

The City Record

Official Publication of the Council of the City of Cleveland



August the Twenty-Fifth, Two Thousand and Four

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	9703 Cardwell Avenue	44105
3	Zachary Reed	3734 East 149th Street	44120
4	Kenneth L. Johnson	2948 Hampton Road	44120
5	Frank G. Jackson	2327 East 38th Street	44115
6	Patricia J. Britt	12402 Britton Drive	44120
7	Fannie M. Lewis	7416 Star Avenue	44103
8	Sabra Pierce Scott	9212 Kempton Avenue	44108
9	Kevin Conwell	10647 Ashbury Avenue	44106
10	Roosevelt Coats	1775 Cliffview Road	44112
11	Michael D. Polensek	17855 Brian Avenue	44119
12	Edward W. Rybka	6832 Indiana Avenue	44105
13	Joe Cimperman	3053 West 12th Street	44113
14	Nelson Cintron, Jr.	3004 Vega Avenue	44113
15	Merle R. Gordon	1700 Denison Avenue	44109
16	Michael C. O'Malley	6710 Brookside Drive	44144
17	Matthew Zone	1228 West 69th Street	44102
18	Jay Westbrook	1278 West 103rd Street	44102
19	Dona Brady	1272 West Boulevard	44102
20	Martin J. Sweeney	3632 West 133rd Street	44111
21	Michael A. Dolan	16519 West Park Road	44111

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

MAYOR – Jane L. Campbell

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

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

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

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

DEPT. OF PUBLIC UTILITIES – Michael G. Konicek, Director, 1201 Lakeside Avenue

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

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

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

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

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

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

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

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

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

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

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

DEPT. OF COMMUNITY DEVELOPMENT – Daryl Rush, Director, 3rd Floor, City Hall

DIVISIONS: Administrative Services – Terrence Ross, Commissioner
Neighborhood Services – Louise V. Jackson, Commissioner
Neighborhood Development – Joseph A. Sidoti, Commissioner

DEPT. OF BUILDING AND HOUSING – James G. Williams, Director, Room 500

DIVISIONS: Code Enforcement – Tyrone L. Johnson, Commissioner
Construction Permitting – Timothy R. Wolosz, Commissioner

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

DEPT. OF ECONOMIC DEVELOPMENT – _____, Director, Room 210

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

DEPT. OF CONSUMER AFFAIRS – Kenya Taylor, Director

COMMUNITY RELATIONS BOARD – Room 111, Jeffrey D. Johnson, Director; Mayor Jane

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

CIVIL SERVICE COMMISSION – Room 119, Reynaldo Galindo, President; Rev. Earl

Preston, Vice President; Jonalyn M. Krupka, Secretary; Members: Diane M. Downing, William Morrison.

SINKING FUND COMMISSION – Jane L. Campbell, President; Council President Frank

G. Jackson; Betsy Hruby, Asst. Sec'y.; Robert H. Baker, Director.

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

Margaret Hopkins, Ozell Dobbins, Joan Shaver Washington, Christopher Carmody, _____, Secretary.

BOARD OF BUILDING STANDARDS AND BUILDING APPEALS – Room 516, J. F. Denk,

Chairman; James Williams, Arthur Saunders, Alternate Members – D. Cox, P. Frank, E. P. O'Brien, Richard Pace, J.S. Sullivan.

BOARD OF REVISION OF ASSESSMENTS – Law Director Subodh Chandra, President;

Finance Director Robert H. Baker, Secretary; Council President Frank G. Jackson.

BOARD OF SIDEWALK APPEALS – Service Director Mark Ricchiuto; Law Director

Subodh Chandra; Councilman Martin J. Sweeney.

BOARD OF REVIEW – (Municipal Income Tax) – Law Director Subodh Chandra; Utilities

Director Michael G. Konicek; Council President Frank G. Jackson.

CITY PLANNING COMMISSION – Room 501 – Christopher S. Ronayne, Director;

Anthony J. Coyne, Chairman; David Bowen, Lillian W. Burke, Lawrence A. Lumpkin, Gloria Jean Pinkney, Rev. Sam Edward Small, Councilman Joseph Cimperman.

