

# The City Record

Official Publication of the Council of the City of Cleveland



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June the Thirtieth, Two Thousand and Four

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**Jane L. Campbell**  
Mayor

**Frank G. Jackson**  
President of Council

**Valarie J. McCall**  
City Clerk, Clerk of Council

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

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# DIRECTORY OF CITY OFFICIALS

## CITY COUNCIL – LEGISLATIVE

President of Council – Frank G. Jackson

Ward	Name	Residence	
1	Joseph T. Jones	4691 East 177th Street	44128
2	Robert J. White	3760 East 126th Street	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	774 East 131st Street	44108
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111
	City Clerk, Clerk of Council – Valarie J. McCall, 216 City Hall, 664-2840		
	First Assistant Clerk – Sandra Franklin		
<b>MAYOR – Jane L. Campbell</b>			
	Debra M. Janik, Chief of Staff		
	Darnell Brown, Chief Operating Officer		
	Timothy Mueller, Executive Assistant		
	Craig Tame, Executive Assistant		
	Galen L. Schuerlein, Executive Assistant		
	_____, Director, Office of Equal Opportunity		
	Margreat A. Jackson, Legislative Affairs Liaison		
	Erik Janas, Inter-Governmental Affairs Officer		
	Lorna Wisham, Chief Public Affairs Officer		
<b>DEPT. OF LAW – Subodh Chandra, Director, Teresa Beasley, Chief Counsel, Rm. 106</b>			
	Karen E. Martines, Law Librarian, Room 100		
<b>DEPT. OF FINANCE – Robert H. Baker, Director, Room 104;</b>			
	Frank Badalamenti, Manager, Internal Audit		
	DIVISIONS: Accounts – Alan Schneider, Commissioner, Room 19		
	Assessments and Licenses – Dedrick Stephens, Commissioner, Room 122		
	City Treasury – Algeron Walker, Treasurer, Room 115		
	Financial Reporting and Control – James Gentile, Controller, Room 18		
	Information Technology and Services – James S. Higgins, Commissioner, 1404 East 9th Street		
	Purchases and Supplies – Myrna Branche, Commissioner, Room 128		
	Printing and Reproduction – Michael Hewitt, Commissioner, 1735 Lakeside Avenue		
	Taxation – Nassim Lynch, Tax Administrator, 1701 Lakeside Avenue		
<b>DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue</b>			
	DIVISIONS – 1201 Lakeside Avenue		
	Cleveland Public Power – James F. Majer, Commissioner		
	Street Lighting Bureau – _____, Acting Chief		
	Utilities Fiscal Control – Dennis Nichols, Commissioner		
	Water – Julius Ciaccia, Jr., Commissioner		
	Water Pollution Control – Ollie Shaw, Commissioner		
<b>DEPT. OF PORT CONTROL – John C. Mok, Director</b>			
	Cleveland Hopkins International Airport, 5300 Riverside Drive		
	Burke Lakefront Airport – Khalid Bahhur, Commissioner		
	Cleveland Hopkins International Airport – Fred Szabo, Commissioner		
<b>DEPT. OF PUBLIC SERVICE – Mark Ricchiuto, Director, Room 113</b>			
	DIVISIONS: Architecture – Kurt Wiebusch, Commissioner, Room 517		
	Engineering and Construction – Randall E. DeVaul, Commissioner, Room 518		
	Motor Vehicle Maintenance, Daniel A. Novak, Commissioner, Harvard Yards		
	Streets – Randell T. Scott, Commissioner, Room 25		
	Traffic Engineering – Robert Mavec, Commissioner, 4150 East 49th Street, Building #1		
	Waste Collection and Disposal – Ron Owens, Commissioner, 5600 Carnegie Avenue		
<b>DEPT. OF PUBLIC HEALTH – Matthew Carroll, Director, Mural Building, 1925 St. Clair Ave.</b>			
	DIVISIONS: Air Quality – _____, Commissioner		
	Correction – Robert Taskey, Commissioner, Cleveland House of Corrections, 4041 Northfield Rd.		
	Environment – Willie Bess, Acting Commissioner, Mural Building, 1925 St. Clair Ave.		
	Health – Dr. Wendy Johnson, Acting Commissioner, Mural Building, 1925 St. Clair Ave.		
<b>DEPT. OF PUBLIC SAFETY – Sanford E. Watson, Director, Room 230</b>			
	DIVISIONS: Dog Pound – John Baird, Chief Dog Warden, 2690 West 7th Street		
	Emergency Medical Service – Edward Eckart, Commissioner, 1708 South Pointe Drive		
	Fire – Kevin G. Gerrity, Chief, 1645 Superior Avenue		
	Police – Edward F. Lohm, Chief, Police Hdqtrs. Bldg., 1300 Ontario Street		
<b>DEPT. OF PARKS, RECREATION &amp; PROPERTIES – Natalie A. Ronayne, Director</b>			
	Cleveland Convention Center, Clubroom A, 1220 East 6th Street		
	DIVISIONS: Convention Center & Stadium – James Glending, Commissioner		
	Public Auditorium, East 6th Street and Lakeside Avenue		
	Parking Facilities – Dennis Donahue, Commissioner		
	Public Auditorium, East 6th Street and Lakeside Avenue		
	Park Maintenance and Properties – Richard L. Silva, Commissioner		
	Public Auditorium – East 6th Street and Lakeside Avenue		
	Property Management – Tom Nagle, Commissioner, East 49th Street & Harvard		
	Recreation – Michael Cox, Commissioner, Room 8		
	Research, Planning & Development – Mark Fallon, Commissioner, 1501 N. Marginal Road		
	Burke Lakefront Airport		

