the bid; or in the event the Obligee does not award the contract to the next lowest and best bidder and resubmits the project for bidding, the Principal will pay the Obligee the difference not to exceed ten percent of the penalty hereof between the amount specified in the bid, or the costs in connection with the resubmission, of printing new contract documents, required advertising, and printing and mailing notices to prospective bidders, whichever is less, then this obligation shall be void, otherwise to remain in full force and effect. If the Obligee accepts the bid of the Principal and the Principal within ten days after the awarding of the contract and submitting to the Principal a contract for execution, enters into a proper contract in accordance with the bid, plans, details, specifications, and bills of material, which said contract is made a part of this bond the same as though set forth herein; and

IF THE SAID Principal shall well and faithfully perform each and every condition of such contract; and indemnify the Obligee against all damage suffered by failure to perform such contract according to the provisions thereof and in accordance with the plans, details, specifications, and bills of material therefor; and shall pay all lawful claims of subcontractors, materialmen, and laborers for labor performed and materials furnished in the carrying forward, performing, or completing said contract; we agreeing and assenting that this undertaking shall be for the benefit of any materialman or laborer having a just claim as well as for the Obligee herein; then this obligation shall be void; otherwise the same shall remain in full force and effect; it being expressly understood and agreed that

the liability of the Surety for any and all claims hereunder shall in no event exceed the penal amount of this obligation as herein stated.

THE SAID Surety hereby stipulates and agrees that no modifications, omissions, or additions, in or to the terms of said contract or in or to the plans and specifications therefor shall in any wise affect the obligations of said Surety on this bond, and it does hereby waive notice of any such modifications, omissions or additions to the terms of the contract or to the work or to the specifications.

SIGNED AND SEALED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

PRINCIPAL: \_\_\_\_\_ SURETY: \_\_\_\_\_

BY: \_\_\_\_\_ BY: \_\_\_\_\_ Attorney-in-Fact

TITLE: \_\_\_\_\_

SURETY COMPANY ADDRESS: \_\_\_\_\_

Street \_\_\_\_\_

City State ZIP \_\_\_\_\_

SURETY AGENT'S ADDRESS: \_\_\_\_\_

Agency Name \_\_\_\_\_

Street \_\_\_\_\_

City State ZIP \_\_\_\_\_

"Exhibit A"

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

**Ord. No. 364-11. 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 2010 SAFER 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 Director of Public Safety is authorized to apply for and accept a grant in the approximate amount of \$3,482,937, and any other funds that may become available during the grant term from the United States Department of Homeland Security to conduct the 2010 SAFER 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 grant award for the grant contained in the file described below.

Section 2. That the grant award for the grant, File No. 364-11-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, 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 ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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

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

**Ord. No. 365-11. By Council Members Brancatelli and Sweeney (by departmental request).**

An emergency ordinance authorizing the Director of Community Development to enter into an agreement with the Cuyahoga County Land Reutilization Corporation to authorize the County Land Bank to demolish structures and to perform related services on City-owned properties that are currently in the City's land bank, for a period up to two years.

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 an agreement with the Cuyahoga County Land Reutilization Corporation to authorize the County Land Bank to demolish structures and to perform related services on City-owned properties that are currently in the City's land bank for a period up to two years.

Section 2. That the agreement shall be prepared by the Director of Law.

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.

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. 366-11. By Council Member Sweeney.**

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to purchase through cooperative agreements using state procedures various items of office furniture and office equipment 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, pursuant to Section 108 (b) of the Charter, the Commissioner of Purchases and Supplies is authorized to purchase various items of office furniture and office equipment for Cleveland City Council and

the Clerk of Council through cooperative agreements using state procedures. The Director of Finance or her designee may sign all documents with the State of Ohio or any of its political subdivisions that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process. The above authorized agreements will be paid for from fund 21, subfund 009, unit 00, app unit 680, object 6930, program C09904.

**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. 380-11.**

**By Council Member Conwell.**

**An emergency ordinance amending Section 2 of Ordinance No. 1204-10 passed September 13, 2010 as it pertains to authorizing the Director of the Department of Economic Development to enter into an agreement with Green's Barber Shop for exterior building renovations through the use of Ward 9 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 Section 2 of Ordinance No. 1204-10 passed September 13, 2010 is hereby amended to read as follows:

**Section 2.** That the cost of said contract shall be in an amount not to exceed **\$4,483.48** and shall be paid from Fund No. 10 SF 177.

**Section 2.** That Section 2 of Ordinance No. 1204-10 passed September 13, 2010 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.

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. 381-11.**

**By Council Member Sweeney.**

**An emergency ordinance authorizing the Clerk of Council to accept a grant from the Ohio Historical Records Advisory Board.**

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 hereby authorized to accept a grant from the Ohio Historical Records Advisory Board in the amount of \$2,215 to provide the archival quality

materials to re-house, arrange and identify the collection known as the Demolition Files. The Clerk is authorized to sign a grant agreement for this purpose and any other documents necessary in order to fulfill the grant agreement.

**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.

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

**Res. No. 367-11.**

**By Council Member Brancatelli.**

**An emergency resolution withdrawing objection to the transfer liquor ownership of a C1 and C2 Liquor Permit at 7020 Harvard Avenue and repealing Resolution No. 23-11, objecting to said transfer.**

Whereas, this Council objected to a C1 and C2 Liquor Permit to 7020 Harvard Avenue by Resolution No. 23-11 adopted by the Council on January 10, 2011; and

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

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

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

**Section 1.** That objection to a C1 and C2 Liquor Permit from 7020 Harvard Avenue, Eden Oil, Inc., DBA Harvard Gas USA, 7020 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 2434505 to Harvard Gas, LLC, DBA Harvard Gas USA, 7020 Harvard Avenue, Cleveland, Ohio 44105, Permanent Number 3648441, be and the same is hereby withdrawn and Resolution No. 23-11, containing such objection, be and the same is hereby repealed and that this Council consents to the immediate transfer thereof.

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

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

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

**Res. No. 368-11.**

**By Council Member Cimperman.**

**An emergency resolution objecting to the transfer of ownership of a D5 and D6 Liquor Permit to 620 Frankfort Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D5 and D6 Liquor Permit from Down River Specialties, Inc., DBA Motion, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 22898800005 to K K Tricks, LLC, DBA K AK Tricks Night Club, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 4422102; 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 D5 and D6 Liquor Permit from Down River Specialties, Inc., 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 22898800005 to K K Tricks, LLC, DBA K AK Tricks Night Club, 620 Frankfort Avenue, Cleveland, Ohio 44113, Permanent Number 4422102; 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. 369-11.****By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A and D6 Liquor Permit at 2045 East 21st Street, and repealing Resolution No.1079-10, objecting to said renewal.**

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 2045 East 21st Street by Resolution No. 1079-10 adopted by the Council on August 18, 2010; 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 2045 East 21st Street, owned by Downunder Entertainment, LLC, DBA Peabody's Entertainment, 2045 East 21st Street, Cleveland, Ohio 44115, Permanent Number 2293436, be and the same is hereby withdrawn and Resolution No. 1079-10, 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.

**Res. No. 370-11.****By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D1, D2, D3, D3A, and D6 Liquor Permit at 618 Prospect Avenue and repealing Resolution No. 1083-10, objecting to said transfer.**

Whereas, this Council objected to a D1, D2, D3, D3A and D6 Liquor Permit to 618 Prospect Avenue by Resolution No. 1083-10 adopted by the Council on August 18, 2010; 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 618 Prospect Avenue, owned by View Cleveland, LLC, 618 Prospect Avenue, Cleveland, Ohio 44115, Permanent Number 9271908, be and the same is hereby withdrawn and Resolution No. 1083-10, 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.

**Res. No. 371-11.****By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 2233 West 3rd Street, 1st floor and patio and repealing Resolution No. 1085-10, objecting to said renewal.**

Whereas, this Council objected to a D5 Liquor Permit to 2233 West 3rd Street, 1st floor and patio by Resolution No. 1085-10 adopted by the Council on August 18, 2010; 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 D5 Liquor Permit to 2233 West 3rd Street, 1st floor and patio, owned by Patricia A. Hanych, 2233 West 3rd Street, Cleveland, Ohio 44113, Permanent Number 3587876, be and the same is hereby withdrawn and Resolution No. 1085-10, 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.

**Res. No. 372-11.****By Council Member Cimperman.**

**An emergency resolution withdrawing objection to the renewal of a D5 and D6 Liquor Permit at 1392 West 6th Street and repealing Resolution No.1086-10, objecting to said renewal.**

Whereas, this Council objected to a D5 and D6 Liquor Permit to 1392 West 6th Street by Resolution No. 1086-10 adopted by the Council on August 18, 2010; 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 D5 and D6 Liquor Permit to 1392 West 6th Street, owned by Mercury Lounge, LLC, 1392 West 6th Street, Cleveland, Ohio 44113, Permanent Number 5829842, be and the same is hereby withdrawn and Resolution No. 1086-10, 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.