FAIR EMPLOYMENT WAGE BOARD – Room 210 – Gerald Meyer, Chair; Angela Caldwell,

Vice Chair; Patrick Gallagher, Kathryn Jackson, Draydean McCaleb, Council Member Nelson Cintron, Ed Romero.

HOUSING ADVISORY BOARD – Room 310 – Keith Brown, Terri Hamilton Brown, Vickie

Eaton-Johnson, Mike Foley, Eric Hodderson, Janet Leohr, Mark McDermott, Marcia Nolan, David Perkowski, Joan Shaver Washington, Keith Sutton, Council Member Merle Gordon.

FAIR HOUSING BOARD – Charles See, Chair; Cindy Barber, Vice Chair; Michael Doud,

Doris Honsa, Richard Lenard.

CLEVELAND BOXING AND WRESTLING COMMISSION – Robert Jones, Chairman;

Clint Martin, Mark Rivera.

MORAL CLAIMS COMMISSION – Law Director Subodh Chandra; Chairman; Finance

Director Robert H. Baker; Council President Frank G. Jackson; Councilman Dona Brady; Councilman Martin J. Sweeney.

BOARD OF EXAMINERS OF ELECTRICIANS – Samuel Montfort, Chairman; Donald

Baulknight, Anton J. Eichmuller, J. Gilbert Steele, Raymond Ossovicki, Chief Electrical Inspector; Laszlo V. Kemes, Secretary to the Board.

BOARD OF EXAMINERS OF PLUMBERS – Joseph Gyorky, Chairman; Earl S. Bumgarner,

Alfred Fowler, Jozef Valencik, Lawrence Skule, Chief Plumbing Inspector; Laszlo V. Kemes, Secretary to the Board.

CLEVELAND LANDMARKS COMMISSION – Room 519 – Paul Volpe, Chair; Ted Sande,

Vince Chair; James Gibans, India Pierce Lee, Robert Madison, Randall B. Shorr, Chris Ronayne, N. Kurt Wiebusch, Council Member Joe Cimperman, Dwayne J. Simpson; Robert Keiser, Secretary.

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

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

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

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OFFICIAL PUBLICATION OF THE COUNCIL OF THE CITY OF CLEVELAND

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WEDNESDAY, AUGUST 25, 2004

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CITY COUNCIL

MONDAY, AUGUST 23, 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 measures will be on their final passage at the next meeting:

NONE

BOARD OF CONTROL

August 18, 2004

The regular meeting of the Board of Control convened in the Mayor's office on Wednesday, August 18, 2004, at 10:50 a.m. with Mayor Campbell presiding.

Present: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting

Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Taylor and Williams.

Absent: None.

Others: Myrna Branche, 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. 471-04.

By Director Ciaccia.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Westside Lighting Center, Inc. for an estimated quantity of labor, material and services necessary to install and maintain Outdoor Residential Lighting, all items, for the Division of Cleveland Public Power, Department of Public Utilities, for a period of two (2) years beginning with the date of execution of a contract, received on the 2nd day of June 2004, pursuant to the authority of Ordinance No. 1154-03, passed July 16, 2003, which on the basis of the estimated quantity would amount to Forty Five Thousand Three Hundred Ninety Six and no/100 Dollars (\$45,396.00) (Net 30 Days), 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 immediate purchase as the initial amount of such contract of the following:

Requisition No. 153167

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

Said requirement contract shall further provide that the Contractor will furnish the remainder of the requirement for 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, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 472-04.

By Director Mok.

Be it resolved by the Board of Control of the City of Cleveland that, under authority of Ordinance No. 695-04, passed by the Council of the City of Cleveland on May 24, 2004, the firm of Inland Waters of Ohio ("Consultant"), is selected upon the nomination of the Director of Port Control from a list of qualified persons or firms determined after a full and complete canvass by the Director of Port Control as the firm of consultants available to be employed by contract to supplement the regularly employed staff of the several departments of the City to provide professional emergency spill response, evaluation, handling, and disposal at Cleveland Hopkins International Airport and Burke Lakefront Airport, for the Department of Port Control.