<b>DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall</b>		
	DIVISIONS: Administrative Services – Terrence Ross, Commissioner	
	Neighborhood Services – Louise V. Jackson, Commissioner	
	Neighborhood Development – Joseph A. Sidoti, Commissioner	
<b>DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500</b>		
	DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner	
	Construction Permitting – Timothy R. Wolosz, Commissioner	
<b>DEPT. OF PERSONNEL AND HUMAN RESOURCES – Gina Routen, Director, Room 121</b>		
<b>DEPT. OF ECONOMIC DEVELOPMENT – _____, Director, Room 210</b>		
<b>DEPT. OF AGING – Jane E. Fumich, Director, Room 122</b>		
<b>DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director</b>		
<b>COMMUNITY RELATIONS BOARD – Room 11, Jeffrey D. Johnson, Director; Mayor Jane L. Campbell, Chairman Ex-Officio; Rev. Charles Lucas, Jr., Vice-Chairman; Councilman Kevin Conwell, Councilman Matthew Zone, City Council Representatives; Charles L. Patton, Jr., Paula Castleberry, Emmett Saunders, John Banno, Kathryn M. Hall, Evangeline Hardaway, Janet Jankura, Gia Hoa Ryan, Rev. Jesse Harris, Magda Gomez, Fred J. Livingstone, Margot James Copeland.</b>		
<b>CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.</b>		
<b>SINKING FUND COMMISSION – Jane L. Campbell, President; Council President Frank G. Jackson; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director.</b>		
<b>BOARD OF ZONING APPEALS – Room 516, Carol A. Johnson, Chairman; Members; Margreat Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, _____, Secretary.</b>		
<b>BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk, Chairman; James Williams, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.</b>		
<b>BOARD OF REVISION OF ASSESSMENTS – Law Director Subodh Chandra, President; Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.</b>		
<b>BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director Subodh Chandra; Councilman Martin J. Sweeney.</b>		
<b>BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities Director Michael G. Konicek; Council President Frank G. Jackson.</b>		
<b>CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director; Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.</b>		
<b>FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela Caldwell, Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member Nelson Cintron, Ed Romero.</b>		
<b>HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Loehr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle Gordon.</b>		
<b>FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud, Doris Honsa, Richard Lenard.</b>		
<b>CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman; Clint Martin, Mark Rivera.</b>		
<b>MORAL CLAIMS COMMISSION – Law Director Subodh Chandra; Chairman; Finance Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.</b>		
<b>BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald Baulknight, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.</b>		
<b>BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorik, Chairman; Earl S. Bumgarner, Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.</b>		
<b>CLEVELAND LANDMARKS COMMISSION – Room 519 – Paul Volpe, Chair; Ted Sande, Vice Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.</b>		
<b>CLEVELAND MUNICIPAL COURT</b>		
<b>JUSTICE CENTER – 1200 ONTARIO STREET</b>		
<b>JUDGE COURTROOM ASSIGNMENTS</b>		
	Judge	Courtroom
	Presiding and Administrative Judge Larry A. Jones	14B
	Judge Ronald B. Adrine	15A
	Judge Emanuella Groves	13A
	Judge Mabel M. Jasper	14D
	Judge Kathleen Ann Keough	13D
	Judge Mary Eileen Kilbane	14C
	Judge Anita Laster Mays	12C
	Judge Lauren C. Moore	12B
	Judge Raymond L. Pianka (Housing Court Judge)	13B
	Judge Angela R. Stokes	15C
	Judge Pauline H. Tarver	12A
	Judge Robert J. Trozzi	14A
	Judge Joseph J. Zone	13C
Earle B. Turner – Clerk of Courts, Michael E. Flanagan – Court Administrator, Paul J. Mizerak – Bailiff; Regina Daniel – Chief Probation Officer, Gregory F. Clifford – Chief Magistrate		

# The City Record



OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

Vol. 91

WEDNESDAY, JUNE 30, 2004

No. 4725

## CITY COUNCIL

MONDAY, JUNE 28, 2004

### The City Record

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Address all communications to

**VALARIE J. McCALL**

City Clerk, Clerk of Council  
216 City Hall

### PERMANENT SCHEDULE STANDING COMMITTEES OF THE COUNCIL

2002-2005

#### MONDAY

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

#### MONDAY—Alternating

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

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

#### MONDAY

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

#### TUESDAY

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

#### TUESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

#### WEDNESDAY—Alternating

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

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

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

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

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

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

### OFFICIAL PROCEEDINGS CITY COUNCIL

NO MEETING

### THE CALENDAR

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

**Ord. No. 160-04.**  
**By Council Members O'Malley, Gordon, Cimperman and Jackson (by departmental request).**

**An emergency ordinance authorizing the Commissioner of Purchases and Supplies to sell City-owned property no longer needed for public use located at 7010-14 Memphis Avenue to Rysar Properties, Inc., or its designee.**

Whereas, the Director of Community Development has requested the sale of the City-owned property to Rysar Properties, Inc., or its designee (the "Redeveloper") no longer needed for public use and located at 7010-14 Memphis Avenue; and

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

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

**Section 1.** That notwithstanding and as an exception to the provisions of Chapter 181 and 183 of the Codified Ordinances of Cleveland, Ohio, 1976, it is found and determined that the following described property is no longer needed for public use:

P. P. No. 013-11-003

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 37 and bounded and described as follows:

Beginning on the Northerly line of Memphis Avenue, S.W., (86 feet wide), at the Southwesterly corner of Sublot No. 552 in The Ridge Road Land Company's Ridgeview Manor Subdivision of part of Original Brooklyn Township Lot No. 37, as shown by the recorded plat in Volume 79 of Maps, Page 1 Page Cuyahoga County Records, said place of beginning being also a Northeasterly corner of a parcel of land conveyed to the City of Cleveland by deed dated February 19, 1936, and recorded in Volume 4602, Page 141 of Cuyahoga County Records, for the purpose of widening Memphis Avenue, S.W.; thence Westerly along the Northerly line of said parcel so conveyed to the City of Cleveland, 50 feet; thence Northerly parallel with the Westerly line of said Sublot No. 552, 127.16 feet; thence Easterly parallel with the Northerly line of said parcel so conveyed to the City of Cleveland 50 feet to the Northwesterly corner of said Sublot No. 552; thence Southerly along the Westerly line of said Sublot No. 552, 127.16 feet to the place of beginning, be the same more or less, but subject to all legal highways.

P. P. No. 013-11-159 (Easterly part)  
(Parcel No. 1)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 37 and bounded and described as follows:

Beginning at an iron monument on the Northerly line of Memphis Avenue, Southwest, 86 feet wide, distant Easterly along said Northerly line, 152 feet from the intersection with the Easterly line of West 73rd Street, 86 feet wide; thence from said point of beginning Easterly

along said Northerly line of Memphis Avenue, S.W., 50 feet to an iron monument; thence Northerly parallel with said Easterly line of West 73rd Street, 127.16 feet to an iron monument; thence Westerly parallel with said Northerly line of Memphis Avenue, S.W., 50 feet; thence Southerly parallel with said Easterly line of West 73rd Street, 127.16 feet to the place of beginning, according to a survey dated July 31, 1940, by E.C. Hoffman, Registered Surveyor, be the same more or less, but subject to all legal highways.