**Res. No. 373-11.****By Council Member Cimperman.**

**An emergency resolution objecting to the transfer of ownership and location of a D5 and D6 Liquor Permit to 2510 Elm Street.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership and location of a D5 AND D6 Liquor Permit from SNM Entertainment, Inc., 2000 Sycamore Street, 1st floor Units 160 & 190, Cleveland, Ohio 44113, Permanent Number 7642439 to Echelon on the Water, Inc., DBA Echelon on the Water, 2510 Elm Street, Cleveland, Ohio 44113, Permanent Number 2434367; 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 and location of a D5 Liquor Permit from SNM Entertainment, Inc., 2000 Sycamore Street, 1st floor Units 160 & 190, Cleveland, Ohio 44113, Permanent Number 7642439 to Echelon on the Water, Inc. DBA Echelon on the Water, 2510 Elm Street, Cleveland, Ohio 44113, Permanent Number 2434367; 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. 374-11.**

**By Council Member Cimperman.**

**An emergency resolution objecting to the transfer of ownership and location of a D5 Liquor Permit to 240 Euclid Avenue.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership and location of a D5 Liquor Permit from Telecom Acquisition Corp I, Inc., 1st floor and patio, 1301 Old River Road, Cleveland, Ohio 44113, Permanent Number 88361720002 to 236 Euclid Retail LLC, 240 Euclid Avenue, Cleveland, Ohio 44114, Permanent Number 9115395; 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 and location of a D5 Liquor Permit from Telecom Acquisition Corp I, Inc., 1st floor and patio, 1301 Old River Road, Cleveland, Ohio 44113, Permanent Number 88361720002 to 236 Euclid Retail LLC, 240 Euclid Avenue, Cleveland, Ohio 44114, Permanent Number 9115395; 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. 375-11.**

**By Council Member Kelley.**

**An emergency resolution withdrawing objection to the renewal of a D5 Liquor Permit at 6101 Memphis Avenue and repealing Resolution No. 963-10, objecting to said renewal.**

Whereas, this Council objected to a D5 Liquor Permit to 6101 Memphis Avenue by Resolution No. 963-10 adopted by the Council on July 14, 2010; 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 D5 Liquor Permit to 6101 Memphis Avenue, owned by Cal Ger, LLC, DBA Memphis Station, Permanent Number 1184084, be and the same is hereby withdrawn and Resolution No. 963-10, 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.

**Res. No. 376-11.**

**By Council Member Reed.**

**An emergency resolution objecting to the transfer of ownership of a D1 and D2 Liquor Permit to 4658 Warner Road.**

Whereas, Council has been notified by the Department of Liquor Control of an application for the transfer of ownership of a D1 and D2 Liquor Permit from Mildred Fantelli, DBA Cozy Inn, 4568 Warner Road, Cleveland, Ohio 44105, Permanent Number 2637923 to Martin J. Martina, DBA Cozy Inn, 4568 Warner Road, Cleveland, Ohio 44105, Permanent Number 5588648; 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 D1 and D2 Liquor Permit from Mildred Fantelli, DBA Cozy Inn, 4568 Warner Road, Cleveland, Ohio 44105, Permanent Number 2637923 to Martin J. Martina, DBA Cozy Inn, 4568 Warner Road, Cleveland, Ohio 44105, Permanent Number 5588648; 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. 382-11.**

**By Mayor Jackson, Council Members Zone and Mitchell.**

**An emergency resolution urging local area municipalities, public and private businesses and individuals to support "Earth Hour 2011" by turning off their lights for one hour, from 8:30 pm until 9:30 pm on Saturday March 26, 2011.**

Whereas, on March 26, 2011, the world will once again observe "Earth Hour" when hundreds of millions of people, organizations, corporations and governments around the world will come together to make a bold statement about their concern for climate change by turning off their lights for one hour between the 8:30pm and 9:30 pm; and

Whereas, in the United States, participants will turn off their lights, sending a clear message that we want to "turn out the lights" on dirty air, dangerous dependency on foreign oil and costly climate change impacts, and make the switch to cleaner air, a strong economic future and a more secure nation; and

Whereas, since its inception four years ago, Earth Hour has become a global phenomenon; and

Whereas, nearly one billion people turned out for Earth Hour 2009, involving 4,100 cities in 87 countries on seven continents and including 80 million Americans and 318 U.S. cities; and

Whereas, Earth Hour 2010 was the biggest Earth Hour ever: a record 128 countries and territories joined the global display of climate action. Iconic buildings and landmarks from Asia Pacific to Europe and Africa to the Americas switched off; people across the world from all walks of life turned off their lights and came together in celebration and contemplation of the one thing we all have in common - our planet; and

Whereas, in past years, landmarks from around the world went dark for Earth Hour, including: the Empire State Building; the Brooklyn Bridge; Broadway Theater Marquee; the Las Vegas Strip; United Nations Headquarters; the Golden Gate Bridge; Seattle's Space Needle; Church of Latter-Day Saints Temple; the Gateway Arch in St Louis; the Great Pyramids of Giza; the Acropolis and Parthenon in Athens; Christ the Redeemer Statue in Rio de Janeiro; St. Peter's Basilica in Vatican City; Big Ben and Houses of Parliament in London; Elysee Palace and Eiffel Tower in Paris; Beijing's Bird Nest and Water Cube; Symphony of Lights in Hong Kong; and Sydney's Opera House; and

Whereas, all Northeast Ohio municipalities, businesses and citizens should pledge to participate in this year's Earth Hour; 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 local area municipalities, public and private businesses and individuals to support "Earth Hour 2011" by turning off their lights for one hour, from 8:30 pm until 9:30 pm on Saturday March 26, 2011.

**Section 2.** That the Clerk of Council is hereby directed to transmit copies of this resolution to Joe Roman, President and Chief Executive Officer, Greater Cleveland Partnership; Joseph Marinucci, President & CEO of Downtown Cleveland Alliance; and Cuyahoga County Executive Ed Fitzgerald.

**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.

**SECOND READING EMERGENCY ORDINANCES PASSED**

**Ord. No. 13-11.**

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a Clean Ohio grant from the State of Ohio Department of Development for environmental assistance for proposed redevelopment of the John Hartness Brown Building at 1001-1101 Euclid Avenue; authorizing the Director to enter into one or more contracts with JHB Hotel, LLC, or its designee, to implement the project and to incorporate LEED principles in the redevelopment of the site; and authorizing the director to employ one or more professional consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to oversee the redevelopment work and to complete services to issue a "No Further Action Letter."

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

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

**Ord. No. 17-11.**

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a Clean Ohio grant from the State of Ohio Department of Development for proposed redevelopment of the Key Gas Components Facility at 1966 East 66th Street; authorizing the Director to enter into one or more contracts with Sixty-Six, LLC, or its designee, to implement the project and to incorporate LEED principles in the redevelopment of the site; and authorizing the director to employ one or more

professional consultants or one or more firms of consultants who employ an Ohio VAP-Certified professional for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to oversee the redevelopment work and to complete services to issue a "No Further Action Letter."

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

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

**Ord. No. 105-11.**

By Council Member Cummins. An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 3503 Highview Avenue to Joseph McCandlish.

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

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

**Ord. No. 106-11.**

By Council Member Mitchell. An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on Mt. Overlook Avenue to Johnny Woodson.

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

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

**Ord. No. 175-11.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69220 with Weather Forecast Inc. of Ohio to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary forecasting weather.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 176-11.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69361 with Premier Flight Academy to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 177-11.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69370 with Bencin Aviation, dba Precision Helicopter Services to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student helicopter pilots.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 178-11.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69405 with T & G Flying Club, Inc. to provide for the use and occupancy of space located in the passenger terminal building at Burke Lakefront Airport for activities necessary for training and instruction of student pilots.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 182-11.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Midtown Acquisition, LLC, or its designee, to provide economic development assistance to partially finance the acquisition, demolition, and redevelopment of 6900 and 7000 Euclid Avenue, and other associated costs necessary to redevelop the property.

Approved by Directors of Economic Development, City Planning Commission, Finance, Law; Passage recommended by Committees on Community and Economic Development, City Planning, Finance, when amended as follows.

1. Before the first whereas clause, insert the following new clauses:

**"Whereas, the Council of the City of Cleveland has determined that to assist with business expansion, retain and create jobs within the City of Cleveland, and increase the City's tax base, it is in the public interest and a proper public purpose for the City to provide financing assistance for projects that have business retention, expansion, and attraction implication or that have certain job creation potential; and**

**Whereas, in compliance with Section 13, of Article VIII, Ohio Constitution, the City has established the Cleveland Citywide Development Corporation for review of proposed economic development projects; and**

**Whereas, this project has been reviewed by the City's Department of Economic Development and approved by the Cleveland Citywide Development Corporation at its March 15, 2011 Board Meeting; and"**

2. In Section 1, line 1, after "That" insert ", provided Midtown Acquisition LLC, or its designee, submits documents required by the City's bond counsel,".

3. In Section 2, line 2, strike "File No. 182-11-A" and insert "File No. 182-11-B".

4. In Section 3, line 2, strike "\$720,000" and insert "\$1,330,000"; and in line 3, strike "Fund No. 17 SF 008, RQS 9501, RL 2011-13" and insert "Fund Nos. 17 SF 008, 10 SF 541, and 10 SF 552, RQS 9501, RL 2011-60".