Be it further resolved that the Director of Port Control is authorized to enter into a written contract with Inland Waters of Ohio based upon its proposal dated October 23, 2003, provided that the compensation to Inland Waters of Ohio for the services authorized shall not exceed Seventy Thousand Dollars (\$70,000.00), for the professional services described above, which contract shall be prepared by the Director of Law and shall contain such other provisions as the Director of Law deems necessary to protect and benefit the public interest.

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

Nays: None.

Absent: None.

Resolution No. 473-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of Concord Road Equipment Mfg., Inc., for the necessary items of automotive parts, supplies and services necessary for the maintenance of airport vehicles and equipment, Item Nos. 5, 7, 9 and 12, for the various divisions of the Department of Port Control, for a period not to exceed two years beginning with the date of execution of a contract, received on the 14th of January, 2004, pursuant to the authority of Ordinance No. 1687-03, passed October 13, 2003, which on the basis of the estimated quantity would amount to Two Hundred Eighty Thousand and 00/100 Dollars (\$280,000.00), is hereby affirmed and approved as the lowest and best bid, and the Director of Port Control is hereby requested to enter into a requirement contract for such labor and materials necessary, which shall provide for the immediate purchase as the initial amount of such contract of the following:

Requisition No. 139858

which shall be certified against such contract in the sum of Twenty Thousand and 00/100 Dollars (\$20,000.00).

Said requirement contract shall further provide that the Contractor shall furnish the remainder of the City's requirements for such labor and materials, 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, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 474-04.

By Director Mok.

Resolved, by the Board of Control of the City of Cleveland that the bid of C. E. Neubert Co. for the rental of snow removal and heavy-duty equipment, with operators (all items), for the Division of Cleveland Hopkins International Airport, Department of Port Control, for a period not to exceed one year beginning with the date of execution of a contract, received on the 7th of May, 2004, pursuant to the authority of Ordinance No. 1888-03, passed on November 10, 2003, which on the basis of the estimated quantity would amount to Two Hundred Eighty-Two Thousand Nine Hundred Fifty-Three and 67/100 Dollars (\$282,953.67), affirmed and approved as the lowest and best bidder, and the Director of Port Control is requested to enter into a requirement contract for such items necessary, which shall provide for the immediate procurement as the initial amount of such contract of the following:

Requisition No. 146138

which shall be certified against such contract in the sum of Twenty-Five Thousand and 00/100 Dollars (\$25,000.00).

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

Be it further resolved by the Board of Control that the following subcontractors for C. E. Neubert are approved:

<u>Subcontractors</u>	<u>MBE/FBE</u> <u>Amount</u>
Ramos Trucking	4.99% MBE \$14,110.40
Obon, Inc.	11.97% MBE \$33,864.96
Interstate Safety & Service Co., Inc.	4.99% FBE \$14,110.40

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen,

Acting Director Huth, Directors Taylor and Williams.

Nays: None.

Absent: None.

Resolution No. 475-04.

By Director Ricchiuto.

Be it resolved by the Board of Control of the City of Cleveland, that pursuant to Ordinance No. 2142-03 passed by the Council of the City of Cleveland on February 9, 2004, the firm of City Architecture, Inc., is selected upon the nomination of the Director of Public Service from a list of qualified firms available for such employment and determined after a full and complete canvass by the Director of Public Service as the firm of architects ("Architect") to be employed by contract for the purpose of supplementing the regularly employed staff of the Division of Architecture in order to provide the professional services necessary for the Collinwood Community Center improvements.

Be it further resolved, that the Director of Public Service is authorized to enter into a written contract with City Architecture, Inc., based upon its proposal dated, May 28, 2004, which contract shall be prepared by the Director of Law and shall include such additional provisions as he deems necessary to benefit and protect the public interest.