P. P. No. 013-11-159 (Westerly part)  
(Parcel No. 2)

Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 37 and bounded and described as follows:

Beginning on the Northerly line of Memphis Avenue, S.W. (86 feet wide) at the Southeast corner of land conveyed to Andrew Skintek by deed dated October 21, 1953 and recorded in Volume 7883, Page 315 of Cuyahoga County Records; thence Easterly along the Northerly line of Memphis Avenue, S.W. 77 feet to the Southwest corner of Parcel No. 1 conveyed to Alex Fodor by deed dated March 29, 1954 and recorded in Volume 8031, Page 486 of Cuyahoga County Records; thence Northerly along the Westerly line of Parcel No. 1 so conveyed 127.16 feet; thence Westerly and parallel with the Northerly line of Memphis Avenue, S.W., 77 feet to an Easterly line of land so conveyed to Andrew Skintek as first aforesaid; thence Southerly along an Easterly line of land so conveyed, 127.16 feet to the place of beginning, be the same more or less, but subject to all legal highways.

Excepting therefrom, the following described premises, to wit: Situated in the City of Cleveland, County of Cuyahoga and State of Ohio, and known as being part of Original Brooklyn Township Lot No. 37 and bounded and described as follows:

Beginning on the Northerly line of Memphis Avenue, S.W., 86 feet wide, at the Southeast corner of a parcel of land conveyed to Andrew Skintek by deed dated October 21, 1953 and recorded in Volume 7883, Page 315 of Cuyahoga County Records; thence Easterly 52.50 feet along the said Northerly line of Memphis Avenue, S.W. to a point; thence Northerly 127.16 feet parallel with the Easterly line of land as conveyed to Andrew Skintek to a point; thence Westerly 52.50 feet parallel with the said Northerly line of Memphis Avenue, S.W. to a point in the Easterly line of land conveyed to Andrew Skintek as aforesaid; thence Southerly 127.16 feet along the Easterly line of land so conveyed to Andrew Skintek to the place of beginning, be the same more or less, but subject to all legal highways.

**Section 2.** That by and at the direction of the Board of Control, the Commissioner of Purchases and Supplies is authorized to sell the above-described property to the Redeveloper at a price not less than fair market value as determined by

the Board of Control, taking into account all restrictions, reversionary interests and similar encumbrances placed by the City of Cleveland in the deed of conveyance.

**Section 3.** That the conveyance shall be made by official deed prepared by the Director of Law and executed by the Mayor on behalf of the City of Cleveland. The deed shall contain necessary provisions, including restrictive reversionary interests as may be specified by the Board of Control or Director of Law, which shall protect the parties as their respective interests require and shall specifically contain a provision against the erection of any advertising signs or billboards except permitted identification signs.

**Section 4. That the proceeds from the sale of the property described in Section 1 shall be credited to the Ward 16 Neighborhood Equity Fund, 10 SF 166.**

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

## BOARD OF CONTROL

June 23, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, June 23, 2004, at 10:30 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Absent: None.

Others: Simon Mastroianni, Acting Commissioner, Purchases and Supplies.

Collette Appolito, Director, Office of Equal Opportunity.

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

### Resolution No. 376-04.

By Director Baker.

Whereas, by Resolution No. 120-04, adopted March 17, 2004 under authority of Ordinance No. 2019-03, passed by Cleveland City Council on November 10, 2003, this Board affirmed and approved Servco Products, Inc. as the lowest and best bidder for the City's requirements for a period of two (2) years for an estimated quantity of fasteners for various divisions of City government, Department of Finance; and

Whereas, by Resolution No. 315-04, adopted May 26, 2004 under the authority of Ordinance No. 2019-03, passed November 10, 2003, this Board declared Servco Products Inc. in default of its bid promises to furnish a satisfactory performance bond and timely execute a contract, and affirmed and approved Bos-

worth Industrial Supply, Inc. as the next lowest and best bidder for the City's requirements for a period of two (2) years for fasteners; and

Whereas, the City has determined that it is in its best interests to approve a bid for a contract for its requirements for fasteners for a period of one (1) year rather than two (2) years; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 120-04, adopted by this Board on March 17, 2004, and Resolution No. 315-04, adopted May 26, 2004, are rescinded.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

### Resolution No. 377-04.

By Director Baker.

Resolved, by the Board of Control of City of Cleveland that the bid of Servco Products, Inc. for an estimated quantity of fasteners, groups I, II, III, VI, VII, VIII, IX, X, XI, XII, XIII, XIV, XV, XVII, for the various divisions of City government, for the period of one (1) year beginning with the date of execution of a contract, received on January 30, 2004, under to the authority of Ordinance No. 2019-03, passed November 10, 2003, which on the basis of the estimated quantity would amount to Thirty One Thousand Four Hundred Seventy-One and 80/100 Dollars (\$31,471.80), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 147958

which shall be certified against such contract in the sum of Four Thousand Four Hundred Sixty-Four and 20/100 Dollars (\$4,464.20).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

### Resolution No. 378-04.

By Director Baker.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Dell Marketing, L.P. for an estimated quantity of computer hardware, software, & associated peripheral equipment, parts I, II, III, IV, (V-items 1 thru 9) & VII, for the various divisions of City Government, Department of Finance, for a period of six (6) months beginning with the date of execution of a contract, received on the 5th day of

May, 2004, pursuant to the authority of Ordinance No. 1936-02, passed September 30, 2002, which on the basis of the estimated quantity would amount to Eight Hundred Ten Thousand Nine Hundred Forty Dollars and Five Cents (\$810,940.05) (Net), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 148247 which shall be certified against such contract in the sum of Forty-Two Thousand and 00/100 Dollars (\$42,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 379-04.**