5. In Section 5, line 2, strike "Fund No. 17 SF 006" and insert "Fund Nos. 17 SF 006, 10 SF 542, and 10 SF 553".

Amendments 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. 189-11.**

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

An emergency ordinance authorizing the Commissioner of Purchases and Supplies to acquire and re-convey properties presently owned by SDC University Circle Developer LLC, or its designee, located at 2021 Cornell Road for the purpose of entering into the chain-of-title prior to the adoption of tax increment financing legislation authorized under Section 5709.41 of the Revised Code; and authorizing an agreement with SDC University Circle Developer LLC, or its designee.

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

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

**Ord. No. 213-11.**

By Council Member Polensek.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 1055 East 169th Street to Rhonda S. Mclean.

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

**Ord. No. 226-11.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69366 with Physio-Control, Inc. to maintain and repair automated external defibrillators at Cleveland Hopkins International Airport and Burke Lakefront Airport.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 227-11.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69429 with South Shore Cable Construction, Inc. to provide for the use and occupancy of certain City-owned property at 6400 Kolthoff Road, Brook Park.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 246-11.**

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

An emergency ordinance authorizing the Director of Port Control to exercise the first option to renew Contract No. 69009 with KS Associates, Inc. to provide professional services to provide drawings of the existing and proposed airfield signage, lighting, and marking plans, as required for certification of Cleveland Hopkins International Airport by the Federal Aviation Administration, and update drawings, as required.

Approved by Directors of Port Control, Finance, Law; Passage recommended by Committees on Aviation and Transportation, Finance.

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

**Ord. No. 252-11.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into contract with Brookpark Industrial Properties, LLC, or its designee, to provide development assistance to partially finance the acquisition of a building located at 4600 Brookpark Road, and certain other costs necessary to redevelop the property.

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

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

**Ord. No. 254-11.**

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

An emergency ordinance authorizing the Director of Public Works to enter into an agreement with One Market Square Park, Ltd. to allow the City to install and maintain a mural on the Bender Building facing Market Square Park; and authorizing the Director to enter into a property adoption agreement with the Ohio City Near West Development Corp. to maintain the park, including the mural.

Approved by Directors of Public Works, Finance, Law; Relieved of Committee on Public Parks, Property and Recreation; Passage recommended by Committees on Public Service, Finance.

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

**Ord. No. 301-11.**

By Council Member Sweeney (by departmental request).

An emergency ordinance authorizing the Director of Finance, on behalf of the Cleveland Municipal Court, to enter into one or more contracts with Court Community Service for professional services necessary to place criminal defendants in community service, and for placement in the Cleveland Work Crew Program, both as referred by the Court, each for a period of one year, with a one year option to renew, for the Cleveland Municipal Court.

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.

**SECOND READING EMERGENCY RESOLUTION ADOPTED****Res. No. 101-11.**

By Council Member Miller.

An emergency resolution supporting House Bill No. 4 of the 129th Ohio General Assembly that would amend the Ohio Revised Code to eliminate the financial responsibility random verification program of the Bureau of Motor Vehicles.

Approved by Directors of Public Safety, Finance, Law; Adoption recommended by Committees on Public Safety, Finance.

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

**THIRD READING EMERGENCY ORDINANCES PASSED****Ord. No. 133-11.**

By Council Member J. Johnson.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on St. Clair Avenue to Ohio Technical College.

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

**Ord. No. 179-11.**

By Council Member Brancatelli.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located on East 75th Street to Chad Murray.

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

**Ord. No. 180-11.**

By Council Member Mitchell.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 12615 Buckeye Road to Harper Industries, Inc.

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

**Ord. No. 181-11.**

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

An emergency ordinance authorizing the Director of Economic Development to enter into a grant agreement with The Greater Cleveland Sports Commission to provide financial assistance to organize and

administer programs for marketing the City of Cleveland as a venue for sporting events and to actively market the Cleveland Public Hall as a premier site for the hosting of major events.

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

**Ord. No. 190-11.**

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

An emergency ordinance authorizing the Director of Community Development to apply for and accept grants from the United States Department of Housing and Urban Development for the CDBG Year 37 under the Title I of the Housing and Community Development Act of 1974, for the 2011 Federal HOME Grant Program, Emergency Shelter Grant Program, and the Housing Opportunities for Persons with AIDS Program.

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

**Ord. No. 250-11.**

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

An emergency ordinance authorizing the Directors of Public Works and Finance to employ one or more temporary employment agencies to provide professional services to supply temporary and seasonal personnel for the Department of Public Works and the Project Clean program and for the Department of Finance, for a period not to exceed one year.

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

**LAID ON THE TABLE****Ord. No. 1562-10.**

By Council Member Conwell.

An emergency ordinance authorizing the sale of real property as part of the Land Reutilization Program and located at 11601 Wade Park Avenue to Cleveland Museum of Natural History.

**Ord. No. 14-11.**

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

An emergency ordinance authorizing the Director of Economic Development to apply for and accept a

Clean Ohio grant from the State of Ohio Department of Development for brownfield redevelopment assistance for proposed redevelopment of the Lake Link Trail; authorizing the Director to enter into one or more contracts with ParkWorks, Inc., or its designee, to implement the project and to incorporate LEED principles in the redevelopment of the site; and authorizing the director to employ one or more professional consultants who employ an Ohio VAP-Certified professional for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services necessary to oversee the redevelopment work and to complete services to issue a "No Further Action Letter."

Without objection, Ordinance No. 1562-10 and Ordinance No. 14-11 were relieved of further consideration of all committees and laid on the table pursuant to Rules of Council.

The rules were suspended. Yeas 18. Nays 0. Ordinance 1562-10 and Ordinance No. 14-11 Laid on the Table.

**MOTION**

By Council Member Brancatelli, seconded by Council Member Kelley and unanimously carried that the absence of Council Member Kevin Conwell, be and is hereby authorized.

**MOTION**

The Council Meeting adjourned at 8:07 p.m. to meet on Monday, March 28, 2011 at 7:00 p.m. in the Council Chambers.



Patricia J. Britt  
City Clerk, Clerk of Council

**THE CALENDAR**

The following measure will be on its final passage at the next meeting:

**Ord. No. 140-11.**

By Council Member Sweeney (by departmental request).

**An emergency ordinance to make appropriations and provide current expenses for the daily operation of all municipal departments of the City of Cleveland for the fiscal year from January 1, 2011 until December 31, 2011.**

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

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

**Section 1.** That to provide for the current expenses for the City of Cleveland for the fiscal year ending December 31, 2011, the following sums be and they are hereby appropriated viz:

The sum of Five Hundred Twelve Million, Three Hundred Two Thousand, Two Hundred Sixty Four Dollars (\$512,302,264) from the General Fund;

The sum of Sixty Seven Million, Five Hundred Two Thousand, Nine Hundred Fifty Three

Dollars (\$67,502,953) from the Special Revenue Funds;

The sum of Twenty Eight Million, Nine Hundred Forty Five Thousand, Seven Hundred Thirteen

Dollars (\$28,945,713) from the Internal Service Funds;

**The sum of Six Hundred Six Million, Two Hundred Sixteen Thousand, Nine Hundred Thirty Four Dollars (\$606,216,934) from the Enterprise Funds;**

The sum of Nine Million, Six Hundred Thirty Seven Thousand, Six Hundred Nineteen Dollars (\$9,637,619) from the Trust and Agency Funds;

The sum of Sixty Three Million, Six Hundred Fifty One Thousand, Four Hundred Eighty Nine Dollars (\$63,651,489) from the Debt Service Fund;

All set forth in the Mayor's Estimate on file with Council and identified in the aggregate amount for each department as follows:

**GENERAL FUND**

Legislative Branch		\$ 6,650,734
Judicial Branch		<b>40,442,884</b>
<b>EXECUTIVE BRANCH</b>		
General Government		<b>8,164,367</b>
Department of Aging		893,378
Department of Personnel		1,845,302
Department of Consumer Affairs		227,583
Department of Law		<b>8,255,643</b>
Department of Finance		<b>13,778,506</b>
Department of Port Control		279,654
Department of Public Service		35,779,491
Department of Public Health		5,442,018
Department of Public Safety		<b>302,424,902</b>
Department of Parks, Recreation & Properties		<b>36,860,346</b>
Department of Building & Housing		<b>9,230,812</b>
Department of Economic Development		1,503,898
Nondepartmental		<b>40,522,746</b>
TOTAL EXECUTIVE BRANCH		<b>\$ 465,208,646</b>
TOTAL GENERAL FUND		<b>\$ 512,302,264</b>
Special Revenue Funds		67,502,953
Internal Service Funds		28,945,713
Enterprise Funds		<b>606,216,934</b>
Trust and Agency Funds		9,637,619
Debt Service Funds		63,651,489
TOTAL APPROPRIATIONS FOR 2011		<b>\$ 1,288,256,972</b>

**GENERAL FUND**

**LEGISLATIVE BRANCH**

Council and Clerk of Council		\$ 6,650,734
I. Personnel and Related Expenses	4,652,849	
II. Other Expenses	1,997,885	
TOTAL LEGISLATIVE BRANCH		<b>\$ 6,650,734</b>