The fees for services to be performed under the contract authorized hereby shall not exceed Forty Two Thousand and no/100 Dollars (\$42,000.00). Reimbursable expenses shall not exceed Seven Thousand Five Hundred and no/100 Dollars (\$7,500.00). The total compensation to the Architect shall not exceed Forty Nine Thousand Five Hundred and no/100 Dollars (\$49,500.00).

Be it further resolved, that the employment of the following subcontractors by City Architecture, Inc., is approved:

Ralph Tyler Companies
(MBE) — \$12,870 — (26%)

City Blue Printing Company
(FBE) — \$2,475 — (5%)

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

Nays: None.

Absent: None.

Resolution No. 476-04.

By Director Ricchiuto and Acting Director Huth.

Be it resolved by the Board of Control of the City of Cleveland that the bid of Apex Construction and Management Company, Inc., for the public improvement of the House of Corrections site improvements and landscaping, base bid for the Department of Public Service and the Department of Economic Development, received on June 10, 2004, pursuant to the authority of Ordinance No. 478-98, passed June 1,

1998, as amended by Ordinance No. 330-99, passed March 1, 1999, for a gross price for the improvement in the aggregate amount of Three Hundred Sixty Nine Thousand Four Hundred Fifty and no/100 Dollars (\$369,450.00), is hereby affirmed and approved as the lowest responsible bid, and the Director of Public Service and the Acting Director of Economic Development are hereby authorized to enter into contract for said improvement with said bidder.

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

J & S Company, Inc.
(MBE) — \$144,000 — (38.98%)

Work Best Electric
(FBE) — \$5,000 — (1.35%)

Collinwood Shale
(FBE) — \$3,000 — (.81%)

Chagrin Valley Paving Inc.
\$23,000 — (6.2%)

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

Nays: None.
Absent: None.

Resolution No. 477-04.

By Director Carroll.

Be it resolved by the Board of Control of the City of Cleveland that under the authority of Section 203.10 of the Codified Ordinances of Cleveland, Ohio, 1976, Schneider Laboratories, Inc. is selected from a list of firms determined after a full and complete canvass by the Director of Public Health as the firm to be employed by contract for professional Environmental Laboratory services for the Cleveland Childhood Lead Poisoning Prevention Program.

Be it further resolved that the Director of Public Health is authorized to enter into contract with Schneider Laboratories, Inc. based on its proposal dated July 2, 2004, which contract shall be prepared by the Director of Law, shall provide for the furnishing of professional services as stated in the proposal, for an aggregate fee of Forty-Five Thousand Dollars (\$45,000), and shall contain such additional provisions as the Director of Law deems necessary to protect and benefit the public interest.

Yeas: Mayor Campbell, Directors Chandra, Baker, Ciaccia, Acting Director McGraw, Directors Ricchiuto, Carroll, Acting Director Pettus, Directors Ronayne, Rush, Routen, Acting Director Huth, Directors 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

TUESDAY, SEPTEMBER 7, 2004

9:30 A.M.

Calendar No. 04-190: 14211-35 Kinsman Road (Ward 4)

Tarmeek LLC c/o Subhi Mahmoud and Amjad Abu Hamdah, owners, appeal to construct a 3,500 s/f retail store and gas station on a 120' x 255' irregular shaped corner lot in a Local Retail Business District on the northwest corner of East 143rd Street and Kinsman Road; contrary to Section 343.01 of the Business Districts Regulations, a gas station is not permitted in a Local Retail Business District but first permitted in a General Retail Business District and contrary to the Driveway Regulations, two driveways are proposed along Kinsman Road where there is a 115' lot frontage and not more than one driveway shall be permitted on a lot of land with a frontage of 100' or less, but two driveways may be permitted on a lot of land with a frontage of not less than 150' as stated in Section 343.18(a) of the Codified Ordinances.