By Director Baker.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Smart Solutions, Inc. for an estimated quantity of computer hardware, software & associated peripheral equipment part V-items 10 thru 15, for the various divisions of City Government, Department of Finance, for a period of six (6) months beginning with the date of execution of a contract, received on the 5th day of May, 2004, pursuant to the authority of Ordinance No. 1936-02, passed September 30, 2002, which on the basis of the estimated quantity would amount to Twelve Thousand Seven Hundred Fifty-One and 00/100 Dollars (\$12,751.00) (Net), is affirmed and approved as the lowest and best bid, and the Director of Finance is requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 141827 which shall be certified against such contract in the sum of Six Thousand One Hundred Twenty-Three and 00/100 Dollars (\$6,123.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 380-04.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the conditional bid of Fisher Scientific Company L.L.C., except for such terms and conditions as are not acceptable to the Director of Law, for estimated services for labor and material necessary for analysis, identification, storage, remediation, transportation, recycling, and disposal of various chemicals, products, and other hazardous and non-hazardous recyclable waste (Group 2, Items 21-23) for the Division of Water, Department of Public Utilities, for a period of two years beginning with the receipt of a notice to proceed, received on the 19th day of March 2004 pursuant to the authority of Ordinance No. 2316-03, passed December 15, 2003, which on the basis of the estimated quantity would amount to One Hundred Fifteen Thousand Seven Hundred Ten Dollars (\$115,710.00) (Net 30), is affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 148152 which shall be certified against such contract in the sum of Sixty Five Thousand Dollars (\$65,000.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 381-04.**

By Director Konicek.

Resolved by the Board of Control of the City of Cleveland that the bid of Wesco Distribution, Inc. for the following: Veterans Memorial Bridge fixtures and poles, item nos. 1 and 2, for the Division of Cleveland Public Power, Department of Public Utilities, received on the 12th day of May 2004, pursuant to the authority of Section 129.26 of the Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the order quantity would amount to \$54,000.00 (Net 30 Days), is hereby approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into contract for such items.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 382-04.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Granger Trucking, Inc.

for an estimated quantity of disposal of catch basin debris for the Division of Water Pollution Control, Department of Public Utilities, for a period of one (1) year beginning with the execution of a contract, received on the 2nd day of June 2004, pursuant to the authority of Section 129.29 of Codified Ordinances of Cleveland, Ohio 1976, which on the basis of the estimated quantity would amount to One Hundred Ninety-Four Thousand Six Hundred Twenty-Five and 00/100 Dollars (\$194,625.00) (Net), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Utilities is hereby requested to enter into requirement contract for such commodities, which shall provide for the purchase as the initial amount of such contract of the following:

Requisition No. 137559

which shall be certified against such contract in the sum of One Hundred Thousand 00/100 Dollars (\$100,000.00).

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

Be it further resolved by the Board of Control of the City of Cleveland that the employment of the following subcontractors by Granger Trucking, Inc. for the above-mentioned requirement is hereby approved:

SUBCONTRACTOR  
MBE/FBE — WORK

K B & F Trucking  
MBE — \$13,500.00 (6.94%)

Interstate Safety Services  
FBE — \$4,500.00 (2.31%)

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 383-04.**

By Director Ricchiuto.

Whereas, under authority of Ordinances Nos. 1530-02 and 990-03, passed by the Cleveland City Council on November 25, 2002 and June 10, 2003 respectively, this Board of Control, by its Resolution No. 694-03, adopted November 12, 2003, approved R. J. Platten Contracting Co. as lowest responsible bidder for the public improvement of The Plaza at Huron Point, for the Division of Engineering and Construction, Department of Public Service, in the aggregate amount of Eight Hundred Eighty-Two Thousand, Two Hundred Three and 00/100 Dollars (\$882,203.00); and

Whereas, the contractor desires to increase in its Minority Business Enterprise (MBE) subcontractor usage for the project; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that the subcontracted amount to Lito

Trucking, Inc. MBE(DBE) under contract No. 62321 with R. J. Platten Contracting Co. for the public improvement of The Plaza at Huron Point is increased by \$3,980.00 (0.45%) to \$9,295.00 (1.05%).

Be it further resolved that the employment of the following additional subcontractors by R. J. Platten Contracting Co. under contract No. 62321 is approved:

Rivera Construction  
(MBE) — \$18,000.00 — 2.04%

North Electric  
(MBE) — \$44,250.00 — 5.02%

Hatcher Associates  
(MBE) — \$18,812.00 — 2.13%

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 384-04.**

By Director Ricchiuto.

Resolved, by the Board of Control of the City of Cleveland that the bid of David Williams and Associates, Inc. for an estimated quantity of concrete receptacle lids, for the Department of Public Service, Division of Waste Collection, for the period of one (1) year beginning with the date of execution of a contract, received on April 23, 2004, pursuant to the authority of Ordinance No. 1257-03, passed July 16, 2003, which on the basis of the estimated quantity would amount to Nineteen Thousand Eight Hundred Three and no/100 Dollars (\$19,803.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Public Service is hereby requested to enter into a requirement contract for such goods and/or services, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 130463

which shall be certified against such contract in the sum of Nineteen Thousand Eight Hundred Thirty and no/100 Dollars (\$19,830.00).

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

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 385-04.**

By Director Ronayne.

Whereas, pursuant to the authority of Ordinance No. 1227-03, passed October 6, 2003, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to sell City-owned

property no longer needed for public use, described therein and located at 7515 Batavia Avenue, also known as Permanent Parcel Number 134-02-044, to Gerald Artl; and

Whereas, said Ordinance No. 1227-03 provided that the consideration to be paid for said parcel shall be at a price not less than the fair market value as determined by the Board of Control; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1227-03, passed by the Council of the City of Cleveland on October 6, 2003, the Commissioner of Purchases and Supplies is hereby directed to sell City-owned property no longer needed for public use, described therein and located at 7515 Batavia Avenue, also known as Permanent Parcel Number 134-02-044, to Gerald Artl. The consideration to be paid for said property is hereby fixed at One Dollar (\$1.00) and other valuable consideration, which amount is determined to be not less than the fair market value.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property which document shall contain such additional terms and conditions as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 386-04.**

By Director Rush.

Whereas, pursuant to the authority of Ordinance No. 1215-04, passed June 14, 2004, by the Council of the City of Cleveland, the Commissioner of Purchases and Supplies is authorized, by and at the direction of the Board of Control, to sell City-owned property for the public purpose of future redevelopment of the property located at 4345 Lee Road, also known as Permanent Parcel Number, 143-05-013, to Amistad Development Corporation; and

Whereas, said Ordinance No. 1215-04 provided that the consideration to be paid for the property shall not exceed ten dollars (\$10.00) and other valuable considerations; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to Ordinance No. 1215-04, passed by the Council of the City of Cleveland on June 14, 2004, the Commissioner of Purchases and Supplies is hereby directed to sell certain City-owned property for the public purpose of future redevelopment of the property located at 4345 Lee Road, also known as Permanent Parcel Number 143-05-013, to the Amistad Development Corporation.