**JUDICIAL BRANCH**

Municipal Court — Judicial Division		<b>\$ 22,606,126</b>
I. Personnel and Related Expenses	<b>20,062,767</b>	
II. Other Expenses	2,543,359	
Municipal Court — Clerk's Division		14,379,822
I. Personnel and Related Expenses	9,053,376	
II. Other Expenses	5,326,446	
Municipal Court — Housing Division		3,456,936
I. Personnel and Related Expenses	3,312,602	
II. Other Expenses	144,334	
TOTAL JUDICIAL BRANCH		<b>\$ 40,442,884</b>

**EXECUTIVE BRANCH**

**GENERAL GOVERNMENT**

Office of the Mayor		\$ 2,321,947
I. Personnel and Related Expenses	2,193,331	
II. Other Expenses	128,616	
Landmarks Commission		180,113
I. Personnel and Related Expenses	175,531	
II. Other Expenses	4,582	
Board of Building Standards and Appeals		120,127
I. Personnel and Related Expenses	109,885	
II. Other Expenses	10,242	

Board of Zoning Appeals		202,011
I. Personnel and Related Expenses	189,281	
II. Other Expenses	12,730	
Civil Service Commission		1,186,698
I. Personnel and Related Expenses	552,379	
II. Other Expenses	634,319	
Community Relations Board		1,185,246
I. Personnel and Related Expenses	1,117,508	
II. Other Expenses	67,738	
City Planning Commission		1,598,609
I. Personnel and Related Expenses	1,492,636	
II. Other Expenses	105,973	
Boxing and Wrestling Commission		<b>7,701</b>
I. Personnel and Related Expenses	<b>7,701</b>	
Office of Equal Opportunity		584,237
I. Personnel and Related Expenses	564,385	
II. Other Expenses	19,852	
Office of Budget & Management-Budget Admin.		777,678
I. Personnel and Related Expenses	759,078	
II. Other Expenses	18,600	
TOTAL GENERAL GOVERNMENT		<b>\$ 8,164,367</b>
DEPARTMENT OF AGING		
Department of Aging		\$ 893,378
I. Personnel and Related Expenses	767,120	
II. Other Expenses	126,258	
TOTAL DEPARTMENT OF AGING		<b>\$ 893,378</b>
DEPARTMENT OF PERSONNEL		
Office of Personnel		\$ 1,845,302
I. Personnel and Related Expenses	1,038,290	
II. Other Expenses	807,012	
TOTAL DEPARTMENT OF PERSONNEL		<b>\$ 1,845,302</b>
DEPARTMENT OF CONSUMER AFFAIRS		
Consumer Affairs		\$ 227,583
I. Personnel and Related Expenses	207,172	
II. Other Expenses	20,411	
TOTAL DEPARTMENT OF CONSUMER AFFAIRS		<b>\$ 227,583</b>
DEPARTMENT OF LAW		
Department Law		<b>\$ 8,255,643</b>
I. Personnel and Related Expenses	6,429,586	
II. Other Expenses	<b>1,826,057</b>	
TOTAL DEPARTMENT OF LAW		<b>\$ 8,255,643</b>
DEPARTMENT OF FINANCE		
Finance Administration		\$ 831,157
I. Personnel and Related Expenses	795,802	
II. Other Expenses	35,355	
Division of Accounts		1,904,684
I. Personnel and Related Expenses	1,272,057	
II. Other Expenses	632,627	

Division of Assessments and Licenses		3,650,569
I. Personnel and Related Expenses	2,404,663	
II. Other Expenses	1,245,906	
Division of Treasury		536,723
I. Personnel and Related Expenses	451,384	
II. Other Expenses	85,339	
Division of Purchases and Supplies		577,916
I. Personnel and Related Expenses	544,244	
II. Other Expenses	33,672	
Bureau of Internal Audit		963,610
I. Personnel and Related Expenses	523,950	
II. Other Expenses	439,660	
Division of Financial Reporting and Control		1,318,620
I. Personnel and Related Expenses	1,295,765	
II. Other Expenses	22,855	
Information Systems Services		<b>3,830,230</b>
I. Personnel and Related Expenses	2,030,961	
II. Other Expenses	<b>1,799,269</b>	
Information Tech & Planning		164,997
I. Personnel and Related Expenses	159,397	
II. Other Expenses	5,600	
<b>TOTAL DEPARTMENT OF FINANCE</b>		<b>\$ 13,778,506</b>

DEPARTMENT OF PORT CONTROL

Division of Harbors		\$ 279,654
I. Personnel and Related Expenses	96,016	
II. Other Expenses	183,638	
<b>TOTAL DEPARTMENT OF PORT CONTROL</b>		<b>\$ 279,654</b>

DEPARTMENT OF PUBLIC SERVICE

Public Service Administration		\$ 395,504
I. Personnel and Related Expenses	385,642	
II. Other Expenses	9,862	
Division of Architecture		459,362
I. Personnel and Related Expenses	434,562	
II. Other Expenses	24,800	
Division of Waste Collection and Disposal		26,421,297
I. Personnel and Related Expenses	14,506,830	
II. Other Expenses	11,914,467	
Division of Engineering and Construction		4,686,346
I. Personnel and Related Expenses	4,251,456	
II. Other Expenses	434,890	
Division of Traffic Engineering		3,816,982
I. Personnel and Related Expenses	2,937,916	
II. Other Expenses	879,066	
<b>TOTAL DEPARTMENT OF PUBLIC SERVICE</b>		<b>\$ 35,779,491</b>

DEPARTMENT OF PUBLIC HEALTH

Public Health Administration		\$ 893,589
I. Personnel and Related Expenses	578,308	
II. Other Expenses	315,281	
Division of Health		3,074,097
I. Personnel and Related Expenses	1,847,879	
II. Other Expenses	1,226,218	
Division of Environment		1,071,820
I. Personnel and Related Expenses	915,401	
II. Other Expenses	156,419	

Division of Air Quality		402,512
I. Personnel and Related Expenses	121,412	
II. Other Expenses	281,100	
<b>TOTAL DEPARTMENT OF PUBLIC HEALTH</b>		<b>\$ 5,442,018</b>

## DEPARTMENT OF PUBLIC SAFETY

Public Safety Administration		\$ 3,407,745
I. Personnel and Related Expenses	2,313,273	
II. Other Expenses	1,094,472	
Division of Police		171,140,327
I. Personnel and Related Expenses	161,891,896	
II. Other Expenses	9,248,431	
Division of Fire		90,219,820
I. Personnel and Related Expenses	87,106,345	
II. Other Expenses	3,113,475	
Division of Emergency Medical Services		21,712,969
I. Personnel and Related Expenses	19,071,747	
II. Other Expenses	2,641,222	
Division of Animal Control Services		<b>1,214,469</b>
I. Personnel and Related Expenses	863,148	
II. Other Expenses	<b>351,321</b>	
Division of Correction		14,729,572
I. Personnel and Related Expenses	11,277,068	
II. Other Expenses	3,452,504	
<b>TOTAL DEPARTMENT OF PUBLIC SAFETY</b>		<b>\$ 302,424,902</b>

## DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Parks, Recreation, and Properties Administration		\$ 702,141
I. Personnel and Related Expenses	558,670	
II. Other Expenses	143,471	
Division of Research, Planning, and Development		633,345
I. Personnel and Related Expenses	579,388	
II. Other Expenses	53,957	
Division of Recreation		<b>13,047,797</b>
I. Personnel and Related Expenses	9,498,523	
II. Other Expenses	<b>3,549,274</b>	
Division of Parking Facilities-On Street		1,288,578
I. Personnel and Related Expenses	1,227,804	
II. Other Expenses	60,774	
Division of Property Management		8,584,510
I. Personnel and Related Expenses	5,771,656	
II. Other Expenses	2,812,854	
Division of Park Maintenance and Properties		12,603,975
I. Personnel and Related Expenses	8,141,526	
II. Other Expenses	4,462,449	
<b>TOTAL PARKS, RECREATION, AND PROPERTIES</b>		<b>\$ 36,860,346</b>

## DEPARTMENT OF BUILDING AND HOUSING

Building and Housing Dir Office		\$ 1,828,015
I. Personnel and Related Expenses	<b>1,420,517</b>	
II. Other Expenses	<b>407,498</b>	
Division of Code Enforcement		5,910,492
I. Personnel and Related Expenses	5,725,174	
II. Other Expenses	185,318	