Calendar No. 04-192: 10710 Wade Park Avenue (Ward 9)

Ralland Miller, owner, appeals to erect a 30' x 42' wolmanized wooden deck to the rear of a one family dwelling, situated on an 80' x 190' corner lot in an A1 One Family District on the southwest corner of Wade Park Avenue and East 108th Street at 10710 Wade Park

Avenue; contrary to Section 357.05(b)(2) where the rear lot line of a corner lot is also the side street line of the butt lot in the rear and a distance of 42' is proposed where the established setback building line of East 108th Street is 64' and no building shall be erected nearer to the side street at the rear line of the corner lot than the setback building line of the butt lot; provided that for each foot the building on the corner lot sets in from the rear lot line, it may be set one foot near to the side street line; and contrary to Section 357.08(b)(1) a rear yard depth of 6' is proposed and 20' is required; and subject to the provisions for Nonconforming Uses, expansion of the nonconforming rear yard requires the Board of Zoning Appeals approval as stated in Section 359.01 of the Codified Ordinances.

Calendar No. 04-193: 2487 West 25th Street (Ward 14)

George Sass, owner, appeals to construct a 60' x 60' two-story building for a wrecking yard and service garage, proposed to be situated on an acreage parcel in a Semi-Industry District on the east side of West 25th Street at 2487 West 25th Street; contrary to Sections 345.03 and 345.03(c)(2) of the Industrial Districts Regulations, a wrecking yard is not permitted in a Semi-Industry District but first permitted in a General Industry District and the repair garage, although permitted in a Semi-Industry District, is required to be 100' from a Residence District and as proposed, it abuts a Two-Family District; and in Section 345.04(a)(4) where auto wrecking is first permitted in a General Industry District, a minimum area of 50,000 square feet is required and it must be enclosed within a minimum of 7' high, solid masonry wall or screened, nontransparent fence and a 40,826 square foot area that is partially fenced is proposed; and contrary to Section 349.05(b) of the Off-Street Parking and Loading Requirements, part of the proposed parking that is provided is not under the appellant's ownership; and subject to the provisions for Nonconforming Uses, a nonconforming structure was 90% destroyed by fire and razed, where a nonconforming building or use that is more than 50% destroyed or removed by whatever cause, except by act of malicious mischief or vandalism, shall not be restored or replaced, except in conformity with the regulations for the district in which it is located, as stated in Section 359.03(b) of the Codified Ordinances.

Calendar No. 04-194: 515 Euclid Avenue (Ward 13)

OSF Properties c/o David Goldberg, appeal to construct a 34,944' square foot, 10-story parking garage on an approximate 182' x 280' irregular shaped parcel in a General Retail Business District on the north side of Euclid Avenue at 515 Euclid Avenue; contrary to the Driveway Regulations for General Retail Districts, where it is required that any driveway providing access to a property shall be located so that there is not less than 15' between the

point of tangency of the driveway apron radius and a prolongation of the property line to the curb line measured at the curb line, as stated in Section 343.18(c) of the Codified Ordinances.

Calendar No. 04-195: 1400 Brookpark Road (Ward 16)

Udelson Brookpark Ltd. c/o David Udelson, owner, and Ken Voigt, agent, appeal to establish use as a used car sales lot on an acreage parcel located in General Industry and Semi-Industry District on the north side of Brookpark Road at 1400 Brookpark Road; contrary to Section 349.04(f) of the Off-Street Parking and Loading Requirements, there is no off-street parking proposed where 25% of the gross lot area is required for off-street parking and subject to the provisions of Section 349.07(a), off-street parking and maneuvering areas shall be surfaced with concrete or asphalt and be provided with wheel or bumper guards; and in the Landscaping and Screening Requirements, a 4' wide frontage landscaping strip providing 50% year-round opacity is required along Brookpark Road as stated in Section 352.10 of the Codified Ordinances.

Calendar No. 04-198: 3817 Martin Luther King, Jr. Drive (Ward 2)

The Cleveland Municipal School District, owner c/o Chris Smith, agent, appeal to erect a 225,688' square foot, three-story public high school on an acreage parcel, located in Two-Family District on the east side of Martin Luther King, Jr. Drive between Corlett Avenue and Angelus Avenue at 3817 Martin Luther King, Jr. Drive; contrary to the Residential Districts Regulations, where a public high school in a Two-Family District requires the Board of Zoning Appeals approval as stated in Section 337.02(f)(3)(A) and subject to Section 337.03(b) of the Codified Ordinances.