Be it further resolved that the Mayor of the City of Cleveland is hereby requested to execute and deliver the official deed of the City of Cleveland conveying said property which document shall contain such additional terms and conditions

as the Director of Law shall deem necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 387-04.**

By Director Rush.

Whereas, pursuant to Ordinance No. 2076-76 passed October 25, 1976, the City is conducting a Land Reutilization Program in accordance with the provision of Chapter 5722 of the Ohio Revised Code; and

Whereas, City has acquired Permanent Parcel Nos. 142-23-001, 142-23-002, 142-16-049 and 142-16-050 under said Land Reutilization Program; and

Whereas, Ordinance No. 202-04 passed May 17, 2004, authorized the sale of said parcels for a consideration established by the Board of Control at not less than the Fair Market Value; and

Whereas, Amistad Development Corporation or designee has proposed to the City to purchase and develop said parcels; now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that pursuant to the authorization of Ordinance No. 202-04 passed May 17, 2004, by the Cleveland City Council, the Mayor is hereby authorized to execute an official deed for and on behalf of the City of Cleveland with Amistad Development Corporation or designee for the sale and development of Permanent Parcel Nos. 142-23-001, 142-23-002, 142-16-049 and 142-16-050, as described in said Ordinance in accordance with the Land Reutilization Program in such manner as best carries out the intent of said program.

Be it further resolved that the consideration for said parcels shall be \$100.00 each, which amount is hereby determined to be not less than the fair market value of said parcels for uses in accordance with the Land Reutilization Program.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Ricchiuto, Carroll, Acting Director Petus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 388-04.**

By Director Rush.

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

Whereas, City has acquired Permanent Parcel Nos. 124-03-049 and 124-03-050 and Land Reutilization Program; and

Whereas, pursuant to Ordinance No. 2156-03 passed by the Council of the City of Cleveland on March 29, 2004, this Board of Control adopted Resolution No. 268-04 on May 15, 2004, authorizing the sale of said parcels for a consideration of \$5,000.00; and

Whereas, said Resolution No. 268-04 incorrectly stated the consideration to be \$5,000.00 now, therefore,

Be it resolved by the Board of Control of the City of Cleveland that Resolution No. 268-04, adopted by the Board of Control on May 15, 2004, is hereby amended by correcting the consideration to be \$5,000.00 "each".

Be it further resolved that all other provisions of said Resolution No. 268-04 not expressly amended hereby shall remain unchanged and in full force and effect.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

**Resolution No. 389-04.**

By Director Konicek.

Be it resolved by the Board of Control of the City of Cleveland that all bids received on January 19, 2004 for labor and material necessary for equipment and services for hazardous and non-hazardous recyclable waste (Group I - Items 1-16 and 18-20) for the Division of Water, Department of Public Utilities, pursuant to the authority of Ordinance #2316-03, passed by Council of the City of Cleveland on December 15, 2003 are hereby rejected.

Yeas: Mayor Campbell, Directors Chandra, Baker, Konicek, Mok, Richiuto, Carroll, Acting Director Petus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Fumich, Taylor and Williams.

Nays: None.

Absent: None.

JEFFREY B. MARKS,  
Secretary

**CIVIL SERVICE NOTICES**

**General Information**

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

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

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

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

REYNALDO GALINDO,  
President

**SCHEDULE OF THE BOARD OF ZONING APPEALS**

**MONDAY, JULY 12, 2004**

**9:30 A.M.**

**Calendar No. 04-135:** 1016-18 Galewood Drive (Ward 10)

Leandrew and Bernadine Green, owners, appeal to install approximately 115' 1/2 of 4' high chain link fence at the front and partially at the south side of an existing two-story dwelling situated on a 37' x 150' irregular shaped parcel located in a Two-Family District on the west side of Galewood Drive at 1016-18 Galewood Drive; the proposed fence being contrary to the Fence Regulations that require there be only ornamental fences installed in actual front and side yards in Residential Districts as stated in Section 358.04(c)(1) of the Codified Ordinances.

**Calendar No. 04-136:** 1012 Galewood Drive (Ward 10)

Leandrew and Bernadine Green, owners, appeal to install 143' 1/2 of 4' high chain link fence at the front and along the north side of a 35' x 127' vacant parcel located in a Two-Family District on the west side of Galewood Drive at 1012 Galewood Drive; the proposed fence being contrary to the Fence Regulations that require there be only ornamental fences installed in actual front and side yards in Residential Districts as stated in Section 358.04(c)(1) of the Codified Ordinances.

**Calendar No. 04-145:** 2928 Woodhill Road (Ward 4)

Olive Grove Missionary Baptist Church and Reverend Clifford Carter, owner c/o Emmanuel Erokwu, agent, appeal to erect a 59' x 120' two-story church on an acreage parcel situated in a Multi-Family District on the west side of Woodhill Road at 2928 Woodhill Road; subject to Section 337.08 for Residential Districts and by reference as regulated in a One-Family District, the proposed church and parking lot are contrary to the required distance of 15' from any adjoining premises in a Residential District not used for a similar purpose as stated in Section 337.02(e)(1) of the Codified Ordinances.