Division of Construction Permit		1,492,305
I. Personnel and Related Expenses	1,476,379	
II. Other Expenses	15,926	
<b>TOTAL BUILDING AND HOUSING</b>		<b>\$ 9,230,812</b>
DEPARTMENT OF ECONOMIC DEVELOPMENT		
Economic Development		\$ 1,503,898
I. Personnel and Related Expenses	1,475,212	
II. Other Expenses	28,686	
<b>TOTAL DEPARTMENT OF ECONOMIC DEVELOPMENT</b>		<b>\$ 1,503,898</b>
NONDEPARTMENTAL		
County Auditor Deductions		\$ 3,096,000
II. Other Expenses	3,096,000	
Other Administrative		<b>17,953,366</b>
II. Other Expenses	<b>17,953,366</b>	
Transfer to Other Funds		19,473,380
II. Other Expenses	19,473,380	
<b>TOTAL NONDEPARTMENTAL</b>		<b>\$ 40,522,746</b>
<b>TOTAL EXECUTIVE BRANCH</b>		<b>\$ 465,208,646</b>
<b>TOTAL GENERAL FUND</b>		<b>\$ 512,302,264</b>
SPECIAL REVENUE FUND		
Restricted Income Tax Fund		\$ 33,516,941
I. Capital	7,961,277	
II. Debt Service	25,555,664	
Street Construction, Maintenance & Repair Fund		25,486,012
I. Personnel and Related Expenses	14,445,498	
II. Other Expenses	11,040,514	
Schools Recreation & Cultural Activities Fund		1,000,000
II. Other Expenses	1,000,000	
Rainy Day Fund		7,500,000
II. Other Expenses	7,500,000	
<b>TOTAL SPECIAL REVENUE FUNDS</b>		<b>\$ 67,502,953</b>
INTERNAL SERVICE FUND		
Information Systems Services-Telephone Exchange		\$ 6,272,536
I. Personnel and Related Expenses	1,146,980	
II. Other Expenses	5,125,556	
Division of Motor Vehicle Maintenance		19,452,035
I. Personnel and Related Expenses	5,647,635	
II. Other Expenses	13,804,400	
Division of Printing and Reproduction		2,330,886
I. Personnel and Related Expenses	833,135	
II. Other Expenses	1,497,751	
City Storeroom and Central Warehouse		890,256
I. Personnel and Related Expenses	113,336	
II. Other Expenses	776,920	
<b>TOTAL INTERNAL SERVICE FUNDS</b>		<b>\$ 28,945,713</b>

## ENTERPRISE FUNDS

## DEPARTMENT OF PUBLIC UTILITIES

Utilities Administration		\$ 2,689,468
I. Personnel and Related Expenses	2,001,495	
II. Other Expenses	687,973	
Radio		2,049,191
I. Personnel and Related Expenses	422,122	
II. Other Expenses	1,627,069	
Division of Fiscal Control		<b>3,244,992</b>
I. Personnel and Related Expenses	2,827,028	
II. Other Expenses	<b>417,964</b>	
Division of Water		243,810,000
I. Personnel and Related Expenses	77,114,602	
II. Other Expenses	166,695,398	
Division of Water Pollution Control		<b>21,227,000</b>
I. Personnel and Related Expenses	10,650,740	
II. Other Expenses	<b>10,576,260</b>	
Division of Cleveland Public Power		163,294,000
I. Personnel and Related Expenses	28,777,766	
II. Other Expenses	134,516,234	
TOTAL DEPARTMENT OF PUBLIC UTILITIES		<b>\$ 436,314,651</b>

## DEPARTMENT OF PORT CONTROL

Divisions of Cleveland Hopkins & Burke Lakefront Airports — Operations		\$ 139,070,442
I. Personnel and Related Expenses	32,651,987	
II. Other Expenses	106,418,455	
TOTAL DEPARTMENT OF PORT CONTROL		<b>\$ 139,070,442</b>

## DEPARTMENT OF PARKS, RECREATION, AND PROPERTIES

Division of Cemeteries		\$ 1,765,537
I. Personnel and Related Expenses	1,269,679	
II. Other Expenses	495,858	
Golf Course Fund		1,126,015
I. Personnel and Related Expenses	602,550	
II. Other Expenses	523,465	
Division of Parking Facilities-Off Street Parking		9,861,074
I. Personnel and Related Expenses	1,129,418	
II. Other Expenses	8,731,656	
Division of Convention Center		2,457,734
I. Personnel and Related Expenses	1,132,193	
II. Other Expenses	1,325,541	
Division of Convention Center & Stadium-West Side Market		1,081,481
I. Personnel and Related Expenses	421,903	
II. Other Expenses	659,578	
Division of Convention Center & Stadium-Stadium		14,500,000
II. Other Expenses	14,500,000	
Division of Property Management — East Side Market		40,000
II. Other Expenses	40,000	
TOTAL PARKS, RECREATION, & PROPERTIES		<b>\$ 30,831,841</b>
TOTAL ENTERPRISE FUNDS		<b>\$ 606,216,934</b>

AGENCY FUND

Central Collection Agency		\$ 9,637,619
I. Personnel and Related Expenses	5,962,009	
II. Other Expenses	3,675,610	
TOTAL AGENCY FUND		\$ 9,637,619

DEBT SERVICE FUND

Sinking Fund Commission		\$ 63,651,489
I. Personnel and Related Expenses	179,432	
II. Other Expenses	868,800	
III. Debt Service	62,603,257	
TOTAL DEBT SERVICE FUNDS		\$ 63,651,489

**Section 2.** That the appropriations herein made are based upon the detail of expenditures set forth in the Mayor's Estimate, but are appropriated to the several departments, offices, and purposes in the aggregate for I. — Personnel and Related Expenses; and II. — Other Expenses and are not severally and individually appropriated in said detail. Any unencumbered balance in an appropriation fund at the close of the year 2010 is hereby appropriated to such fund for the payment of unpaid obligations lawfully incurred in 2011 or prior years. The Mayor's Estimate, as modified by the schedule published pursuant to Section 39 of the Charter shall within the sums appropriated in Section 1 hereof, constitute the expenditure budget for the year 2011 and shall be subject to the control of the Mayor, provided, however, that no transfer from I. — Personnel and Related Expenses, or II. — Other Expenses within any department or office, or from one department or office to another shall be made except as provided in Section 41 of the Charter.

**Section 3.** That the Commissioner of Accounts is hereby authorized to draw warrants upon the City Treasury for the amount appropriated in this ordinance, whenever claims are presented properly approved by the head of the department or by the chief of a commission for which indebtedness was incurred.

**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 upon its passage and approval by the Mayor; otherwise it shall take effect and be in force at the earliest period allowed by law.

**BOARD OF CONTROL**

March 16, 2011

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, March 16, 2011, at 10:35 a.m. with Director Triozzi presiding.

Present: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

Others: James E. Hardy, Commissioner, Purchases and Supplies.

L. Dent, Acting Director, Office of Equal Opportunity.

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

**Resolution No. 97-11.**

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Paladin Protective Systems, Inc. for an estimated quantity of labor and materials to maintain electronic security systems, Option 2, items 1-63, for the various divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services received on December 16, 2010 under the authority of Ordinance No. 900-09, passed August 5, 2009, which on the basis of the estimated quantity would amount to \$487,175.78 (3%, 15 Days), is affirmed and approved as the low-

est and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or services, which contract shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$247,301.90.

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

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 98-11.**

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Kenmore Construction Company, Inc. for the public improvement of the Brecksville Tower Re-Chlorination System Project No 582, including a \$20,789.00 contingency allowance, all items, for the Division of Water, Department of Public Utilities, received on December 16, 2010, under the authority of Ordinance No. 810-08, passed June 9, 2008, upon a gross price for the improvement in the aggregate amount of \$228,679.00, is affirmed and approved as the lowest responsible bid, and the Director of Public Utilities is authorized to enter into a contract for the improvement with the bidder.

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractor by Kenmore Construction Company, Inc. for the above-mentioned public improvement is approved:

<u>SUBCONTRACTOR</u>	<u>WORK PERCENTAGE</u>
M & R Enterprises, Inc. (MBE)	\$11,500.00
	5.029%

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 99-11.**

By Director Withers.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Sunbelt Rentals, Inc. for an estimated quantity of rental of various heavy duty equipment, items 1-36, for the various Divisions of the Department of Public Utilities, for a period of two years starting upon the later of the execution of a contract or the day following expiration of the currently effective contract for the goods or services, received on January 13, 2011 under the authority of Ordinance No. 869-10, passed August 18, 2010, which on the basis of the estimated quantity would amount to \$60,000.00 (0%, 30 Days), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is requested to enter into a requirement contract for the goods and/or

services, which shall provide for an initial order, the cost of which shall be certified to the contract in an amount not less than \$3,000.00. The requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for the goods and/or services, whether more or less than the estimated quantity, as may be ordered under delivery orders separately certified to the contract.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 100-11.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel No. 136-17-108, located at East 108th Street under the Land Reutilization Program; and

Whereas, Ordinance No. 608-10 passed June 7, 2010, authorized the sale of the parcel for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Bobbie Woods and Rosie Woods have proposed to the City to purchase and develop the parcel for yard expansion; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Ordinance No. 608-10 passed June 7, 2010, by the Cleveland City Council, the Mayor is authorized to execute an official deed for and on behalf of the City of Cleveland with Bobbie Woods and Rosie Woods for the sale and development of Permanent Parcel No. 136-17-108, as described in the Ordinance according to the Land Reutilization Program in such manner as best carries out the intent of the program.