Secretary

REPORT OF THE BOARD OF ZONING APPEALS

MONDAY, AUGUST 23, 2004

At the meeting of the Board of Zoning Appeals on Monday, August 23, 2004, the following appeals were heard by the Board:

The following appeals were **Approved:**

Calendar No. 04-180: 3881 West 134th Street

Clyde Gazda appealed to erect a 12' x 17' two-story room addition at the rear of a one family dwelling in a Two-Family District.

Calendar No. 04-181: 16402 Telfair Avenue

Darrell and Bathsheba Thomas El-Bey appealed to erect a 10' x 12' one-story room addition to the front of a one family dwelling in a One Family District.

Calendar No. 04-182: 3467 West 41st Street

Neil P. Mohne appealed to change the use of a two-story mixed use building to a single family dwelling in a General Retail Business District.

Calendar No. 04-183: 4532 West 148th Street

Paul Clark appealed to erect a 20' x 10' front porch to a single family dwelling in a One-Family District.

Calendar No. 04-184: 971 Nathaniel Road

Cleveland Housing Network Limited Partnership XX appealed to erect a 24' x 36' two-story one family dwelling in a Local Retail Business District.

Calendar No. 04-112: 17600 Lakeshore Boulevard

Attila Gyorki appealed to modify the Resolution dated June 21, 2004 for the expansion of an auto repair use to include added business hours of operation on Saturdays from 8 am to 5 pm in a General Retail Business District.

The following appeal was **Dismissed:**

Calendar No. 04-171: 8211 Platt Avenue

Lawrence Lane appealed to change the use of a one-story building from a grocery store to an office in a Local Retail Business District and a Multi-Family District.

The following appeal was **Postponed:**

Calendar No. 04-160: Appeal of North Coast Payphones ClevePhones, Inc. postponed to September 20, 2004.

In Executive Session on August 23, 2004, the following appeals heard by the Board on August 16, 2004 were adopted or approved.

The following appeals were **Approved:**

Calendar No. 04-175: 4164 East 123rd Street

East Mt. Vernon Church appealed to erect 229' linear feet of 6' high ornamental steel fence along the northern and eastern perimeters and 24' linear feet of guard rail at the northeast corner of a parking lot in a General Retail business District; subject to revised plan.

Calendar No. 04-176: 2076 West 10th Street

Parkhill Associates, Inc. appealed to erect a 10' x 10' roof widow walk to a 20' x 40' three-story single family dwelling in a Multi-Family District.

Calendar No. 04-178: 1087 East 145th Street

Dortha Nickerson appealed to construct a 14' x 18' one-story frame accessory garage in a Two-Family District.

Calendar No. 04-138: 4798 Clark Avenue

Yousif Hamdeh appealed to establish use as a tattoo/body piercing business in a one-story building in a Semi-Industry District; subject to conditions.

The following appeal was **Denied:**

Calendar No. 04-177: Appeal of Elizabeth T. Webb, 764 Brayton Avenue

Elizabeth T. Webb appealed from a Violation Notice issued on August 27, 2003 by the Building and Housing Department.

Secretary

REPORT OF THE BOARD OF BUILDING STANDARDS AND BUILDING APPEALS

NO MEETING

PUBLIC NOTICE

NONE

NOTICE OF PUBLIC HEARING

NONE

CITY OF CLEVELAND BIDS

For All Departments

Sealed bids will be received at the office of the Commissioner of Purchases and Supplies, Room 12S, City Hall, in accordance with the appended schedule, and will be opened and read in Room 12S, 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."