**Calendar No. 04-146:** 485 East 140th Street (Ward 10)

John Masseria, d.b.a. Wade Park Properties, Ltd., owner, and Michael Harwell, prospective purchaser, appeal to change the use of an existing one-story, masonry storage building to an auto repair (body and painting shop), situated on a 160' x 144' parcel located in a General Retail Business District on the east side of East 140th Street at 485 East 140th Street; contrary to Section 343.11 of the Regulations for Business Districts, where an auto repair shop is not permitted in a General Retail Business District but first permitted in a Semi-Industry District under Section 345.03(c)(2), but only if it is located not less than 100' from a Residential District and the proposed use abuts a Multi-Family District at the rear; and contrary

to the Requirements for Landscaping and Screening in Sections 352.09 and 352.10, where an 8' wide transition strip is required at the rear between the Multi-Family and General Retail Districts and none is proposed and no landscaping schedule detail is provided; and contrary to Section 358.05(a)(1) of the Fence Regulations, an 8' high ornamental fence is proposed where in a non-residential district, the maximum height of fence permitted in actual front and side street yards is 4' and it must be at least 50% open and an 8' fence height is proposed where a maximum fence height of 6' is permitted in actual rear and interior side yards; and subject to the provisions for Nonconforming Uses, the substitution of an existing nonconforming use requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

**Calendar No. 04-147:** 2001-2109 Fern Court - Lot A (Ward 15)

Cleveland Housing Network c/o Brian Fabo, agent, appeals to erect a one family townhouse with an attached garage on a 29.33' x 50' parcel, located in a Two-Family District on the south side of Fern Court at 2001-2109 Fern Court - Lot A; the proposed construction being contrary to Section 355.04(b) of the Area Requirements, where the maximum gross floor area allowed is one-half of the lot size or 733.5 s/f and 1,450 s/f is proposed, and the minimum lot area for a one family dwelling is 4,800 s/f and there is 1,467 s/f proposed, and the required street frontage is 25' where 14' is proposed, and a minimum lot width of 40' is required where 29.33' is proposed and contrary to Section 357.07(b)(1) of the Requirements for Yards and Courts, no rear yard depth is proposed where a 20' depth is required and in a Two-Family District, the aggregate width of side yards on the same premises shall not be less than one-half the height of the main building but not less than 10' and no building shall be erected less than 10' from a main building on an adjoining lot as stated in Section 357.09(b)(2)A of the Codified Ordinances.

**Calendar No. 04-148:** 2001-2109 Fern Court - Lot B (Ward 15)

Cleveland Housing Network c/o Brian Fabo, agent, appeals to erect a one family townhouse with an attached garage on a 44.48' x 50' parcel, located in a Two-Family District on the south side of Fern Court at 2001-2109 Fern Court - Lot B; the proposed construction being contrary to Section 355.04(b) of the Area requirements, where the maximum gross floor area allowed is one-half of the lot size or 1,112 s/f and 1,870 s/f is proposed, and the minimum lot area for a one family dwelling is 4,800 s/f and there is 2,224 s/f proposed and the required street frontage is 25' where 10' is proposed and contrary to Section 357.07(b)(1) of the Requirements for Yards and Courts, a rear yard depth of 2' is proposed where a 20' depth is required and in a Two-Family District, the aggregate width of side yards on the same premises shall not be less than one-half the height

of the main building but not less than 10' and no building shall be erected less than 10' from a main building on an adjoining lot as state in Section 357.09(b)(2)A of the Codified Ordinances.

**Calendar No. 04-149:** 2001-2109 Fern Court - Lot C (Ward 15)

Cleveland Housing Network c/o Brian Fabo, agent, appeals to erect a one family townhouse with an attached garage on a 32' x 50' parcel, located in a Two-Family District on the south side of Fern Court at 2001-2109 Fern Court - Lot C; the proposed construction being contrary to Section 355.04(b) of the Area Requirements, where the maximum gross floor area allowed is one-half of the lot size or 796 s/f and 1,450 s/f is proposed, and the minimum lot area for a one family dwelling is 4,800 s/f and there is 1,592 s/f proposed and the required street frontage is 25' where 16' is proposed and a minimum lot width of 40' is required where 31.85' is proposed and contrary to Section 357.07(b)(1) of the Requirements for Yards and Courts, no rear yard depth is proposed where a 20' depth is required and in a Two-Family District, the aggregate width of side yards on the same premises shall not be less than one-half the height of the main building but not less than 10' and no building shall be erected less than 10' from a main building on an adjoining lot as stated in Section 357.09(b)(2)A of the Codified Ordinances.

**Calendar No. 04-150:** 2001-2109 Fern Court - Lot D (Ward 15)

Cleveland Housing Network c/o Brian Fabo, agent, appeals to erect a one family townhouse with an attached garage on a 44.48' x 50' parcel, located in a Two-Family District on the south side of Fern Court at 2001-2109 Fern Court - Lot D; the proposed construction being contrary to Section 355.04(b) of the Area requirements, where the maximum gross floor area allowed is 1,112 s/f or one-half the lot size and 1,870 s/f is proposed and the minimum lot area for a one family dwelling is 4,800 s/f and there is 2,224 s/f proposed and the required street frontage is 25' where 12' is proposed and contrary to Section 357.07(b)(1) of the Requirements for Yards and Courts, a rear yard depth of 2' is proposed where a 20' depth is required and in a Two-Family District, the aggregate width of side yards on the same premises shall not be less than one-half the height of the main building but not less than 10' and no building shall be erected less than 10' from a main building on an adjoining lot as state in Section 357.09(b)(2)A of the Codified Ordinances.

**Calendar No. 04-151:** 2001-2109 Fern Court - Lot E (Ward 15)

Cleveland Housing Network c/o Brian Fabo, agent, appeals to erect a one family townhouse with an attached garage on a 32' x 50' parcel, located in a Two-Family District on the south side of Fern Court at 2001-2109 Fern Court - Lot E; the proposed construction being con-

trary to Section 355.04(b) of the Area Requirements, where the maximum gross floor area allowed is one-half of the lot size or 796 s/f and 1,450 s/f is proposed, and the minimum lot area for a one family dwelling is 4,800 s/f and there is 1,592 s/f proposed and the required street frontage is 25' where 14' is proposed and a minimum lot width of 40' is required where 31.85' is proposed and contrary to Section 357.07(b)(1) of the Requirements for Yards and Courts, no rear yard depth is proposed where a 20' depth is required and in a Two-Family District, the aggregate width of side yards on the same premises shall not be less than one-half the height of the main building but not less than 10' and no building shall be erected less than 10' from a main building on an adjoining lot as stated in Section 357.09(b)(2)A of the Codified Ordinances.