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

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 101-11.**

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. 103-21-007, 103-21-019 and 103-21-066 located at 3220, 3542 Cedar Avenue and 2160 East 33rd 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 to adjacent or abutting landowners; and

Whereas, CCC Realty II LLC, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcels 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 parcels are either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchaser of the parcels 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 CCC Realty II LLC for the sale and development of Permanent Parcel Nos. 103-21-007, 103-21-019 and 103-21-066 located at 3220, 3542 Cedar Avenue and 2160 East 33rd 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 parcels shall be \$1.00 each, which amount is determined to be not less than the Fair Market value of said parcels for uses according to the Program.

Yeas: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 102-11.**

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. 119-03-073 located adjacent to 1783 Crawford in Ward 7; 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 to adjacent or abutting landowners; and

Whereas, Vickie Johnson, abutting/adjacent landowner, has proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. 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 Vickie Johnson for the sale and development of Permanent Parcel No. 119-03-073 located at adjacent to 1783 Crawford, 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: None.

Nays: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 103-11.**

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. 131-19-063 located at 3249 East 48th 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 to adjacent or abutting landowners; and

Whereas, Cleveland New Construction LP, abutting/adjacent landowner, 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 parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. 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 Cleveland New Construction LP, for the sale and development of Permanent Parcel No. 131-19-063 located at 3249 East 48th 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: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 104-11.**

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. 133-04-065 located at 3565 East 76th Street in Ward 12; 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 to adjacent or abutting landowners; and

Whereas, Cleveland New Construction Limited Partners, abutting/adjacent landowner, 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 12 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. 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 Cleveland New Construction Limited Partners for the sale and development of Permanent Parcel No. 133-04-065 located at 3565 East 76th 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: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 105-11.**

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. 135-20-004 located at 10914 Gay 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 to adjacent or abutting landowners; and

Whereas, Hubert L. Bobo, abutting/adjacent landowner, 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 parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. 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 Hubert L. Bobo for the sale and development of Permanent Parcel No. 135-20-004 located at 10914 Gay 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: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 106-11.**

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. 134-13-132 located at 7707 Force 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 to adjacent or abutting landowners; and

Whereas, Maria Chelbezan, abutting/adjacent landowner, 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 parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. 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 Maria Chelbezan for the sale and development of Permanent Parcel No. 134-13-132 located at 7707 Force 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: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Nays: None.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

**Resolution No. 107-11.**

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. 106-19-023 located at Wade Park in Ward 7; 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 to adjacent or abutting landowners; and

Whereas, Duane E. Clemmons and Tonya Moore, abutting/adjacent landowners, have proposed to the City to purchase and develop the parcel for yard expansion; and

Whereas, the following conditions exist:

1. The member of Council from Ward 7 has consented to the proposed sale;

2. The parcel is either less than 4,800 square feet or less than 40 feet frontage;

3. The proposed purchasers of the parcel are neither tax delinquent nor in violation of the Building and Housing Code; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that under Section 183.021 of 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 Duane E. Clemmons and Tonya Moore for the sale and development of Permanent Parcel No. 106-19-023 located at Wade Park, 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: None.

Nays: Directors Triozzi, Dumas, Withers, Acting Director Dangerfield, Directors Cox, Flask, Rush, Fumich and Rybka.

Absent: Mayor Jackson, Acting Director Butler, Interim Director Walker-Minor, and Director Nichols.

MARK R. MUSSON, Acting Secretary

CIVIL SERVICE NOTICES

General Information

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

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

SCHEDULE OF THE BOARD OF ZONING APPEALS

MONDAY, APRIL 4, 2011

9:30 A.M.

Calendar No. 11-30: 13002 Larchmere Boulevard (Ward 4)

Kayoko Irie-Frye and William Frye, owners, appeal to expand the use of a coffee shop to include 3 rooms for a bed and breakfast accommodation in a two-story building on a 50' x 145' lot in a Local Retail Business District; 4 parking spaces are required, one space for each guest room and one for each two employees, pursuant to Section 349.04(a) of the Cleveland Codified Ordinances.

Calendar No. 11-33: 12103 Union Avenue (Ward 4)

Inter-City Land & Properties LLC and Charles Smith, owner, appeal to change use from a store to a day care a one-story building on a 100' x 121' lot in a Two-Family District, where a day care is required to be 30 feet from any adjoining premises in a residence district not used for

a similar purpose, as regulated in a One-Family District under Section 337.02(3)(C); and the substitution of a nonconforming use requires the Board of Zoning Appeals approval according to Section 359.01 of the Cleveland Codified Ordinances.

Calendar No. 11-34: 3207 West 65th Street (Ward 15)

Marc Wyman dba Aaromat Metal Recycling, owner, appeals to install approximately 95 linear feet of 8 foot high fence with 3 straps of barbed wire atop in the actual front of an acreage parcel in an Unrestricted Industry District; contrary to Section 358.05(a)(1), that limits fence height in actual front and interior side yards to 6 feet and a fence 8 feet high with an additional 14 inches of barbed wire atop is proposed.

Calendar No. 11-37: 2247 Professor Avenue (Ward 3)

6530 Carnegie Ltd, owner, and Dante Boccuzzi appeal for expansion of use to a restaurant on the first floor to include the basement of a two-story building on a 28.07' x 66.15' lot in a General Retail Business District; and pursuant to Section 349.04(f), an additional 8 parking spaces are required for 712 square feet, one space for each 100 square feet of floor area devoted to patron use; and approval from the Board of Zoning Appeals is necessary for expansion of a nonconforming use, exception to the off-street parking requirement, in accordance with Section 359.01 of the Cleveland Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, MARCH 21, 2011

At the meeting of the Board of Zoning Appeals on Monday, March 21, 2011, the following appeals were heard by the Board.

The following appeals were Approved:

Calendar No. 11-26: 3837 Ridge Road WHS Realty Services, Inc., owner, and Salim Hasrouni, tenant, appealed to add entertainment / dance hall use to a tavern / restaurant in a Semi-Industry District; subject to conditions.

Calendar No. 11-28: 9208 Detroit Avenue

Brian Lyons appealed to establish use as a bar with entertainment in an existing building located in a General Retail Business District; subject to conditions.

The following appeals were Withdrawn:

Calendar No. 11-25: 4363 Jennings Road

Richard Whitt appealed to establish use for outdoor storage of contracting and landscaping vehicles, equipment and materials in an A1 One-Family District.

Calendar No. 11-22: 3190 West 44th Street

John Gilliam appealed to install a wheelchair ramp in the front yard setback of a lot in a B1 Two-Family District.

The following appeals were Dismissed:

None

The following appeals were Postponed:

None

The following appeals heard by the Board on March 14, 2011 were adopted and approved on March 21, 2011.

The following appeals were Approved:

Calendar No. 11-19: 9431 Lorain Avenue

The Cuyahoga County Land Reutilization Corporation appealed to construct a 4 residential unit building and establish a multi-unit residential use in a 3-story building on consolidated parcels in a General Retail Business District.

Calendar No. 10-258: 935 East 146th Street

Kimberly Vance appealed to install 70 linear feet of 4 feet high chain link fence in the actual front yard of a lot in a B1 Two-Family District; subject to condition.

Calendar No. 11-10: 3662 East 108th Street

Betty Russell appealed to erect a pre-manufactured wheelchair lift in the front yard of a lot in a B1 Two-Family District.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

Re: Report of the Meeting of March 16, 2011

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:

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Docket A-283-10.

RE: Appeal of Medics, Inc., Owner of the B Business - Offices, Laboratories, Adult School Property located on the premises known as 1464 East 105th Street from a NOTICE OF VIOLATION - ELEVATOR, dated June 16, 2010 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 one (1) week to complete abatement of the violations on the elevator, or it will be shut down by the City. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Sullivan.

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

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Docket A-285-10.

RE: Appeal of Andrea Jones, Owner of the R-3 Residential - Non-transient; Townhomes (Independent

Egress) Two & One-half Story Frame Property located on the premises known as 3521 East 117th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated March 30, 2010 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 require the Appellant to submit plans to the Building Department within thirty (30) days for approval for construction work; and if the City approves the plans, the Appellant is granted six (6) months in which to complete the work. Failure to meet either of these dates will result in REMANDING the property immediately to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

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**Docket A-289-10.**

RE: Appeal of Roberta Eisner, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 3608 West 114th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 23, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violations. 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. Sullivan and seconded by Mr. Bradley.

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

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**Docket A-294-10.**

RE: Appeal of Daniel Rosales, Owner of One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 2287 East 95th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 13, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

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

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

**Docket A-296-10.**

RE: Appeal of Mary L. Blair, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 3179 West 111th Street from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated May 28, 2010 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. Saab and seconded by Mr. Bradley.

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

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**Docket A-299-10.**

RE: Appeal of Gregory Patrick, Owner of the Property located on the premises known as 12408 Superior Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated June 22, 2010 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 present a plan to the City for their review addressing the issues of the Condemnation Order, which include a weather-tight structure and satisfactory accommodations for tenants. 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. Sullivan.

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

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**Docket A-307-10.**

RE: Appeal of LaToya Johnson Hunter, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 1225 East 113th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 30, 2010 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 obtain all permits and 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. Saab.

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

**Docket A-311-10.**

RE: Appeal of Elaine M. Marconi, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 7912 Maryland Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated June 30, 2010 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-311-10 has been POSTPONED; to be rescheduled for March 30, 2011.