THURSDAY, SEPTEMBER 2, 2004

Snow and Ice Removal at Health Centers, for the Division of Health, Department of Public Health, as authorized by Ordinance No. 419-04, passed by the Council of the City of Cleveland, April 26, 2004.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, AUGUST 27, 2004 AT 9:30 A.M., McCAFFERTY HEALTH CENTERS, 4242 LORAIN AVENUE, CLEVELAND, OHIO 44113.

Board Up — Group I Areas 4-7 and Emergency Service, for the Department of Building & Housing, as authorized by Ordinance No. 703-04, passed by the Council of the City of Cleveland, May 24, 2004.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, FRIDAY, AUGUST 20, 2004, AT 10:00 A.M., CITY HALL, CONFERENCE ROOM 509, 601 LAKESIDE AVENUE, CLEVELAND, OHIO 44114.

August 18, 2004 and August 25, 2004

FRIDAY, SEPTEMBER 3, 2004

Vitrified Clay Pipe, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, AUGUST 26, 2004, AT 10:00 A.M., WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

Various Sewer Maintenance Appurtenance-Slabs, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Section 129.27, of the Codified Ordinances of Cleveland, Ohio, 1976.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, AUGUST 26, 2004, AT 10:30 A.M., WATER POLLUTION

CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

August 18, 2004 and August 25, 2004

THURSDAY, SEPTEMBER 23, 2004

HVAC/R Supplies and Equipment, for the Division of Property Management, Department of Parks, Recreation & Properties, as authorized by Ordinance No. 1116-02, passed by the Council of the City of Cleveland, June 17, 2002.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, THURSDAY, AUGUST 26, 2004, AT 10:00 A.M., DIVISION OF PROPERTY MANAGEMENT, 4150 EAST 49TH STREET, BUILDING #2, CLEVELAND, OHIO 44105.

August 18, 2004 and August 25, 2004

THURSDAY, SEPTEMBER 9, 2004

West 28th Street Replacement Project, for the Division of Water Pollution Control, Department of Public Utilities, as authorized by Ordinance No. 838-04, passed by the Council of the City of Cleveland, June 14, 2004.

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, FRIDAY, SEPTEMBER 3, 2004 AT 10:00 A.M., DIVISION OF WATER POLLUTION CONTROL, 12302 KIRBY AVENUE, CLEVELAND, OHIO 44108.

August 25, 2004 and September 1, 2004

WEDNESDAY, SEPTEMBER 15, 2004

One (1) Cab/Chassis with Fuel Tanker Body, for the Division of Motor Vehicle Maintenance, Department of Public Service, as authorized by Ordinance No. 1683-03, passed by the Council of the City of Cleveland, September 22, 2003.

THERE WILL BE A NON-MANDATORY PRE-BID MEETING, WEDNESDAY, SEPTEMBER 8, 2004 AT 3:00 P.M., DIVISION OF

MOTOR VEHICLE MAINTENANCE, 4150 EAST 49th STREET, BUILDING #1, CLEVELAND, OHIO 44105.

August 25, 2004 and September 1, 2004

FRIDAY, OCTOBER 1, 2004

Labor and Materials to Maintain and Repair Various Types of Valves, Actuators, and Appurtenances, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 587-02, passed by the Council of the City of Cleveland, June 10, 2002.

THERE WILL BE A MANDATORY PRE-BID MEETING WEDNESDAY, SEPTEMBER 8, 2004 AT 10:00 A.M., CROWN WATER PLANT, 955 CLAGUE ROAD, WESTLAKE, OHIO 44145.

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

Labor and Materials to Repair or Replace Roofs, for the Division of Water, Department of Public Utilities, as authorized by Ordinance No. 2312-03, passed by the Council of the City of Cleveland, December 15, 2003.

THERE WILL BE A MANDATORY PRE-BID MEETING WEDNESDAY, SEPTEMBER 8, 2004 AT 1:30 P.M., PUBLIC UTILITIES BUILDING, 4TH FLOOR ATRIUM 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.

August 25, 2004 and September 1, 2004

ADOPTED RESOLUTIONS AND ORDINANCES

NONE

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NO MEETINGS

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O—Ordinance; R—Resolution; F—File

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