**Calendar No. 04-152:** 2001-2109 Fern Court - Lot F (Ward 15)

Cleveland Housing Network c/o Brian Fabo, agent, appeals to erect a one family townhouse with an attached garage on a 44.48' x 50' parcel, located in a Two-Family District on the south side of Fern Court at 2001-2109 Fern Court - Lot F; the proposed construction being contrary to Section 355.04(b) of the Area requirements, where the maximum gross floor area allowed is one-half of the lot size or 1,112 s/f and 1,870 s/f is proposed, and the minimum lot area for a one family dwelling is 4,800 s/f and there is 2,224 s/f proposed and the required street frontage is 25' where 10' is proposed and contrary to Section 357.07(b)(1) of the Requirements for Yards and Courts, a rear yard depth of 2' is proposed where a 20' depth is required and in a Two-Family District, the aggregate width of side yards on the same premises shall not be less than one-half the height of the main building but not less than 10' and no building shall be erected less than 10' from a main building on an adjoining lot as state in Section 357.09(b)(2)A of the Codified Ordinances.

**Calendar No. 04-153:** 2001-2109 Fern Court - Lot G (Ward 15)

Cleveland Housing Network c/o Brian Fabo, agent, appeals to erect a one family townhouse with an attached garage on a 45' x 50' parcel, located in a Two-Family District on the south side of Fern Court at 2001-2109 Fern Court - Lot G; the proposed construction being contrary to Section 355.04(b) of the Area requirements, where the maximum gross floor area allowed is one-half of the lot size or 1,113 s/f and 1,870 s/f is proposed, and the minimum lot area for a one family dwelling is 4,800 s/f and there is 2,226 s/f proposed and the required street frontage is 25' where 12' is proposed and contrary to Section 357.07(b)(1) of the Requirements for Yards and Courts, a rear yard depth of 2' is proposed where a 20' depth is required and in a Two-Family District, the aggregate width of side yards on the same premises shall not be less than one-half the height

of the main building but not less than 10' and no building shall be erected less than 10' from a main building on an adjoining lot as state in Section 357.09(b)(2)A of the Codified Ordinances.

Secretary

**REPORT OF THE BOARD  
OF ZONING APPEALS**

**MONDAY, JUNE 28, 2004**

At the meeting of the Board of Zoning Appeals on Monday, June 28, 2004, the following appeals were heard by the Board:

The following appeals were **Approved:**

**Calendar No. 04-128:** 16022 Grove-wood Avenue  
Mercedes Franklin appealed to expand a legal, nonconforming restaurant use in a store and suites building in a Two-Family District.

**Calendar No. 04-132:** 4404 West 47th Street  
Saul Garcia appealed to change the use from a carryout restaurant to a barber shop in the first floor of a two-story mixed use building in a Two-Family District.

**Calendar No. 04-133:** 4417 West 48th Street  
Thomas and Kathleen Hickson appealed to enclose a 7'7" x 24' second floor front porch of a two-family dwelling in a Two-Family District.

**Calendar No. 04-108:** 887 Herrick Road  
Gregory and Patricia Pitts appealed to erect a 21' x 27' two-story room addition to the rear of a two-story one family dwelling in a Limited One-Family District.

The following appeals were **Denied:**

**None.**

The following appeals were **Postponed:**

**Calendar No. 04-129:** 10318 Lorain Avenue postponed to July 26, 2004.

**Calendar No. 04-131:** 271 East 156th Street postponed to July 19, 2004.

**Calendar No. 04-94:** 4670 Grayton Road postponed to July 19, 2004.

The following appeal was **Dismissed:**

**Calendar No. 04-130:** 5105 Barkwill Avenue  
Ronald M. Burell appealed to erect a two-story single family dwelling in a Two-Family District.

In Executive Session on June 28, 2004, the following appeals heard by the Board on June 21, 2004 were adopted or approved.



The following appeals were **Approved**:

**Calendar No. 04-101:** 17636 Lakeshore Boulevard

Gerald Westmoreland appealed to expand a nonconforming auto repair shop into two separate auto repair shops in a Multi-Family District; subject to conditions.

**Calendar No. 04-103:** 4702 Franklin Boulevard

Jack Kline appealed to erect a 40' x 108' two-story, one family dwelling with an attached garage in a Two-Family District.

**Calendar No. 04-106:** 5836 Broadway Avenue

Family Dollar Store appealed to erect a one-story 9,180 s/f retail store in a General Retail Business District.

**Calendar No. 04-127:** 2572 Scranton Road

Charles Christopher Real Estate appealed to expand an existing restaurant by adding an outdoor patio at the west side of a two-story building in split zoning for General Retail Business and Multi-Family Districts; subject to conditions.

**Calendar No. 04-109:** 14601 Montrose Road

The Cleveland Municipal School District appealed to erect a two-story 63,000 s/f Kindergarten through 8th Grade public school building in a One-Family District.

The following appeals were **Denied**:

**Calendar No. 04-100:** 4522 South Hills Drive

Douglas Moore appealed to install 6' high privacy fence along and parallel to a driveway in a One-Family District.

**Calendar No. 04-102:** 8713 Vineyard Avenue

Angie Hubbard appealed to establish a Type A day care in an existing one family dwelling in a Two-Family District.

In Executive Session on June 28, 2004, the following appeal heard by the Board on June 14, 2004 was adopted and approved:

The following appeal was **Approved**:

**Calendar No. 04-111:** 4302 Buechner Avenue

Deloris Sell appealed to enclose a 6' x 20' open front porch of a one family dwelling in a One-Family District.

Secretary

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

NO MEETING

**PUBLIC NOTICE**

NONE

**NOTICE OF PUBLIC HEARING**

**By the Cleveland City Council Committee on Community and Economic Development**

**Mercedes Cotner  
Committee Room 217  
Cleveland City Hall  
601 Lakeside Avenue  
Wednesday, July 14, 2004  
9:00 A.M.**

Notice is hereby given in accordance with Chapter 324 of the Codified Ordinances of Cleveland, Ohio that the Council Committee on Community and Economic Development will hold a Public Hearing on July 14, 2004 at 9:00 A.M. in the Mercedes Cotner Committee Room, City Hall, 601 Lakeside Avenue, Room 217, Cleveland, Ohio to consider Ordinance No. 632-04 relating to the existence of blight located at 16800 Lorain Avenue, Cleveland, Ohio and the necessity of acquiring said property to eliminate the blight and prevent its recurrence.

All interested persons are encouraged to attend or be represented at the Public Hearing in order to be heard and to present their views.