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**Docket A-312-10.**

RE: Appeal of Joseph Clark, Owner of the One Dwelling Unit Single-Family Residence Three Story Wood Frame / Siding / Masonry Veneer Property located on the premises known as 2017 Clover Avenue from a NOTICE OF VIOLATION — EXTERIOR MAINTENANCE, dated July 06, 2010 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. Saab and seconded by Mr. Bradley.

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

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**Docket A-314-10.**

RE: Appeal of Diane A. Merriweather, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 12425 Phillips Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 07, 2010 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-314-10 has been POSTPONED; to be rescheduled for March 30, 2011.

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**Docket A-316-10.**

RE: Appeal of Ohio Property Holdings, LLC, Owner of the One Dwelling Unit Single-Family Residence Two & One-half Story Frame Property located on the premises known as 946 East 144th Street from CONDEMNATION ORDER — MAIN STRUCTURE, dated October 01, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to find that the Condemnation Order was properly issued based on the evidence presented, the appeal request 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. Saab and seconded by Mr. Bradley.

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

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**Docket A-317-10.**

RE: Appeal of Christopher K. Latza, Owner of the One Dwelling Unit Single-Family Residence One & One-half Story Frame Property located on the premises known as 13810 Clifford Avenue from a NOTICE OF VIOLATION — FENCE, dated July 06, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant two (2) weeks in which to 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. Saab and seconded by Mr. Bradley.

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

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**Docket A-320-10.**

RE: Appeal of Stephen D. Davis Jr., Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 7520 Classen Avenue from a CONDEMNATION ORDER — MAIN STRUCTURE, dated May 05, 2010 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 REMAND the property at 7520 Classen Avenue to the Department of Building and Housing for supervision and any required further action, noting that the property has been transferred to the Ohio Land Bank. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

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**Docket A-327-10.**

RE: Appeal of L.A.T. Investment Properties, Owner of the Two-Family Residence Two & One / half Story Wood Frame / Siding / Masonry Veneer Property located on the premises known as 966 East 141st Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated September 01, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violations, noting that all permits have been obtained and progress is being made at this time. The property is REMANDED at this time to the Department of Building and Housing

for supervision and any required further action. Motion so in order. Motioned by Mr. Sullivan and seconded by Mr. Bradley.

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

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**Docket A-329-10.**

RE: Appeal of Patricia Henderson, Owner of the One Dwelling Unit Single-Family Residence Two Story Frame Property located on the premises known as 2244 East 69th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 28, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to abate the violations at 2244 East 69th Street, and to extend the existing permits as required to complete abatement of the violations. The property is to remain secured and the grounds debris free during that period of time. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Saab.

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

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**Docket A-330-10.**

RE: Appeal of Patricia Henderson, Owner of the Two Dwelling Units Two-Family Residence Two Story Frame Property located on the premises known as 2242 East 69th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 28, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to abate the violations at 2242 East 69th Street, and to extend the existing permits as required to complete abatement of the violations. The property is to remain secured and the grounds debris free during that period of time. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Maschke and seconded by Mr. Saab.

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

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**Docket A-334-10.**

RE: Appeal of Donald Richard, Owner of the Residential Property located on the premises known as 3203 West 92nd Street from a LIMITATION ON THE PERMITS, dated August 19, 2010 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to grant the Appellant six (6) months in which to complete abatement of the violations, noting that progress is being made. 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. Sullivan.

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

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**Docket A-335-10.**

RE: Appeal of Saunta Jones, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 2197 East 80th Street from a CONDEMNATION ORDER — MAIN STRUCTURE, dated July 20, 2010 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 all exterior violations and six (6) months in which to complete abatement of the violations, noting that permits have been obtained. 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. Saab and seconded by Mr. Bradley.

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

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**Docket A-336-10.**

RE: Appeal of Cole Adams & Erik Bugen, Owners of the Property located on the premises known as 11915 Ashbury Avenue from a NOTICE OF VIOLATION — HVAC, dated September 08, 2009 of the Director of the Department of Building and Housing, requiring compliance with the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC).

BE IT RESOLVED, a motion is in order at this time to DENY the request for any additional time to abate the violations, noting that there is a dangerous conditions that exist. 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. Saab and seconded by Mr. Maschke.

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

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**Docket A-373-10.**

RE: Appeal of Steve Allen, Owner of the Residential Property located on the premises known as 3329 East 125th Street from a LIMITATION ON THE PERMITS, dated July 07, 2010 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 require that all permits be obtained within thirty (30) days and all violations be abated within six (6) months; the prop-



erty is to remain secured and the grounds clean during that period of time. 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. Saab.

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

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**Docket A-374-10.**

RE: Appeal of Steve Allen, Owner of the Residential Property located on the premises known as 11814 Parkview Avenue from a LIMITATION ON THE PERMITS, dated July 07, 2010 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 require that all permits be obtained within thirty (30) days and all violations be abated within six (6) months; the property is to remain secured and the grounds clean during that period of time. 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. Saab.

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

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**Docket A-456-10.**

RE: Appeal of The Vietnamese-American Buddhist Association of Cleveland, Owner of the A-3 Assembly - Recreation or Religious Facilities One Story Frame Property located on the premises known as 4724 West 130th Street from a CONDEMNATION ORDER - MAIN STRUCTURE, dated October 25, 2010 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, that reviewing the facts presented, a motion is in order at this time to grant the Appellant ninety (90) days in which to obtain the funds and abate the violations, noting the inconvenience and possible damage to the adjacent properties. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Maschke.

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

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**Docket A-458-10.**

RE: Appeal of Marlon Robertson, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 6722 Sebert Avenue from a CONDEMNATION ORDER - MAIN STRUCTURE, dated March 24, 2010 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 permits and three (3) months in which to abate the violations with an additional three (3) months if progress is satisfactory and the inspector concurs. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action. Motion so in order. Motioned by Mr. Saab and seconded by Mr. Sullivan.

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

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**Docket A-483-10.**

RE: Appeal of Thomas Gillespie, Owner of the Property located on the premises known as 1261 West 76th Street from an ADJUDICATION ORDER, dated September 28, 2010 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-483-10 has been POSTPONED; to be rescheduled for March 30, 2011.

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**Docket A-1-11.**

RE: Appeal of Diane A. Merriweather, Owner of the Two Dwelling Units Two-Family Residence Two & One-half Story Frame Property located on the premises known as 13612 Rugby Road from a VACATE ORDER, dated December 10, 2010, from a CONDEMNATION ORDER - MAIN STRUCTURE, dated July 26, 2010, and from a LIMITATION ON THE PERMIT, dated January 03, 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-1-11 has been POSTPONED; to be rescheduled for March 30, 2011.

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**EXTENSION OF TIME:**

**Docket A-1-10 - Curtis E. Hunt - 5701 Diamond Avenue:**

A motion is in order at this time to grant the Appellant sixty (60) days in which to complete abatement all interior violations, and one hundred-twenty (120) days, concurrently, to complete abatement of all violations suitable for a Certificate of Occupancy, noting that at any time the inspector wishes to view the property he should be permitted to do so. The property is REMANDED at this time to the Department of Building and Housing for supervision and any required further action, noting that extensions should be gr. Motion so in order. Motioned by Mr. Bradley and seconded by Mr. Maschke.

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

\* \* \*

**APPROVAL OF RESOLUTIONS:**

Separate motions were entered by Mr. Saab and seconded by Mr. Bradley for approval and Adoption of the Resolution/s as presented by

the Secretary for the following Docket/s respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

- A-261-10 — Rouqukria M. Roddy
- A-275-10 — Jennifer Franklin
- A-276-10 — Clover Construction
- A-279-10 — Cleveland RPM Management
- A-280-10 — Great American Fest LLC
- A-282-10 — Judith Newell
- A-286-10 — Ruth A. Lampkin
- A-287-10 — Tammy & Danon White
- A-288-10 — Kevin Williams
- A-292-10 — Stoney Point Investment
- A-293-10 — William Costakis
- A-462-10 — Clover Construction
- A-463-10 — Clover Construction
- A-23-11 — St. Vincent Charity Med. Ctr.

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

\* \* \*

**APPROVAL OF MINUTES:**

Separate motions were entered by Mr. Bradley and seconded by Mr. Maschke for approval and Adoption of the Minutes as presented by the Secretary for the following Docket/s respectively, subject to the Codified Ordinances of the City of Cleveland and the Ohio Building Code (OBC):

March 02, 2011

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

\* \* \*

JOSEPH F. DENK  
Chairman

**PUBLIC NOTICE**

**REQUEST FOR PROPOSALS  
SECURITY SERVICES  
GORDON SQUARE ARTS DISTRICT  
— CLEVELAND IMPROVEMENT  
CORPORATION**

The Gordon Square Arts District - Cleveland Improvement Corporation (GSAD-CIC), a Special Improvement District and Ohio not-for-profit corporation formed under Chapters 1702 and 1710 of the Ohio Revised Code, issues a Request for Proposals for Security Services within its service area of Detroit Avenue between West 58th and West 73rd Streets. Proposals are due electronically by April 18, 2011 at 5pm and there is a mandatory prebid meeting at 4pm on April 4, 2011. To obtain a copy of the Request for Proposals, contact the GSAD-CIC c/o Raymond Bobgan, rrbobgan@cptonline.org.