**MERLE R. GORDON**  
Chairwoman

Community and Economic Development Committee

June 30, 2004 and July 7, 2004

**CITY OF CLEVELAND BIDS**

**For All Departments**

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

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

**187.10 Negotiated contracts; Notice required in Advertisement for Bids. Where invitations for bids are advertised, the following notice**

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

**WEDNESDAY, JULY 7, 2004**

**Medical Supplies**, for the Division of Emergency Medical Service, Department of Public Safety, as authorized by Ordinance No. 2232-03, passed by the Council of the City of Cleveland, December 15, 2003.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JULY 1, 2004 AT 11:00 A.M., CEMS HEADQUARTERS, 1708 SOUTH POINT DRIVE, 9TH FLOOR, CLEVELAND, OHIO 44109.**

June 23, 2004 and June 30, 2004

**THURSDAY, JULY 8, 2004**

**Superior Avenue Resurfacing**, for the Division of Engineering and Construction, Department of Public Service as authorized by Ordinance No. 867-2000, passed by the Council of the City of Cleveland, June 19, 2000.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, JULY 1, 2004 AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 518, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.**

**THERE WILL BE A REFUNDABLE FEE OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

June 23, 2004 and June 30, 2004

**WEDNESDAY, JULY 14, 2004**

**Purchase of 1 3/4 Inch Fire Hose**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 3-04, passed by the Council of the City of Cleveland, February 9, 2004.

**THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, JULY 9, 2004 AT 11:30 A.M., CLEVELAND FIRE HEADQUARTERS, BASEMENT CONFERENCE ROOM, 100 WEST 10TH STREET, CLEVELAND, OHIO 44114.**

ENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

**Purchase of 4 Inch Fire Hose**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 3-04, passed by the Council of the City of Cleveland, February 9, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JULY 9, 2004 AT 11:00 A.M., CLEVELAND FIRE HEADQUARTERS, BASEMENT CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

**Purchase of Thermal Imaging Cameras**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 3-04, passed by the Council of the City of Cleveland, February 9, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JULY 9, 2004 AT 10:00 A.M., CLEVELAND FIRE HEADQUARTERS, BASEMENT CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

June 23, 2004 and June 30, 2004

#### THURSDAY, JULY 15, 2004

**Purchase of Rope Rescue Equipment**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 3-04, passed by the Council of the City of Cleveland, February 9, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JULY 9, 2004 AT 9:30 A.M., CLEVELAND FIRE HEADQUARTERS, BASEMENT CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

**Purchase of Dive Rescue Equipment**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 3-04, passed by the Council of the City of Cleveland, February 9, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JULY 9, 2004 AT 10:30 A.M., CLEVELAND FIRE HEADQUARTERS, BASEMENT CONFERENCE ROOM, 1645 SUPERIOR AVENUE, CLEVELAND, OHIO 44114.

**Purchase of One (1) Decontamination Unit Body**, for the Division of Fire, Department of Public Safety, as authorized by Ordinance No. 206-04, passed by the Council of the City of Cleveland, February 9, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, FRIDAY, JULY 9, 2004 AT 2:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49th STREET, BUILDING #1, CLEVELAND, OHIO 44105.

**Purchase of Antifreeze/Coolant**, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1976-03, passed by the Council of the City of Cleveland, October 27, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, JULY 6, 2004 AT 2:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49th STREET, BUILDING #1, CLEVELAND, OHIO 44105.

June 23, 2004 and June 30, 2004

#### WEDNESDAY, JULY 21, 2004

**Purchase of One (1) Mass Casualty Unit Body**, for the Division of Emergency Medical Service, Department of Public Safety, as authorized by Ordinance No. 206-04, passed by the Council of the City of Cleveland, February 9, 2004.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, JULY 13, 2004 AT 2:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49th STREET, BUILDING #1, CLEVELAND, OHIO 44105.

**Purchase of One Cab/Chassis with 16-Cubic Yards Sewer Cleaner Body**, for the Various Divisions of City Government, Department of Finance, as authorized by Ordinance No. 1169-03, passed by the Council of the City of Cleveland, July 14, 2003.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, TUESDAY, JULY 13, 2004 AT 2:00 P.M., DIVISION OF MOTOR VEHICLE MAINTENANCE, 4150 EAST 49th STREET, BUILDING #1, CLEVELAND, OHIO 44105.

June 23, 2004 and June 30, 2004

#### THURSDAY, JULY 29, 2004

**Purchase of Laboratory Equipment, Testing and Analytical Services**, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 485-96, passed by the Council of the City of Cleveland, May 6, 1996.

THERE WILL BE A **MANDATORY** PRE-BID MEETING, THURSDAY, JULY 8, 2004 AT 1:00 P.M., PUBLIC UTILITIES BUILDING, FOURTH FLOOR CONFERENCE ROOM, 1201 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

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

June 23, 2004 and June 30, 2004

#### FRIDAY, JULY 30, 2004

**Biological Testing Media and Apportances**, for the Division of Water, Department of Public Util-

ities, as authorized by Ordinance No. 485-96, passed by the Council of the City of Cleveland, May 6, 1996.

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, WEDNESDAY, JULY 14, 2004 AT 11:30 A.M., CROWN WATER PLANT, 955 CLAGUE ROAD, WESTLAKE, OHIO 44145.

June 23, 2004 and June 30, 2004

#### WEDNESDAY, JULY 14, 2004

**Clark Field Dog Park Site Improvements**, for the Division of Research, Planning & Development, Department of Parks, Recreation and Properties, as authorized by Ordinance No. 2151-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF TWENTY-FIVE DOLLARS (\$25.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JULY 8, 2004 AT 10:00 A.M., BURKE LAKEFRONT AIRPORT, 1ST FLOOR CONFERENCE ROOM, 1501 NORTH MARGINAL ROAD, CLEVELAND, OHIO 44114.

June 30, 2004 and July 7, 2004

#### THURSDAY, JULY 15, 2004

**Superior Avenue Sewer Relining Project (Re-Bid)**, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 644-03, passed by the Council of the City of Cleveland, July 16, 2003.

THERE WILL BE A **REFUNDABLE FEE FOR PLANS/SPECIFICATIONS IN THE AMOUNT OF FIFTY DOLLARS (\$50.00) IN THE FORM OF A CASHIER'S CHECK AND/OR MONEY ORDER.**

THERE WILL BE A **NON-MANDATORY** PRE-BID MEETING, THURSDAY, JULY 8, 2004 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, RED CONFERENCE ROOM, CLEVELAND, OHIO 44108.

June 30, 2004 and July 7, 2004

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O—Ordinance; R—Resolution; F—File  
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