**REQUEST FOR PROPOSALS  
ADMINISTRATIVE & OPERATIONAL SERVICES  
GORDON SQUARE ARTS DISTRICT  
— CLEVELAND IMPROVEMENT  
CORPORATION**

The Gordon Square Arts District - Cleveland Improvement Corporation (GSAD-CIC), a Special Improvement District and Ohio not-for-profit corporation formed under Chapters 1702

and 1710 of the Ohio Revised Code, issues a Request for Proposals for Administrative & Operational Services within its service area of Detroit Avenue between West 58th and West 73rd Streets. Proposals are due by April 18, 2011 at noon. To obtain a copy of the Request for Proposals, contact the GSAD-CIC c/o Robert Maschke Architects, 6421 Detroit Avenue, Cleveland, (216) 281-6421.

**REQUEST FOR PROPOSALS  
MAINTENANCE SERVICES  
GORDON SQUARE ARTS DISTRICT  
— CLEVELAND IMPROVEMENT  
CORPORATION**

The Gordon Square Arts District - Cleveland Improvement Corporation (GSAD-CIC), a Special Improvement District and Ohio not-for-profit corporation formed under Chapters 1702 and 1710 of the Ohio Revised Code, issues a Request for Proposals for Maintenance Services within its service area of Detroit Avenue between West 58th and West 73rd Streets. Proposals are due by April 18, 2011 at noon. To obtain a copy of the Request for Proposals, contact the GSAD-CIC c/o Robert Maschke Architects, 6421 Detroit Avenue, Cleveland, (216) 281-6421.

March 23, 2011

**NOTICE OF PUBLIC HEARING**

NONE

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

187.10 Negotiated contracts; Notice required in Advertisement for Bids.

Where invitations for bids are advertised, the following notice shall be included in the advertisement: "Pursuant to the MBE/FBE Code, each prime bidder, each minority business enterprise ("MBE") and each female business enterprise ("FBE") must be certified before doing business with the City. Therefore, any prime contractor wishing to receive credit for using an MBE or FBE should ensure that applications for certification as to MBE or FBE status compliance with the Code, affirmative action in employment and, if applicable, joint venture status, are submitted to the Of-

file 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."

**THURSDAY, APRIL 7, 2011**

**File No. 38-11 — Hazardous and Non-Hazardous Waste Disposal and Recycling Services**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 1598-10, passed by the Council of the City of Cleveland, December 6, 2010.

THERE WILL BE A **MANDATORY PRE-BID MEETING** THURSDAY, MARCH 24, 2011 AT 10:00 A.M. LOCATED AT THE CARL B STOKES PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**THE CITY OF CLEVELAND WILL NOT CONSIDER THE BID OF ANYONE WHO DOES NOT ATTEND A MANDATORY PRE-BID CONFERENCE.**

**File No. 41-11 — Uniform Clothing**, for the Division of Fire, Department of Public Safety, as authorized by Section 135.06 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** THURSDAY, MARCH 24, 2011 AT 11:00 A.M. LOCATED AT THE FIRE HEADQUARTERS, 1645 SUPERIOR, CONFERENCE ROOM, CLEVELAND, OHIO 44114.

March 16, 2011 and March 23, 2011

**WEDNESDAY, APRIL 13, 2011**

**File No. 42-11 — Various Sewer Maintenance Appurtenance-Slabs**, for the Division of Fire, Department of Public Safety, as authorized by Section 129.27 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 25, 2011 AT 11:00 A.M. LOCATED AT THE DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

March 16, 2011 and March 23, 2011

**THURSDAY, APRIL 14, 2011**

**File No. 36-11 — Medical Supplies**, for the Various Divisions of City Government, Department of Finance, as authorized by Section 181.101 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FOR TUESDAY, MARCH 29, 2011 AT 10:30 A.M. LOCATED AT CLEVELAND CITY HALL, DIVISION OF PURCHASES AND SUPPLIES, ROOM 128, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

**File No. 39-11 — Labor and Materials Necessary for Painting and Paint Removal on Roadway, Runways and Other Paved Surfaces (Re-Bid)**, for the Various Divisions of Port Control, Department of Port Control, as authorized by Ordinance No. 409-10 passed by the Council of the City of Cleveland, May 24, 2010. THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 25, 2011 AT 10:00 A.M. LOCATED AT THE DEPARTMENT OF PORT CONTROL, CLEVELAND HOPKINS INTERNATIONAL AIRPORT'S CENTRAL RECEIVING BUILDING, 19451 FIVE POINTS ROAD, CLEVELAND, OHIO 44135-3193.

**File No. 44-11 — Large Capacity Trucks**, for the Division of Streets, Department of Public Works, as authorized by Ordinance 1504-10 passed by the Council of the City of Cleveland, December 6, 2010.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** TUESDAY, MARCH 29, 2011 AT 1:00 P.M. LOCATED AT CLEVELAND CITY HALL, DIVISION OF STREETS, 601 LAKESIDE AVENUE, ROOM 25, CLEVELAND, OHIO 44114.

March 16, 2011 and March 23, 2011

**FRIDAY, APRIL 15, 2011**

**File No. 40-11 — Pipe Repair Couplings, Group A and B**, for the Division of Water, Department of Public Utilities, as authorized by Section 129.25 of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A **NON-MANDATORY PRE-BID MEETING** FRIDAY, MARCH 25, 2011 AT 10:30 A.M. LOCATED AT THE DIVISION OF WATER, DISTRIBUTION & MAINTENANCE, 4600 HARVARD AVENUE, PIPE REPAIR CONFERENCE ROOM, CLEVELAND, OHIO 44105.

**File No. 43-11 — HVAC/R Supplies and Equipment (Re-Bid)**, 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** MONDAY, MARCH 28, 2011 AT 10:00 A.M. LOCATED AT CLEVELAND CITY HALL, 601 LAKESIDE AVENUE, ROOM 12, CLEVELAND, OHIO 44114.

March 16, 2011 and March 23, 2011

**THURSDAY, APRIL 14, 2011**

**File No. 47-11 — Water Main Replacements: West Park Blvd., Lansmere Road and Stockholm Road in the City of Shaker Heights, Ohio** for the Division of Water, of the Department of Public Utilities and as authorized by Ordinance No. 1928-07 passed City Council December 10, 2007.

THERE WILL BE A **NON-REFUNDABLE FEE FOR PLANS AND SPECIFICATIONS** IN THE

AMOUNT OF ONE HUNDRED DOLLARS (\$100.00) IN THE FORM OF A CASHIER'S CHECK AND OR MONEY ORDER ONLY (NO COMPANY CHECKS, NO CASH AND NO CREDIT CARDS WILL BE ACCEPTED

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 31, 2011 AT 10:00 A.M. THE CARL B STOKES PUBLIC UTILITIES BUILDING, PUBLIC UTILITIES AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

March 23, 2011 and March 30, 2011

WEDNESDAY, APRIL 20, 2011

File No. 45-11 — Landscape Maintenance at Various Public Utilities for the Division of Water, of the Department of Public Utilities and as authorized by Ordinances No. 1599-10 passed City Council December 6, 2010.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING FRIDAY, APRIL 1, 2011 AT 10:00 A.M. THE CARL B STOKES PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

March 23, 2011 and March 30, 2011

THURSDAY, APRIL 21, 2011

File No. 46-11 — Labor and Materials for Air Duct Cleaning for the Division of Water, of The Department of Public Utilities and as authorized by Section 181.101 Codified Ordinances, City of Cleveland 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING THURSDAY, MARCH 31, 2011 AT 2:00 P.M. THE CARL B STOKES PUBLIC UTILITIES BUILDING, MAIN AUDITORIUM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114

March 23, 2011 and March 30, 2011

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

COUNCIL COMMITTEE MEETINGS

Monday, March 21, 2011 9:30 a.m.

Public Service Committee: Present: Miller, Chair; Cummins, Vice Chair; Keane, Sweeney. Authorized Absence: Cleveland, Dow, K. John-

son, Polensek, Pruitt. Pro tempore: Brancatelli.

1:30 p.m.

City Planning Committee & Finance Committee: Present in Planning: Cleveland, Chair; Westbrook, Vice Chair; Brady, Conwell, Keane. Authorized Absence: Dow, Zone. Present in Finance: Sweeney, Chair; Kelley, Vice Chair; Brady, Brancatelli, Cleveland, Keane, Miller, Mitchell, Polensek, Pruitt, Westbrook.

2:00 p.m.

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

Tuesday, March 22, 2011 9:30 a.m.

Community and Economic Development Committee: Present: Brancatelli, Chair; Dow, Vice Chair, Cimperman, Cummins, J. Johnson, Miller, Pruitt, Westbrook. Authorized Absence: Zone.

Wednesday, March 23, 2011 10:00 a.m.

Public Safety Committee: Present: Conwell, Chair; Polensek, Vice Chair; Brady, Cummins, Dow, Miller, Mitchell. Authorized Absence: Cleveland, Zone. Pro tempore: Brancatelli.

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